

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND TWELFTH LEGISLATURE
4

5 Legislative Document

No. 382

6
7 H.P. 293

House of Representatives, January 31, 1985

8 Referred to the Committee on Business and Commerce and ordered
9 printed. Sent up for concurrence.

10 EDWIN H. PERT, Clerk

Presented by Representative Brannigan of Portland.

11
12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FIVE
16

17 AN ACT Relating to Deferred Payments and
18 Terms and Schedules for Repayment of
19 Loans under the Maine Consumer Credit
20 Code.
21

22 Be it enacted by the People of the State of Maine as
23 follows:

24 Sec. 1. 9-A MRSA §3-308, sub-§§1 and 2, as en-
25 acted by PL 1973, c. 762, §1, are amended to read:

26 1. No creditor shall at any time contract for or
27 receive payments pursuant to a schedule of payments
28 under which any one payment is not substantially
29 equal to all other payments, excluding any down pay-
30 ment receivable by the creditor or under which the
31 intervals between any consecutive payments differ
32 substantially; ;

33 2. Notwithstanding any provision of this sec-
34 tion, where a consumer's livelihood is dependent upon
35 seasonal or intermittent income, the parties may

1 agree in a separate writing that one or more payments
2 or the intervals between one or more payments may be
3 reduced or expanded in accordance with the needs of
4 the consumer if such payments or intervals are ex-
5 pressly related to the consumer's expected income; ;

6 Sec. 2. 9-A MRSA §3-308, sub-§§2-A and 2-B are
7 enacted to read:

8 2-A. Notwithstanding any other subsection, a
9 schedule of payments may provide for the deferral of
10 the first periodic payment for a period of not more
11 than 120 days;

12 2-B. Notwithstanding any other subsection, a
13 schedule of payments may require a final payment not
14 substantially equal to all other periodic payments as
15 long as the contract evidencing the consumer credit
16 transaction gives the consumer the right to refinance
17 the amount of the final payment on terms at least as
18 favorable, including, but not limited to, the finance
19 charge and periodic payment amount, as those speci-
20 fied in the original consumer credit transaction it-
21 self; and

22 STATEMENT OF FACT

23 This bill permits a financial institution to de-
24 fer the first payment on a consumer credit loan up to
25 120 days and provides the consumer and the financial
26 institution greater flexibility in determining loan
27 repayment terms and schedules.

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