

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
One Hundred and Sixth Legislature
1ST SPECIAL SESSION
JANUARY 2, 1974 TO MARCH 29, 1974
AND BY THE
One Hundred and Seventh Legislature
REGULAR SESSION
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,
SECTION 164, SUBSECTION 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

and the rights of private citizens in the area. Such license does not confer any right, title or interest in submerged or intertidal lands owned by the State.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 19, 1975

CHAPTER 288

AN ACT Concerning the Maine Consumer Credit Code and the Insurance Statutes.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, section 4.104, subsection 3 of the Code is ambiguous and in conflict with certain portions of the insurance laws, creating a situation where enforcement of this subsection by this bureau could result in the initiation of several lawsuits by various credit grantors and insurance companies; and

Whereas, the insurance law does not cover transactions of more than 5 years, while the Code does not cover transactions involving credit insurance of more than 10 years, creating an inequitable situation from an enforcement viewpoint; and

Whereas, section 5.103, subsection 5, paragraph B of the Code is meaningless and unenforceable due to a drafting error in the original bill in reference to the word "execution"; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

Sec. 1. 9-A MRSA § 4-103, sub-§ 1, ¶ A, as enacted by PL 1973, c. 762, § 1, is amended to read:

A. Insurance provided in relation to a credit transaction in which a payment is scheduled more than ~~10~~ 15 years after the extension of credit;

Sec. 2. 9-A MRSA § 4-104, sub-§ 3, as enacted by PL 1973, c. 762, § 1, is repealed and the following enacted in place thereof:

3. In any consumer credit sale or any supervised loan, except pursuant to open-end credit sales, a creditor may not contract for or receive a separate charge for consumer credit insurance providing for accident and health coverage unless there is a minimum payment of \$30 per month or a loan duration of at least 18 months. All consumer credit insurance providing for accident and health coverage in any consumer credit sale or any supervised loan shall provide for a waiting period of 30 days or more. For the purposes of this subsection, a waiting period is defined as a stated period after the inception of a disability for which no benefits are paid.

Sec. 3. 9-A MRSA § 5-103, sub-§ 5, ¶ B, as enacted by PL 1973, c. 762, § 1, is amended to read:

B. The collateral is not subject to levy or sale on ~~executive~~ execution or similar proceedings pursuant to the judgment.

Sec. 4. 24-A MRSA § 2851, as enacted by PL 1969, c. 132, § 1, is amended to read:

§ 2851. Scope

All life insurance and all health insurance in connection with loans or other credit transactions shall be subject to this chapter, except such insurance in connection with a loan or other credit transaction of more than ~~5~~ 15 years duration or issued in an isolated transaction on the part of the insurer not related to an agreement or a plan for insuring debtors of the creditor.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective May 19, 1975

CHAPTER 289

AN ACT Relating to Access to Written Records Concerning Elementary and Secondary School Pupils.

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

20 MRSA § 805, as enacted by PL 1971, c. 611, § 9-A, is repealed and the following enacted in place thereof:

§ 805. Dissemination of information

The dissemination of information on students shall be governed by the Privacy Act of 1974, as amended, PL 93-579.

Effective October 1, 1975

CHAPTER 290

AN ACT to Clarify Provisions Concerning Travel Expenses of Members of Boards and Commissions.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, certain provisions of the statutes relating to reimbursement of travel expenses of members of boards and commissions are vague; and

Whereas, this lack of clarity has resulted and may result in payment of travel expenses which are far in excess of those intended by the Legislature; and