

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

pursuant to law to the actual unpaid balances of the amount financed for the actual time that the unpaid balances were outstanding as of the date of prepayment, giving effect to each payment, including payments of any deferral and delinquency charges, as of the date of the payment. The administrator shall adopt rules to simplify the calculation of the unearned portion of the finance charge, including allowance of the use of tables or other methods derived by application of a percentage rate which deviates by not more than $\frac{1}{2}$ of 1% from the rate of the finance charge required to be disclosed to the consumer pursuant to law, and based on the assumption that all payments were made as originally scheduled or as deferred.

6. For transactions in which payments are not scheduled to be made in substantially equal instalments at equal periodic intervals, the administrator shall adopt rules consistent with this section providing for the calculation of the unearned portion of the finance charge.

7. Except as otherwise provided in subsection 5, this section does not preclude the collection or retention by the creditor of delinquency charges, section 2-502.

8. If the maturity is accelerated for any reason and judgment is entered, the consumer is entitled to the same rebate as if payment had been made on the date judgment is entered.

9. Upon prepayment in full of a precomputed consumer credit transaction by the proceeds of consumer credit insurance, section 4-103, the consumer or his estate is entitled to the same rebate as though the consumer had prepaid the agreement on the date the proceeds of insurance are paid to the creditor, but no later than 14 days after satisfactory proof of loss is furnished to the creditor.

Sec. 2. Effective date. Those portions of the provisions of this Act which prohibit the use of the sum of the balances method, as defined in section 2-510, subsection 4, paragraph B, and as prohibited in section 2-510, subsection 5, paragraph A, in computing the unearned portion of the finance charge on transactions payable in more than 48 instalments shall take effect on July 1, 1976, except where there has been a deferral other than a standard deferral.

Effective October 1, 1975. Except as Otherwise Indicated.

CHAPTER 434

AN ACT to Establish a Statute of Limitations with Regard to the Negligence of Design Professionals.

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

14 MRSA § 752-A is enacted to read:

§ 752-A. Design professionals

All civil actions for malpractice or professional negligence against architects or engineers duly licensed or registered under Title 32 shall be commenced within 4 years after such malpractice or negligence is discovered, but

in no event shall any such action be commenced more than 10 years after the substantial completion of the construction contract or the substantial completion of the services provided, if a construction contract is not involved. The limitation periods provided by this section shall not apply if the parties have entered into a valid contract which by its terms provides for limitation periods other than those set forth in this section.

Effective October 1, 1975

CHAPTER 435

AN ACT to Remove the Requirement that Municipalities Composing a Transit District be Contiguous and to Authorize Municipal Transit Districts to Provide Transportation Service Outside of District Boundaries and Concerning Advertising which may be Carried by Certain Transit District Buses.

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

Whereas, public transportation is extremely important during the coming months to accommodate the touring public during the energy shortage; and

Whereas, legislation to permit municipalities which are not contiguous to be included in a transit district is vitally important to encourage public transportation; 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. 29 MRSA § 2012, sub-§ 1, ¶ A, as last repealed and replaced by PL 1973, c. 780, § 4, is amended by adding at the end the following new sentence:

Transit district buses, subject to this section, used primarily for transporting persons other than pupils, may carry advertising not to exceed a width of 40 inches on their front and of 75 inches on their rear.

Sec. 2. 30 MRSA § 4971, first sentence, as enacted by PL 1965, c. 488, is further amended to read:

Any municipality may by vote of its legislative body by itself, or in cooperation with one or more other municipalities ~~so located as to be contiguous to one another~~ form a transit district for the purposes provided in this chapter. **With the consent of the Public Utilities Commission and of the municipal officers of any municipality not included in a transit district, a transit district may provide transportation services within that municipality.**

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

Effective June 11, 1975