

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

**ONE HUNDRED AND TENTH LEGISLATURE**

**FIRST REGULAR SESSION**  
December 3, 1980 to June 19, 1981

**AND AT THE**

**FIRST SPECIAL SESSION**  
August 3, 1981

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ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED, TITLE  
3, SECTION 164, SUBSECTION 6.**

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION

of the  
ONE HUNDRED AND TENTH LEGISLATURE

1981

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brochure for persons eligible for Medicare by reason of age, which is intended to improve the buyer's ability to select the most appropriate coverage and improve the buyer's understanding of Medicare. Except in the case of direct response insurance policies, the superintendent may require by regulation that the informational brochure be provided to any prospective insureds eligible for Medicare concurrently with the delivery of the outline of coverage. With respect to direct response insurance policies, the superintendent may require by rule that the prescribed brochure must be provided to any prospective insureds eligible for Medicare by reason of age upon request, but in no event later than the time of policy delivery.

4. Rules. The superintendent may promulgate reasonable rules to govern the full and fair disclosure of information in connection with the replacement of Medicare supplement policies and contracts.

§ 5006. Preexisting conditions

Notwithstanding section 2706, subsection 2, no insurer, nonprofit hospital, medical service organization or nonprofit health care plan may deny a claim arising under a Medicare supplement policy or contract for losses incurred more than 6 months from the effective date of coverage on the basis of a preexisting condition. The policy may not define a preexisting condition more restrictively than a condition for which medical advice was given or treatment was recommended by or received from a physician within 6 months before the effective date of coverage.

Effective September 18, 1981

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## CHAPTER 235

S. P. 228 — L. D. 615

**AN ACT Relating to Interest Rates upon Refinancing of Loans under the Maine Consumer Credit Code and Making other Clarifications of the Maine Consumer Credit Code.**

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

**Sec. 1.** 9-A MRSA § 1-301, sub-§ 8, first sentence, as repealed and replaced by PL 1975, c. 324, § 1, is amended to read:

“Closing costs,” provided they are bona fide, reasonable in amount and not for the purpose of circumvention or evasion of this Act, with respect to a debt secured by an interest in land or a loan for manufactured housing as that term is defined in Title 10, section 9002, subsection 7, include:

**Sec. 2. 9-A MRSA § 2-305, sub-§ 1, 3rd sentence**, as enacted by PL 1973, c. 762, § 1, is amended to read:

For these purposes, he shall have free and reasonable access to the offices, places of business and records of the lender **and may make and procure copies of the records without the necessity of employing the subpoena powers provided by section 6-106.**

**Sec. 3. 9-A MRSA § 2-504, first sentence** as enacted by PL 1973, c. 762, § 1, is amended to read:

Subject to section 2-308, with respect to a consumer credit transaction, the creditor may, by agreement with the consumer, refinance the unpaid balance and may contract for and receive a finance charge based on the amount financed resulting from the refinancing at a rate not exceeding by ~~1/4%~~ 1% per year the rate charged in the original agreement and stated to the consumer pursuant to the provisions on disclosure.

**Sec. 4. 9-A MRSA § 6-106, sub-§ 1, 3rd sentence**, as enacted by PL 1973, c. 762, § 1, is amended to read:

During any investigation, the administrator may administer oaths or affirmations, and, upon his own motion or upon request of any party, may subpoena witnesses, compel their attendance, adduce evidence and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition and location of any books, documents or other tangible things and the identity and location of persons having knowledge of relevant facts, or any other matter reasonably calculated to lead to the discovery of admissible evidence, **and may make and procure copies of any such books, documents or other tangible things without the necessity of employing the subpoena powers provided by this section.**

Effective September 18, 1981

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## CHAPTER 236

S. P. 318 — L. D. 908

### AN ACT to Amend the Consumer Loan Agreements Law.

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

Whereas, the so-called "plain language" law requires significant revision of consumer loan forms by July 4, 1981, while truth-in-lending law amendments, which also require substantial revision of the same forms, takes effect April 1, 1982; and