

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

**PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN
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PUBLIC LAWS
OF THE
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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

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

Whereas, if these laws take effect on different dates, Maine creditors will be put to considerable needless expense and effort; 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. 10 MRSA § 1124, first ¶, as enacted by PL 1979, c. 483, is amended to read:

After ~~July 4, 1981~~ **April 1, 1982**, every agreement shall be:

Sec. 2. 10 MRSA § 1126, sub-§ 1, 2nd sentence, as enacted by PL 1979, c. 483, is amended to read:

Before ~~July 4, 1981~~ **April 1, 1982**, within 60 days, and after ~~July 4, 1981~~ **April 1, 1982**, within 45 days, the bureau shall either certify the form as complying with the requirements of section 1124, or refuse to certify the form as complying, setting forth written reasons for its refusal.

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

Effective May 11, 1981

CHAPTER 237

H. P. 786 — L. D. 931

AN ACT to Require Trucks Carrying Explosive Material to Come to a Complete Stop Before Crossing Railroad Tracks.

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

29 MRSA § 998-A is enacted to read:

§ 998-A. Trucks transporting explosives

The operator of a motor truck, trailer or semitrailer which is transporting a hazardous material, as defined in Title 25, section 2102, subsection 3, or the United