

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
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TENTH LEGISLATURE

1981

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

35 MRSA § 1560, sub-§ 1, last ¶, as enacted by PL 1977, c. 676, § 2, is amended by inserting at the end the following new sentences:

Any sawlogs and pulpwood harvested on lands owned by the State may be transported without the limitations provided by this section where the limitations are based solely on the source of the sawlogs and pulpwood being state-owned lands, if the Commissioner of Conservation consents to the transport. The Commissioner of Conservation shall give the consent where it is necessary to avoid severe economic hardship or to avoid the disruption of land management plans.

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

Effective May 13, 1981

CHAPTER 264

H. P. 448 — L. D. 495

AN ACT to Provide Notice to Cosigners and Others Similarly Situated in Consumer Credit Transactions.

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

Sec. 1. 9-A MRSA § 3-206 is enacted to read:

§ 3-206. Notice to cosigners and similar parties

1. **Notice required.** A natural person is not obligated as a cosigner, comaker, guarantor, endorser, surety or similar party with respect to a consumer credit transaction, unless before or contemporaneously with signing any separate agreement of obligation, or any writing setting forth the terms of the debtor's agreement, the person receives a written notice conforming to the requirements of subsection 2 and the following notices required to be given to the debtor as applicable:

- A. Notice of the right to cure default under Article V;
- B. The disclosures required under Article VII;
- C. Notices required under Title 11, Article 9; and

D. Notices required under Title 14, chapter 713.

2. Form of notice. The notice required by subsection 1 shall be clear and conspicuous and shall contain the following information:

A. An identification of the creditor, debtor and date of transaction;

B. A description of the nature and extent of the person's obligation in connection with the transaction;

C. The total of payments and, if applicable, the fact that delinquency charges and other costs may also be assessed;

D. The fact that the creditor can take legal action against the person even though he has not received any personal benefit in connection with the transaction; and

E. A statement informing the person of his right to a copy of the agreement of obligation that creates his obligation.

3. Exception. The notice required by this section need not be given to a seller, lessor or lender who is obligated to an assignee of his rights.

4. Copy of agreement. A person entitled to notice under this section shall be given a copy of any writing setting forth the terms of the debtor's agreement and any separate agreement of obligation signed by the person entitled to the notice.

5. Priority for collection. A creditor may not begin a legal action against a person entitled to notice under this section until he has exercised due diligence to collect the debt from the debtor. This subsection does not apply if the person is jointly and severally liable with respect to the transaction.

Sec. 2. Effective date. This Act shall apply to all consumer credit transactions entered into after April 1, 1982.

Effective September 18, 1981, unless otherwise indicated

CHAPTER 265

H. P. 56 — L. D. 69

AN ACT Concerning the Inspection of Ballots on Municipal Questions.

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