

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

FIRST REGULAR SESSION

December 5, 1984 to June 20, 1985

Chapters 1-384

PUBLISHED BY THE REVISOR OF STATUTES IN ACCORDANCE WITH
MAINE REVISED STATUTES ANNOTATED, TITLE 3, SECTION 163-A,
SUBSECTION 4.

J.S. McCarthy Co., Inc.
Augusta, Maine
1986

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED AT THE
FIRST REGULAR SESSION

of the
ONE HUNDRED AND TWELFTH LEGISLATURE

1985

1. Except as provided in this section, no creditor may contract for or receive payments of principal and interest pursuant to a schedule of payments under which any one payment is not substantially equal to all other payments, excluding any down payment receivable by the creditor or under which the intervals between any consecutive payments differ substantially;

2. When a consumer's livelihood is dependent upon seasonal or intermittent income, the parties may agree in a separate writing that one or more payments or the intervals between one or more payments may be reduced or expanded in accordance with the needs of the consumer if the payments or intervals are expressly related to the consumer's expected income;

3. A schedule of payments may provide for the deferral of the first periodic payment subsequent to any down payment for a period of not more than 90 days;

4. A schedule of payments may require a final payment not substantially equal to all other periodic payments if the contract evidencing the consumer credit transaction gives the consumer the right to refinance the amount of the final payment on terms at least as favorable, including, but not limited to, the rate of finance charge and periodic payment amount, as those specified in the original consumer credit transaction, in order to fully amortize the obligation; and

5. With respect to any transaction in violation of this section, the consumer shall have the right, at any time, without further cost or obligation, to revise the schedule of payments to conform both the payments and intervals to the average of all payments and intervals.

Effective September 19, 1985.

CHAPTER 114

H.P. 777 - L.D. 1098

AN ACT Related to the Observance of
Memorial Day.

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

Whereas, current law provides that beginning in 1985 the State will observe Memorial Day on May 30th; and

Whereas, the Federal Government continues to observe Memorial Day on the last Monday of May; and

Whereas, unless the state law is changed prior to May, the State Government and Federal Government will not be observing the holiday on the same day, thus creating confusion and hardship for the citizens of the State; 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. 4 MRSA §1051, as amended by PL 1981, c. 202, is further amended to read:

§1051. Legal holidays

No court may be held on Sunday or any day designated for the annual Thanksgiving; or for the choice of Presidential Electors; New Year's Day, January 1st; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May, but if the United States Government designates May 30th as the date for observance of Memorial Day ~~or in 1985, whichever occurs first in time~~, the 30th of May; the 4th of July; Labor Day, the first Monday of September; the day of a statewide primary, general election; Columbus Day, the 2nd Monday in October; ~~Veterans~~ Veterans' Day, November 11th; or on Christmas Day. The Chief Justice of the Supreme Judicial Court may order that court be held on a legal holiday when he finds that the interests of justice and judicial economy in any particular case will be served. The public offices in county buildings may be closed to business on the above-named holidays. When any one of the above-named holidays falls on Sunday, the Monday following shall

be observed as a holiday, with all the privileges applying to any of the days above named.

Sec. 2. 9-B MRSA §141, sub-§1, as repealed and replaced by PL 1975, c. 623, §6-A, is amended to read:

1. Holidays established. Any day of public thanksgiving, mourning or disaster, proclaimed or appointed by the Governor or by the President of the United States, the first day of January; Washington's Birthday, the 3rd Monday in February; Patriot's Day, the 3rd Monday in April; Memorial Day, the last Monday in May, but if the United States Government designates May 30th as the date for observance of Memorial Day ~~or in 1985, whichever occurs first in time,~~ the 30th of May; the 4th of July; Labor Day, the first Monday of September; Columbus Day, the 2nd Monday in October; Veterans' Day, November 11th; and the 25th day of December are declared to be ~~financial institution~~ bank holidays. If the first day of January, the 4th day of July, the 11th day of November or the 25th day of December falls on Sunday, the following Monday shall be deemed a ~~financial institution~~ bank holiday for the purpose of this Title. When the date for observance of Memorial Day changes under this subsection to the 30th day of May and such date falls on a Sunday, the following Monday shall be deemed a ~~financial institution~~ bank holiday for the purposes of this Title.

Sec. 3. 17 MRSA §3204, first ¶, as amended by PL 1983, c. 156, is repealed and the following enacted in its place:

No person, firm or corporation may, on the Lord's Day; Memorial Day, the last Monday in May, but if the Federal Government designates May 30th as the date for observance of Memorial Day, the 30th of May; July 4th; Labor Day, the first Monday of September; Veterans' Day, November 11th; Christmas Day and Thanksgiving Day as proclaimed by the Governor, keep open a place of business to the public, except for works of necessity, emergency or charity.

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

Effective April 19, 1985.
