

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

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ONE HUNDRED AND TWELFTH LEGISLATURE

1985

exceeding 1/2 of that number, of the voters qualified to vote in each voting place.

Effective September 19, 1985.

CHAPTER 316

S.P. 612 - L.D. 1605

AN ACT Relating to Collateral and Terms of
Credit Transactions Under the Maine
Consumer Credit Code.

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

Sec. 1. 9-A MRSA §2-504, first ¶, as amended by PL 1983, c. 77, is further 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% per year the rate charged in the original agreement and stated to the consumer pursuant to the provisions on disclosure. This section shall not apply to consumer loans in which the ~~principle~~ principal thereof is payable in a single payment on demand or at a specified time and the finance charge, calculated according to the actuarial method, does not exceed 12 1/4% per year, or to consumer loans which, at the time of refinancing, are subject to the provisions of federal laws or regulations governing interest on deposits, provided that the difference between the rate of interest earned on the savings or time deposit and the rate of interest charged on the loan secured by that deposit does not exceed the difference between the rate of interest earned on the savings or time deposit and the rate of interest charged on the loan secured by that deposit for the loan that is being refinanced or upon voluntarily providing different collateral than that securing the original loan, provided that the consumer has not been in default on the loan with the creditor within the 12-month period preceding the refinancing of the loan. This section also does not apply to consumer loans in which the principal is payable in a single payment on demand or at a speci-

fied time and the debt is secured by an interest in securities, bonds, debentures or other corporate obligations. For the purpose of determining the finance charge permitted, the amount financed resulting from the refinancing comprises the following:

Sec. 2. 9-A MRSA §3-301, sub-§1, as amended by PL 1981, c. 243, §§15 and 26, is further amended to read:

1. With respect to a consumer credit sale, a seller may take a security interest in the property sold. In addition, a seller may take a security interest in goods upon which services are performed or in which goods sold are installed or to which they are annexed, or in land to which the goods are affixed or which is maintained, repaired or improved as a result of the sale of the goods or services, if in the case of a security interest in land the debt secured is \$1,000 or more, and, where there is an existing home, the transaction is subject to Title 9, chapter 360, or, in the case of a security interest in goods, the debt secured is \$300 or more. Except as provided with respect to cross-collateral, section 3-302, a seller may not otherwise take a security interest in property of the buyer to secure the debt arising from a consumer credit sale.

Effective September 19, 1985.

CHAPTER 317

H.P. 1055 - L.D. 1534

AN ACT Relating to Scalloping and Dragging in the Frenchboro Area.

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

12 MRSA §6954-A is enacted to read:

§6954-A. Dragging and scalloping prohibited in the Frenchboro area

It is unlawful to take scallops by any means or to operate any watercraft when towing a drag or trawl within the following area: Starting at the westernmost point on Red Point, Swan's Island; thence in an easterly direction to the southernmost point of