

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-EIGHTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 2016 to August 2, 2017

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

Augusta, Maine
2017

administrator finds reason to believe, after investigation or hearing, or both, that:

- A. The licensee has violated this Act or any rule or order made pursuant to this Act; or
- B. Facts or conditions exist that would clearly have justified the administrator in refusing to grant a license had these facts or conditions been known to exist at the time the application for the license was made.

An affirmative finding by the District Court of either cause is sufficient to suspend or revoke the license.

Sec. 7. 9-A MRSA §2-303-A, as amended by PL 2011, c. 427, Pt. B, §8, is further amended to read:

§2-303-A. Temporary suspension of license

Notwithstanding Title 5, sections 10003 and 10004 and Title 10, section 8003, if the public interest or the protection of borrowers so requires, the administrator may, by order, suspend a license to make or service supervised loans or a license as a mortgage loan originator or postpone the effective date of such a license. Upon entry of the order, the administrator shall promptly notify the applicant or licensee that an order has been entered, of the reasons for the order and that, within 15 days after the receipt of a written request by the applicant or licensee, the matter must be scheduled for hearing. Section 2-303 applies to all subsequent proceedings.

Sec. 8. 9-A MRSA §2-304, sub-§2, as amended by PL 2013, c. 466, §6, is further amended to read:

2. The administrator may direct each licensee to file composite annual and quarterly reports relating to all supervised loans made ~~or~~ arranged or serviced by that licensee. Information contained in annual and quarterly reports is confidential and may be published only in composite form. The administrator may at any time require additional reports if the administrator determines such action necessary to the proper supervision of licensees.

Sec. 9. 9-A MRSA §2-309, as enacted by PL 1973, c. 762, §1, is amended to read:

§2-309. No other business for purpose of evasion

A supervised lender may not carry on other business for the purpose of evasion or violation of this Act at a location where ~~he~~ the supervised lender makes or services supervised loans.

Sec. 10. 9-A MRSA §9-101, as amended by PL 2007, c. 273, Pt. A, §24 and affected by §41, is further amended to read:

§9-101. Scope

This ~~article~~ Article applies to all consumer credit transactions made by creditors that are not supervised

financial organizations, that are made to finance or refinance the acquisition of real estate or the initial construction of a dwelling or that are secured by a first-lien mortgage on real estate and applies to the servicing of those transactions.

Sec. 11. 9-A MRSA §9-201, as enacted by PL 1987, c. 396, §12, is amended to read:

§9-201. Authority to make or service supervised loans; licensing

The provisions of ~~article II, part 3~~, sections 2-301 to 2-304 ~~shall~~ control the authority of supervised lenders and mortgage loan servicers that are not supervised financial organizations; to make or service loans governed by this ~~article~~ Article.

See title page for effective date.

CHAPTER 107

S.P. 233 - L.D. 671

**An Act To Allow for Accurate
Credit for a License
Suspension for Operating
under the Influence**

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

Sec. 1. 29-A MRSA §2413, sub-§3, as repealed and replaced by PL 2005, c. 683, Pt. B, §23, is amended to read:

3. Penalties. In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1 for not less than 30 days nor more than 180 days, which minimum may not be suspended. In addition to any other penalty, the court shall suspend the driver's license of a person convicted under subsection 1-A for not less than 180 days nor more than 2 years, which minimum may not be suspended. If the court fails to suspend the license, the Secretary of State shall impose the minimum period of suspension. The court shall impose a sentencing alternative that involves a fine of not less than \$575, which may not be suspended. If a person's license is suspended under section 2453 or 2453-A arising out of the same occurrence, the period of time the license has been suspended under section 2453 or 2453-A prior to conviction must be deducted from the period of suspension under this subsection.

See title page for effective date.