

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BANKING AND INSURANCE

AUGUST 1995

Staff:

Colleen M. McCarthy, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. I. Joel Abromson
Sen. Mary E. Small
Sen. Dale McCormick*

**Rep. Marc J. Vigue
Rep. Gail M. Chase
Rep. Gordon P. Gates
Rep. Norman R. Paul
Rep. Michael V. Saxl
Rep. Richard H. Campbell
Rep. William Guerrette
Rep. Sumner A. Jones, Jr.
Rep. Lisa Lumbra
Rep. Arthur F. Mayo, III*

**Denotes Chair*



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333
Telephone (207) 287-1670
Telecopier (207) 287-1275

**ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

SPONSOR(S)
CAREY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-234

SUMMARY

In order to streamline the regulation of creditors and financial institutions, this bill repeals the Bureau of Consumer Credit Protection and consolidates the functions of the bureau within the Bureau of Banking.

COMMITTEE AMENDMENT "A" (S-234) does the following.

1. The administrative responsibility for the Maine Consumer Credit Code as it applies to financial institutions is transferred from the Bureau of Consumer Credit Protection to the Bureau of Banking.
2. The Bureau of Consumer Credit Protection is replaced with the Office of Consumer Credit Regulation, headed by a director instead of a superintendent.
3. The Council of Advisors on Consumer Credit is repealed, but the administrator, as defined by the Maine Revised Statutes, Title 9-A, section 1-301, subsection 2, is authorized to convene an informal advisory group.
4. Any rules or opinions issued by the Superintendent of Consumer Credit Protection prior to the effective date of the legislation remain in effect after that date.
5. References to the Superintendent of Consumer Credit Protection and the Bureau of Consumer Credit Protection are deleted to reflect the new office with a director; provisions relating to the deputy superintendent are repealed on October 1, 1996 to maintain consistency with an existing state retirement incentive contract.
6. The Superintendent of Banking is designated as the administrator of the Maine Consumer Credit Code with respect to financial institutions and required to designate an individual within the Bureau of Banking to promote the Maine Consumer Credit Code with respect to financial institutions.
7. The Bureau of Banking is allowed to review consumer contracts for "plain language" pursuant to the State's consumer loan and lease agreement laws.
8. The consumer protection and education responsibilities of the Maine Consumer Credit Code with respect to financial institutions are incorporated into the banking code.
9. Responsibility for certification of money order issuers is transferred from the Bureau of Banking to the Office of Consumer Credit Regulation.
10. The examination function for compliance with fair credit reporting and debt collection laws by financial institutions is transferred to the Bureau of Banking.

The amendment transfers from the Bureau of Consumer Credit Protection to the Office of Consumer Credit Regulation all of the allocations and appropriations, rules, contracts and agreements, records, property and employees of the bureau. It directs the Revisor of Statutes to make any changes necessary for consistency of the statutes.

The amendment also adds a fiscal note to the bill.