

MAINE BUREAU OF FINANCIAL INSTITUTIONS
MAINE OFFICE OF CONSUMER CREDIT REGULATION
SUPERINTENDENT'S
NOTICE TO INTERESTED PARTIES

Please find Attached the Bureau of Financial Institution's and Bureau of Consumer Credit Protection's proposed re-promulgated Regulation Z-2, the Notice of Agency Rule-making Proposal setting forth the reasons for the re-promulgation, and the Small Business Impact Statement. The comment deadline is April 6, 2010:

/s/ Lloyd P. LaFountain III
Superintendent of Financial Institutions
Gardiner, Maine
February 24, 2010

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

030	BUREAU OF CONSUMER CREDIT PROTECTION CHAPTER 240	029	BUREAU OF FINANCIAL INSTITUTIONS CHAPTER 138 (REG. 38)
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TRUTH IN LENDING; REGULATION Z-2

Summary

This rule was originally promulgated in 1981 and re-promulgated in 1986, 1989, 1992, 1997, 1998 and 2002. This joint re-promulgation, which repeals and replaces both Bureau of Financial Institution Rules, Chapter 138, and Bureau of Consumer Credit Protection Rules, Chapter 240, adopts the latest federal Truth-in-Lending regulations by reference so as to implement Article VIII of the Maine Consumer Credit Code.

SECTION 1. AUTHORITY

This rule is being adopted pursuant to 9-A M.R.S. §§ 6-104 and 8-104 by the Bureau of Consumer Credit Protection and the Bureau of Financial Institutions,

as the agencies responsible for the administration of the Maine Consumer Credit Code for supervised lenders and supervised financial organizations.

SECTION 2. PURPOSE

This rule mandates how the cost of credit and leases must be disclosed to consumers and how billing errors must be resolved in open-end credit.

SECTION 3. DEFINITIONS

1. "Administrator" means a person as defined in 9-A M.R.S. § 1-301(2).
2. "Code" means the Maine Consumer Credit Code, Title 9-A M.R.S.

SECTION 4. GENERAL PROVISIONS

Except as provided below, the Administrators hereby adopt all final provisions of federal Regulation Z (12 Code of Federal Regulations, Part 226) adopted through February 22, 2010, including all appendices, and all provisions of federal Regulation M (12 Code of Federal Regulations, Part 213) adopted through February 22, 2010 by the Board of Governors of the Federal Reserve System pursuant to Title I (Truth-in-Lending Act) and Title V (General Provisions) of the Consumer Credit Protection Act (15 U.S.C. § 1601 et seq.

The following provisions of Regulations Z and M are not adopted:

1. Reg. Z, § 226.1(e) concerning enforcement and liability, to the extent that additional penalties are set forth in §§ 8-206-E and 8-209 of the Code;
2. Reg. Z, § 226.2(a)(6), the definition of the term "business day," to the extent it differs from the definition of "business day" in § 1-301(6-A) of the Code;
3. Reg. Z, § 226.2(a)(14), the definition of the term "credit," to the extent it differs from the definition of "credit" in § 1-301(15) of the Code;
4. Reg. Z, § 226.2(a)(16), the definition of the term "credit sale," to the extent it differs from the definition of "consumer credit sale" in § 1-301(11) of the Code;
5. Reg. Z, § 226.3(b), which exempts credit (other than credit secured by real property) over \$25,000, to the extent there is conflict with § 1-301(11)(A)(vi) (which extends the provisions of the Code to debts secured by manufactured housing and to motor vehicle sales in which the amount financed does not exceed \$ 35,000) and § 1-301(14)(A)(iv)(b) (which extends the provisions of the Code to unsecured loans not exceeding \$35,000 if made by a supervised

lender other than a supervised financial organization);

6. Reg. Z, § 226.4(d)(1)(ii), concerning the form of disclosure of the cost of credit insurance, to the extent that additional substantive and disclosure requirements are imposed by § 4-104 of the Code;

7. Reg. Z, § 226.5a(b)(1)(i), which sets forth the requirements for disclosure of the variable rate feature of a credit or charge card plan, to the extent that its provisions are more limited than those contained in § 3-310(1)(D) of the Code;

8. Reg. Z, § 226.5a(b)(5), which sets forth the requirements for disclosure of a credit card plan's "grace period," to the extent that it contemplates grace periods shorter than the minimum 25-day requirements of §§ 2-202(5) and 2-402(4) of the Code;

9. Reg. Z, §§ 226.5a(b)(9) and 226.5a(b)(10), which set forth the requirements for disclosure of late payment fees and over-the-limit fees, to the extent that such fees are not expressly authorized by § 2-501 of the Code for transactions other than those involving unsecured lender credit cards, for which late payment fees and over-the-limit fees are authorized in § 2-501(4);

10. Reg. Z, § 226.5a(g), which defines various balance computation or calculation methods, to the extent that it contemplates methods other than the "average daily balance (excluding new purchases)," the "average daily balance (including new purchases)," and the "adjusted balance" methods, which are the only methods permitted by §§ 2-202(2) and 2-402(2) of the Code;

11. Reg. Z, § 226.6(a)(2), footnote 12, which sets forth the requirements for disclosure of the variable rate feature of an open-end credit plan, to the extent that its provisions are more limited than those contained in § 3-310(1)(D) of the Code;

12. Reg. Z, § 226.9(c)(1), concerning the 15-day notice requirement for changes in terms for home equity plans and other forms of open-end credit that are not credit card accounts, to the extent there is a conflict with the 30-day notice requirement in § 3-204 of the Code;

13. Reg. Z, § 226.12(f) concerning discounts, to the extent that sellers in sales transactions are also prohibited from imposing a surcharge on a card holder who elects to use a card in lieu of payment by cash, check or similar means as set forth in § 8-303(2) of the Code;

14. Reg. Z, § 226.17(c)(5) and Official Staff Commentary to Reg. Z, § 226.17(c)(1)-17 to the extent there is a conflict with §§8-103 (1-A)(EE) and 8-106(6) of the Code;

15. Reg. Z, § 226.19(a)(2)(ii), concerning the receipt of corrected disclosures, to the extent that additional disclosure requirements regarding prepayment penalties are imposed by § 8-206(3)(B) of the Code;

16. Reg. Z, § 226.24(i)(4), to the extent there is a conflict with § 241(15) of Title 9-B, the Maine Banking Code;

17. Reg. Z, § 226.32 concerning requirements for certain closed-end home mortgages referred to in the Code as high-rate, high-fee mortgages, as a result of this section being supplanted by the provisions of §§ 8-206-A and 8-206-H of the Code, including terms used in §§ 8-206-A and 8-206-H of the Code and defined in § 8-103(1-A) and elsewhere in the Code, to the extent there is a conflict with terms defined in federal Regulation Z;

18. Reg. Z, § 226.34, concerning prohibited acts or practices in connection with certain closed-end home mortgages referred to in the Code as high-rate, high-fee mortgages, as a result of this section being supplanted by the provisions of §§ 8-206-A, 8-206-H and 8-206-I of the Code, including terms used in §§ 8-206-A, 8-206-H and 8-206-I of the Code and defined in § 8-103(1-A) and elsewhere in the Code, to the extent there is a conflict with terms defined in federal Regulation Z;

19. Reg. Z, § 226.35, concerning prohibited acts or practices in connection with higher-priced mortgage loans, as a result of this section being supplanted by the provisions of § 8-206-I of the Code, including terms used in § 8-206-I of the Code and defined in § 8-103(1-A) and elsewhere in the Code, to the extent there is a conflict with terms defined in federal Regulation Z;

20. Reg. Z, § 226.36, concerning prohibited acts or practices in connection with credit secured by a consumer's principal dwelling, as a result of this section being supplanted by § 8-206-J of the Code, including terms used in § 8-206-J of the Code and defined in § 8-103(1-A) and elsewhere in the Code, to the extent there is a conflict with terms defined in federal Regulation Z;

21. Reg. Z, § 226.52(a)(2), concerning the limitations on fees, to the extent that § 2-501(4)(D) imposes a limit on attorney's fees of not more than 15% of the unpaid debt incurred in connection with a legal action brought by an attorney who is not a salaried employee of the creditor;

22. Reg. Z, Appendix G-1, sub-§§ (b) and (e), to the extent that there is a conflict with §§ 2-202(2) and 2-402(2) of the Code;

23. Reg. M, § 213.4(m)(2) concerning the value of the leased property upon expiration of the lease, to the extent there is a conflict with §3-401 of the Code; and

24. Reg. M, § 213.4(o) and Official Staff Commentary to Reg. M, § 213.4(o)-3, to the extent there is a conflict with Title 11 M.R.S. § 2-1221(2)(b).

The Administrators shall follow the interpretations set forth in the Official Commentaries to Regulations Z and M issued by the Board of Governors of the Federal Reserve System, except for the Official Staff Commentary to provisions for which an exception has been made under this rule or unless the Administrators issue either a rule or advisory ruling, which explains a conflict between Maine law and federal Regulation Z or M and establishes the interpretation of the Administrators. However, the Administrators shall follow the Official Staff Commentaries relating to §§ 226.32, 226.34 and 226.36 of federal Regulation Z, even though these sections have been excepted from this Regulation Z-2 in their entirety, to the extent that these Official Staff Commentaries relate to language that is identical or substantially similar to State law.

Drafting Note: These provisions include the final rule found in FR 7658 published by the Federal Register on February 22, 2010, which implements provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009. Copies of 12 CFR Part 226 may be obtained at cost from either the Bureau of Financial Institutions or the Bureau of Consumer Credit Protection, or from the Federal Reserve Bank of Boston, 600 Atlantic Avenue, Boston, MA 02106 tel. (617) 973-3000. In addition, a copy may be obtained via the Internet at <http://www.federalreserve.gov/Regulations/RegRef.htm#z>.

Drafting Note: Copies of 12 CFR Part 213 may be obtained at cost from the Bureau of Financial Institutions or from the Bureau of Consumer Credit Protection, or from the Federal Reserve Bank of Boston, 600 Atlantic Avenue, Boston, MA 02106 tel. (617) 973-3000. In addition, a copy may be obtained via the Internet at <http://www.federalreserve.gov/Regulations/RegRef.htm#m>.

Drafting Note: Readers should be aware that, to the extent that provisions of federal Regulation Z have been adopted in this Regulation Z-2, so also have the effective and mandatory compliance dates in federal Regulation Z been incorporated into this Regulation Z-2 but only with respect to those dates in federal Regulation Z that are prospective. To the extent that provisions of federal Regulation Z have been adopted with effective and mandatory compliance dates that have already passed, the effective and mandatory compliance dates of these adopted provisions of federal Regulation Z-2 are the effective date of this Regulation Z-2.

Drafting Note: The "ability to repay" provisions in federal and Maine law are substantially the same, but for the provision in 12 CFR § 226.34(a)(4)(ii)(B) not found in Maine law.

NOTICE OF AGENCY RULE-MAKING PROPOSAL

AGENCY: 02 Department of Professional and Financial Regulation

CHAPTER NUMBER AND TITLE: Chapter 138 (Bureau of Financial Institutions) and Chapter 240 (Bureau of Consumer Credit Protection); Title: Truth-in-Lending, Regulation Z-2.

PROPOSED RULE NUMBER (*leave blank; assigned by Secretary of State*):

CONTACT PERSON FOR THIS FILING: Christian D. Van Dyck, Attorney, Maine Bureau of Financial Institutions.

Contact information:

Bureau of Financial Institutions

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CONTACT PERSON FOR SMALL BUSINESS INFORMATION (if different): N/A.

PUBLIC HEARING (if any): None proposed, unless requested by 5 or more interested parties.

COMMENT DEADLINE: April 6, 2010

BRIEF *SUMMARY: This proposed amended rule, like previous versions, adopts the Federal Truth-in-Lending regulations by reference, so as to implement Article VIII of the Maine Consumer Credit Code. The proposed amended rule will incorporate by reference provisions of Federal Truth-in-Lending regulations promulgated since 2002 when this rule was last promulgated. The amended rule excepts the provisions of federal Regulation Z dealing with mortgage lending, which have been enacted in state law as a result of recent state mortgage lending laws, including the recently enacted, "Act to Conform State Mortgage Laws with Federal Laws," as well as other sections. These proposed amendments will provide clarity for those interpreting state and federal truth-in-lending laws and how they interrelate. The proposed amended rule also updates out-of-date section references. Copies of the rule may be obtained

from Christian D. Van Dyck. A more detailed summary may be found on the Bureau of Financial institution's website: www.maine.gov/financialinstitutions.

IMPACT ON MUNICIPALITIES OR COUNTIES (if any)

None.

STATUTORY AUTHORITY FOR THIS RULE: 9-A MRSA, sections 6-104 and 8-104.

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED (if different): N/A.

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:

Christian.d.vandyck@Maine.gov

The Small Business Impact Statement may be found at:

<http://www.maine.gov/pfr/financialinstitutions/notices/truthinlendingimpact.htm>

* Check one of the following two boxes.

The above summary is for use in both the newspaper and website notices.

The above summary is for the newspaper notice only. A more detailed summary / basis statement is attached.

Please approve bottom portion of this form and assign appropriate AdvantageME number.

APPROVED FOR PAYMENT _____ DATE: _____

(authorized signature)

FUND	AGENCY	ORG	APP	JOB	OBJT
	AMOUNT				
014	02A	1020	012		4946

MAPA-3 revised 9-09: additional summary information for web

Notice of Agency Rule-making Proposal

DETAILED BASIS STATEMENT / SUMMARY:

This Rule replaces a joint rule issued by Bureau of Financial Institutions' Chapter 138, Regulation 38 and the Bureau of Consumer Credit Protection's Chapter 240, Regulation Z-2, effective July 28, 2002, which in turn supplanted versions effective July 7, 1998, May 28, 1997, May 4, 1992, December 18, 1989, May 22, 1986 and September 7, 1981. The purpose of this Rule is to provide guidance to creditors who are subject to Maine's Truth-in-Lending Law (Article VIII of the Code), and to maintain the State's delegation of authority from the Federal Reserve Board, which was granted pursuant to §123 of Title I of the Federal Truth-in-Lending Act, 15 U.S.C. § 1633. In order to protect Maine's exemption, this State's regulations interpreting truth-in-lending laws must be substantially similar to those imposed under the Federal Truth-in-Lending Act and there is adequate provision for enforcement.

Regulation Z-2 was last amended by the Bureaus on July 28, 2002. The Bureaus have accordingly considered all of the amendments that have been made to federal Regulation Z since this time. These amendments fall broadly into six categories: (1) those amendments relating to changes in cross-referencing, or that are otherwise incidental, technical, or clarifying in nature; (2) those amendments relating to electronic communications, disclosures and advertisements; (3) those amendments relating to timing of disclosures and notices for mortgage transactions; (4) those amendments relating to advertising; (5) those amendments relating to high-rate, high-fee mortgage loans, higher priced mortgage loans, and residential mortgage loans; and (6) those amendments implementing the provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009, including the Federal Reserve's final rule in FR 7658 published by the Federal Register on February 22, 2010.

The fifth category of these amendments, relating to high-rate, high-fee mortgage loans, higher priced mortgage loans and residential mortgage loans, as set forth in § 226.32 and §§ 226.34 to 226.36 of federal Regulation Z have been incorporated into the Code pursuant to Public Law 2009, Chapter 362, "An Act to Conform State Mortgage Laws with Federal Laws". The Bureaus are of the view that the legislative intent behind Public Law 2009, Chapter 362 was to create a "stand alone" body of state law relating to the regulation of these types of loans. Readers are directed to seek guidance directly from the provisions of the Code (and, to the extent applicable, Bureau of Consumer Credit Protection's Chapter 550/Bureau of Financial Institutions' Chapter 144 and the Bureaus' advisory rulings) on questions relating to these types of

loans. Thus, § 226.32 of federal Regulation Z is supplanted by §§ 8-206-A and 8-206-H of the Code; § 226.34 of federal Regulation Z is supplanted by §§ 8-206-A, 8-206-H and 8-206-I of the Code; § 226.35 of federal Regulation Z is supplanted by § 8-206-I of the Code; and § 226.36 is supplanted by § 8-206-J of the Code. To the extent that these provisions of federal and state law are identical or substantially similar, the Bureaus shall follow the Official Staff Commentary relating to these provisions.

The Bureaus have also considered all of the amendments that have been made to federal Regulation M since July 28, 2002, and the corresponding state laws relating to consumer leases. They have determined that the only amendments made since this time have been to federal law, and relate to electronic communications, disclosures and advertisements. The Bureaus are accordingly of the view that no changes need to be made to this Regulation Z-2 to the extent that it relates to federal Regulation M.

Specific changes to this rule from previous versions include the following:

1. In Section 4, subsection 1, § 226.1(e) of federal Regulation Z has been excepted because of the additional liability provisions found in §§ 8-206-E and 8-209 of the Code.
2. In Section 4, subsection 9, a reference to retail credit cards, for which late fees are authorized in § 2-501(1)(G) of the Code, has been deleted because this subsection was repealed and replaced by P.L. 2003, Ch. 100, "An Act to Provide Parity in Lending by State-Chartered Lenders," (now codified in § 2-501(1)(G) of the Code) allowing Maine lenders to assess and receive delinquency charges on consumer credit transactions and open-end credit plans.
3. Section 4, subsection 12 has been amended because of § 101 of Public Law 111-24; 123 Stat. 1734 (2009), the Credit Card Accountability Responsibility and Disclosure Act of 2009, amending § 127 of TILA, and 74 FR 36077 amending § 226.9(c)(1) of federal Regulation Z, relating to timing and requirements of written notices for changes in terms for credit card accounts, but not home equity plans and open-end plans that are not credit card accounts.
4. Section 4, subsection 13 has been amended because § 8-303(2) of the Code prohibits sellers in sales transactions from imposing a surcharge on a card holder who elects to use a card in lieu of payment by cash, check or similar means whereas no such prohibition is found in Reg. Z, § 226.12(f)
5. In Section 4, subsection 14, the reference to § 8-103(I-1) has been changed to § 8-103(1-A)(EE) because this is where the definition of "tax refund loan" is now found in the Code.

6. In Section 4, subsection 15, § 226.19(a)(2)(ii) of federal Regulation Z has been excepted because of the additional disclosure requirements regarding prepayment penalties that are imposed by § 8-206(3)(B) of the Code.

7. In Section 4, subsection 16, § 226.24(i)(4) of federal Regulation Z has been excepted because of the enactment of PL 2009, Chapter 103, "An Act to Prevent the Unauthorized or Deceptive Use of the Names of Financial Institutions," and codified in § 241(15) of Title 9-B, the Maine Banking Code.

8. In Section 4, subsection 17, § 226.32 of federal Regulation Z has been excepted in its entirety from Regulation Z-2 as a result of recent legislation, including P.L. 2009, Chapter 362, "An Act to Conform State Mortgage Laws with Federal Laws", enacted on June 11, 2009. As a result of this recent legislation, the provisions of § 226.32 of federal Regulation Z have been supplanted by §§ 8-206-A and 8-206-H of the Code, including terms defined in § 8-103(1-A) and elsewhere in the Code to the extent there is a conflict with terms defined in federal Regulation Z. Furthermore, the prohibition against prepayment fees or penalties for high-rate, high fee mortgage loans in § 8-206-H(1)(B)(4) of the Code differs from the prepayment fee or penalty restrictions in §§ 226.32(d)(6) and (7) of federal Regulation Z.

9. In Section 4, subsection 18, § 226.34 of federal Regulation Z has been excepted in its entirety as a result of recent legislation, including P.L. 2009, Chapter 362, "An Act to Conform State Mortgage Laws with Federal Laws", enacted on June 11, 2009. As a result of this recent legislation, the provisions of § 226.34 of federal Regulation Z have been supplanted by §§ 8-206-A, 8-206-H and 8-206-I of the Code, including terms defined in § 8-103(1-A) and elsewhere in the Code to the extent there is a conflict with terms defined in federal Regulation Z. The "flipping" prohibition in § 8-206-I(1)(D) of the Code, delineated in the Bureau of Consumer Credit Protection's Chapter 550/Bureau of Financial Institutions' Chapter 144, conflicts with § 226.34(a)(3) of federal Regulation Z. Likewise, the "ability to repay" requirement found in § 8-206-I(1)(A) of the Code conflicts with federal law to the extent that the provision in § 226.34(a)(4)(ii)(B) of federal Regulation Z is absent.

10. In Section 4, subsection 19, § 226.35 of federal Regulation Z has been excepted in its entirety as a result of recent legislation, including P.L. 2009, Chapter 362, "An Act to Conform State Mortgage Laws with Federal Laws", enacted on June 11, 2009. As a result of this recent legislation, the provisions of § 226.35 of federal Regulation Z have been supplanted by § 8-206-I of the Code including terms defined in § 8-103(1-A) and elsewhere in the Code to the extent there is a conflict with terms defined in federal Regulation Z. The "ability to repay" requirement found in § 8-206-I(1)(A) of the Code, referenced in § 226.35(b)(1) of federal Regulation Z, differs from federal law

to the extent that the provision in § 226.34(a)(4)(ii)(B) of federal Regulation Z is absent.

11. In Section 4, subsection 20, § 226.36 of federal Regulation Z has been excepted in its entirety as a result of recent legislation, including P.L. 2009, Chapter 362, "An Act to Conform State Mortgage Laws with Federal Laws", enacted on June 11, 2009. As a result of this recent legislation, the provisions of § 226.36 of federal Regulation Z have been supplanted by § 8-206-J of the Code including terms defined in § 8-103(1-A) and elsewhere in the Code to the extent there is a conflict with terms defined in federal Regulation Z.

12. In Section 4, subsection 21, § 226.52(a)(2) of federal Regulation Z has been excepted because of additional limitation on attorneys' fees that is imposed by § 2-501(4)(D) of the Code.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

030	BUREAU OF CONSUMER CREDIT PROTECTION CHAPTER 240	029	BUREAU OF FINANCIAL INSTITUTIONS CHAPTER 138 (REG. 38)
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TRUTH IN LENDING; REGULATION Z-2 STATEMENT OF IMPACT ON SMALL BUSINESS

Prepared pursuant to 5 MRSA §8052, sub-§5-A

- A. Identification of the types and an estimate of the number of the small businesses subject to the proposed joint rule, Chapter 240 (Bureau of Consumer Credit Protection) and Chapter 138 (Bureau of Financial Institutions):

The types of small businesses subject to the proposed amended joint rule are creditors providing consumer loans, including mortgage lenders, mortgage brokers, banks and credit unions. The estimated number of non-bank creditors subject to the proposed joint rule with 20 or fewer employees is 375. The estimated number of banks and credit unions subject to the proposed joint rule with 20 or fewer employees is four.

- B. Projected Reporting, record-keeping and other administrative costs required for compliance with proposed joint rule, Chapter 240 (Bureau of

Consumer Credit Protection) and Chapter 138 (Bureau of Financial Institutions), including the type of professional skill necessary for preparation of the report or record:

If new federal requirements in federal Regulation Z are not incorporated into Maine's Regulation Z-2, Maine arguably risks losing its exemption from federal Regulation Z under Maine's Consumer Credit Code, Title 9-A, section 8-107. This would result in small businesses having to comply directly with the new federal Regulation Z requirements. Thus, small businesses will be subject to the new federal Regulation Z requirements, whether or not these new federal requirements are incorporated into Maine's Regulation Z-2. In light of this, the proposed amendments do not require any additional reporting, record-keeping or other administrative costs required for compliance. To the extent that the proposed amendments provide clarity to small businesses regarding mortgage lending requirements, record-keeping and other administrative costs may be reduced.

C. Brief statement of the probable impact on affected small businesses:

The proposed amendments provide clarity to small businesses regarding truth-in-lending requirements, including credit card and mortgage lending requirements. Specifically, the proposed amendments "carve out" federal Regulation Z mortgage lending requirements and direct small businesses to follow Maine law. These amendments should ease compliance burdens thereby having a positive impact on small businesses.

D. Description of any less intrusive or less costly, reasonable alternative methods of achieving the purposes of proposed joint rule, Chapter 240 (Bureau of Consumer Credit Protection) and Chapter 138 (Bureau of Financial Institutions):

In order to maintain their exemption from federal Regulation Z, the Bureau of Financial Institutions and Office of Consumer Credit Protection are required to have laws that are "substantially similar to" or "afford greater protection than" federal law. The proposed amendments represent the least intrusive and least costly method of maintaining this exemption, thereby achieving the purposes of Title 9-A, Maine's Consumer Credit Code.