

percent of the voting shares of Bank of Nichols Hills, Oklahoma City, Oklahoma (in organization).

In connection with this application, Pioneer Bancshares, Inc., Employee Stock Ownership Plan, Ponca City, Oklahoma, and its subsidiary, Pioneer Bancshares, Inc., Ponca City, Oklahoma; have applied to become bank holding companies by acquiring 100 percent of the voting shares of Bancshares of Nichols Hills, Inc., Oklahoma City, Oklahoma, proposed parent of Bank of Nichols Hills, Oklahoma City, Oklahoma (in organization).

2. *Platte Valley Bancshares, Inc.*, Kansas City, Missouri, and Peoples Bancshares of Schuyler County, Kansas City, Missouri, through their subsidiary Lindsey Bancshares, Inc., Harrisonville, Missouri; to acquire 100 percent of the voting shares of Harrisonville Bancshares, Inc., Harrisonville, Missouri, and thereby indirectly acquire Allen Bank & Trust Co., Harrisonville, Missouri.

In connection with this application, Peoples Bancshares of Schuyler County and Lindsey Bancshares, Inc., also have applied to become bank holding companies.

F. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. *FNB Bancorp*, Los Angeles, California; to acquire Founders National Bank of Los Angeles, Los Angeles, California. Consummation of this application must be received by January 16, 1996.

Board of Governors of the Federal Reserve System, December 20, 1995.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 95-31304 Filed 12-26-95; 8:45 am]

BILLING CODE 6210-01-F

FEDERAL TRADE COMMISSION

Notice of Maine Exemption From The Fair Debt Collection Practices Act

AGENCY: Federal Trade Commission.

ACTION: Exemption from Sections 803-812 of the Fair Debt Collection Practices Act granted to State of Maine.

SUMMARY: The Commission is hereby publishing its decision to grant the State of Maine an exemption from Sections 803-812 of the Fair Debt Collection Practices Act for various classes of debt collection practices conducted in Maine, in accordance with Section 817 of that Act.

EFFECTIVE DATE: March 26, 1996.

FOR FURTHER INFORMATION CONTACT: John F. LeFevre, Division of Credit Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580; (202) 326-3224.

SUPPLEMENTARY INFORMATION: The Fair Debt Collection Practices Act, 15 U.S.C. 1691 *et seq.* ("FDCPA"), prohibits a number of deceptive, unfair and abusive practices by third party debt collectors.

Section 817 of the FDCPA requires that the Commission exempt from its requirements any class of debt collection practices within any State if, upon application, the Commission determines that under the law of the State, the class of debt collection practices is subject to requirements substantially similar to those imposed by the FDCPA, and that there is adequate provision for enforcement. The State of Maine Bureau of Consumer Credit Protection ("Applicant") has filed an application seeking exemption from the FDCPA for various classes of debt collection practices in Maine.

The FDCPA prohibits debt collectors from using false or misleading statements, harassing or abusive conduct or any unfair methods to collect debts. Among the practices which are specifically prohibited are making false threats to coerce payment (such as false threats of suit); using deceptive collection notices that falsely appear to be from an attorney or court; and engaging in any sort of harassment, such as threatening violence, using profanity and obscenities, or making continuous phone calls. The FDCPA also restricts the extent to which debt collectors may call a consumer at work and prohibits them from making calls to consumers very early in the morning or late at night. With a few narrow exceptions, it prohibits collectors from contacting third parties and revealing the existence of a consumer's debt. In addition, the FDCPA prohibits collectors from adding charges to a debt unless the consumer involved agrees to them or they are permitted by law, and from filing suit against a consumer outside of the district of the consumer's residence or where the contract creating the debt was signed.

Under the FDCPA, if a consumer disputes the debt in writing, the collector is required to stop all collection efforts until the debt is verified. The FDCPA also states that if the consumer demands in writing that the debt collector cease all further collection efforts, the debt collector must comply even if the debt is valid. Finally, the FDCPA gives a consumer the right to bring suit against a debt collector in any court for violations of

the FDCPA and, if successful, to receive actual damages and additional damages up to \$1,000, as well as costs and attorney's fees.

The FDCPA is enforced primarily by the Federal Trade Commission. A violation of the FDCPA is deemed an unfair or deceptive practice in violation of the Federal Trade Commission Act. All of the functions and powers of the Federal Trade Commission Act are available to the Commission to enforce compliance with the FDCPA by any person. The Commission may enforce the provisions of the FDCPA in federal court, seeking civil penalties and injunctive and other relief as appropriate.

The Commission has promulgated procedures for state applications for exemption from the provisions of the FDCPA, which are published in 16 C.F.R. 901 (1995) ("Procedures"). Section 901.2 of the Procedures provides that any state may apply to the Commission for a determination that, under the laws of that State, (1) any class of debt collection practices within that State is subject to requirements that are substantially similar to, or provide greater protection for consumers than, those imposed under Sections 803 through 812 of the FDCPA; and (2) there is adequate provision for state enforcement of such requirements. Section 901.4 of the Procedures describes the criteria for making the determination. Section 901.4(a) requires that (1) the definitions and rules of construction in the state law import the same meaning and have the same application as those prescribed by the FDCPA; (2) debt collectors provide all the applicable notifications under the state law that are required by the FDCPA; (3) debt collectors under the state law take all affirmative actions and abide by obligations substantially similar to, or more extensive than, those prescribed by the FDCPA; (4) debt collectors under the state law abide by the same or more stringent prohibitions as are prescribed by the FDCPA; (5) obligations and responsibilities imposed on consumers under the state law are no more costly, lengthy, or burdensome than corresponding obligations or responsibilities imposed on consumers by the FDCPA; and (6) consumers' rights and protections under the state law are substantially similar to, or more favorable than, those provided by the FDCPA. Section 901.4(b) requires that the Commission consider (1) the facilities, personnel and funding devoted to administrative enforcement of the state law; (2) provisions in the state law for civil liability (for actions brought in the private sector) as