

# MAINE STATE LEGISLATURE

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LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1ST SPECIAL SESSION  
JANUARY 2, 1974 TO MARCH 29, 1974  
AND BY THE  
One Hundred and Seventh Legislature  
REGULAR SESSION  
JANUARY 1, 1975 TO JULY 2, 1975

PUBLISHED BY THE DIRECTOR OF LEGISLATIVE RESEARCH IN  
ACCORDANCE WITH THE REVISED STATUTES OF 1964, TITLE 3,  
SECTION 164, SUBSECTION 6.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1975

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PUBLIC LAWS  
OF THE  
STATE OF MAINE

AS PASSED BY THE  
One Hundred and Sixth Legislature

AT THE  
SPECIAL SESSION

January 2, 1974

to

March 29, 1974

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of such decision in the Superior Court. If such person chooses to have a review, he shall be furnished a petition for review in a form prescribed by the Chief Judge of the District Court and upon execution of said petition and without the issuance of any writ or other process, the sheriff of the county in which the decision was made shall provide for the transportation of the petitioner forthwith, together with the petition for review and all papers relevant thereto, or copies thereof, to the Superior Court for the county if a justice is then sitting, or to the nearest county in which a justice of the Superior Court is then sitting. In the event that no justice of the Superior Court is then sitting, the petitioner shall be retained in custody until the next business day and upon the morning of such day, without the issuance of any writ or other process, the petitioner's custodian shall provide for his transportation to the Superior Court, as hereinbefore required.

The petition and such papers shall be delivered to the clerk of the Superior Court to which the petitioner is transported and upon their receipt such clerk shall give notice to the county attorney for the county in which the decision was made. Said petition shall have priority over any other matter before said justice and he shall, if he finds in his discretion that the petitioner may be released on his personal recognizance or on execution of an unsecured bond, order such release, or he may make any order of bail he deems appropriate, revising the amount of the recognizance or the number of sureties thereon, or both.

Following a determination of the conditions of release by a judge of the District Court, or review by a justice of the Superior Court, the amount of any recognizance shall not be increased, nor shall any additional surety be required, unless the person making such recognizance shall default thereon or unless the court in its discretion determines that changed circumstances or other factors not previously considered by the court make the present recognizance insufficient to reasonably assure the presence of the defendant, provided that any revision which increases the amount of the recognizance or which requires an additional surety shall be made by an order supplementing rather than replacing any recognizance given pursuant to such initial decision.

Any person aggrieved by a failure to comply with any of the requirements of this section may petition the court as provided in Title 14, section 5501.

4. Failure to appear; penalty. Any person charged with an offense who has been ordered released by a pending trial on his personal recognizance, or on execution of an unsecured or secured appearance bond, who fails without just cause to appear before any court or judicial officer as required, shall be punished by a fine of not more than the maximum provided for the offense charged, or by imprisonment for not more than 6 months if the offense charged was a misdemeanor, or for not more than 5 years if the offense charged was a felony, or by both.

Effective June 28, 1974

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## CHAPTER 761

**AN ACT to Authorize Interagency Transfer of the Supervision and Control of Public Lands.**

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

R. S., T. 12, § 504, amended. Section 504 of Title 12 of the Revised Statutes, as repealed and replaced by section 5 of chapter 226 of the public laws of 1965 and as amended, is further amended by adding at the end 2 new paragraphs to read as follows:

Any department, bureau, commission or other agency of the State is hereby authorized to transfer lands under its supervision or control to the Department of Conservation upon the recommendation of the Commissioner of the Department of Conservation and with the consent of the transferor agency and subject to the approval of the Legislature. The Commissioner of Conservation is hereby authorized to transfer supervision and control of any lands over which he has supervision and control pursuant to this section to any agency of the State with the consent of the transferee agency and subject to the approval of the Legislature. Upon transfer of supervision and control of any lands under this section, the transferee agency shall have the powers and responsibilities with respect to such transferred public lands as the transferee has with respect to other similar public lands under its supervision and control. Nothing in this section shall be construed to negate or affect obligations of the State undertaken in any lease, easement or other binding agreement, obligations of the State undertaken by the acceptance of any deed or other grant of an interest in real property or the provisions of any public or private and special law expressly prohibiting such a transfer.

The powers, duties, rights, responsibilities, liabilities and functions possessed by the commissioner pursuant to this section may be delegated to the Director of the Bureau of Public Lands pursuant to section 5014.

Effective June 28, 1974

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## CHAPTER 762

### AN ACT Creating the Maine Consumer Credit Code.

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

Sec. 1. R. S., T. 9-A, additional. The Revised Statutes are amended by adding a new Title 9-A, to read as follows:

### TITLE 9-A

#### MAINE CONSUMER CREDIT CODE

#### ARTICLE I

#### GENERAL PROVISIONS AND DEFINITIONS

#### PART 1

#### GENERAL PROVISIONS

§ 1.101. Short title