

# 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 Seventh Legislature

1975

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4. Juvenile offender. "Juvenile offender" means any ~~child under 18 years of age~~ juvenile who has been found by an appropriate juvenile court to have committed any of the acts or offenses specified in chapters 401 to 409.

Sec. 2. 15 MRSA § 2502, sub-§ 5, as last amended by PL 1971, c. 598, § 16, is repealed and the following enacted in place thereof:

5. Juvenile. "Juvenile," for purposes of chapters 401 to 409, means any person who was under the age of 18 years at the time the act or offense specified in chapters 401 to 409 was committed, but shall not include any person who has attained the age of 21 years.

Sec. 3. 15 MRSA § 2611, sub-§ 4, ¶ A-1, as enacted by PL 1971, c. 121, § 1, is amended to read:

A-1. Commit to the Men's Correctional Center or the Women's Correctional Center, if the juvenile is of the proper age, said commitment to be governed by Title 34, section 802 or 853;

Sec. 4. 15 MRSA § 2714, 2nd sentence, as last amended by P & SL 1973, c. 53, is further amended to read:

All commitments of such children shall be ~~for the term of their minority~~ until the age of 21, unless sooner discharged by the superintendent; but no child shall be committed who is deaf, mute, blind or a proper subject for the Augusta Mental Health Institute, the Bangor Mental Health Institute or the Pineland Center.

Sec. 5. 15 MRSA § 2718, as last amended by PL 1965, c. 3, is further amended to read:

#### § 2718. Discharge

The superintendent shall cause to be discharged all children committed to the center at the ~~expiration of their minority~~ age of 21 and may discharge any child as rehabilitated during such child's term of commitment.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 18, 1975

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## CHAPTER 63

**AN ACT to Clarify the Maine Consumer Credit Code as it Applies to Consumer Credit Sales Pursuant to which no Finance Charge is Made.**

**Emergency preamble.** Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Maine Consumer Credit Code, Title 9-A of the Revised Statutes, presently may include jurisdiction over consumer credit sales where payment of the sale takes more than 4 payments even though no finance charge is made on the sale; and

Whereas, many merchants and doctors in the State have historically engaged in such informal agreements without the imposition of a finance charge; and

Whereas, the following legislation is necessary to insure the continuation of such informal agreements; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

9-A MRSA § 1.301, sub-§ 28, as enacted by PL 1973, c. 762, § 1, is amended by adding at the end the following new sentence:

Transactions which might otherwise be considered consumer credit sales pursuant to which no finance charge is made shall not be considered "payable in instalments," as defined in this subsection, unless the obligations of the parties are specifically set forth in a written agreement.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved.

Effective March 18, 1975

## CHAPTER 64

**AN ACT to Repeal the Requirement for Railroads Operating in Maine to File Annual Reports of Capital Expenditures with the Department of Commerce and Industry.**

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

35 MRSA § 1251, as amended by PL 1971, c. 584, § 1, is repealed.

Effective October 1, 1975

## CHAPTER 65

**AN ACT to Require the Licensing of Alcoholic Treatment Facilities.**

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

Sec. 1. 22 MRSA § 5-A, first sentence, as enacted by PL 1973, c. 164, § 2, is amended to read:

No person, firm, corporation or association shall operate, conduct or maintain in the State any residential facility for the care, treatment or rehabilitation of drug users, or any residential facility for the care, treatment or rehabilitation of alcohol users, not otherwise licensed as a medical care facility,