

# 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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government and discipline of the various patients and inmates of the said institutions; and for the production and distribution of ~~farm, dairy and~~ industrial products of the said institutions.

Effective October 1, 1975

## CHAPTER 175

**AN ACT to Eliminate the Position of Farm Supervisor of the Department of Mental Health and Corrections.**

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

34 MRSA § 1, 4th ¶, as amended by PL 1967, c. 184, is repealed as follows:

~~The commissioner may appoint, subject to the Personnel Law, a departmental farm supervisor. The salary and the expenses incurred by the departmental farm supervisor shall be prorated among the accounts set up for the several institutional farms~~

Effective October 1, 1975

## CHAPTER 176

**AN ACT Relating to Sale of Stuffed Toys.**

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

26 MRSA § 135 is enacted to read:

§ 135. Articles to be tagged

Each article covered by this subchapter shall bear a plainly visible tag or be contained in a bag or box upon which shall be indelibly stamped or printed, in English, the name of the manufacturer or vendor, a statement showing the kind of materials used in filling such article and with approximate percentages when mixed.

It shall be unlawful to use any false or misleading statement, term or designation on said tag or container or to remove, deface or alter, or to attempt to remove, deface or alter such tag or container or any statement thereon.

Effective October 1, 1975

## CHAPTER 177

**AN ACT to Include Pellet Guns within the Definition of Firearm.**

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

12 MRSA § 1901, sub-§ 4 is repealed and the following enacted in place thereof:

4. **Firearm.** "Firearm" shall include all instruments used in the propulsion of pellets, shot, shells or bullets by action of gunpowder or compressed air or gas exploded or released within them.

Effective October 1, 1975

## CHAPTER 178

### AN ACT Prohibiting Increase of Finance Charges on Outstanding Balances of Open-end Accounts under the Consumer Credit Code.

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

Whereas, Title 9-A, section 3-204, subsection 2 of the Maine Consumer Credit Code permits creditors, as of January 1, 1975, to alter the terms of existing open-end credit accounts and thereby increase the interest charges on outstanding balances of goods, services or money secured prior to that date despite the fact that such an increase had never been authorized by prior agreements between the consumer and the creditor; and

Whereas, some creditors have already begun to utilize this device to the obvious disadvantage of Maine consumers; and

Whereas, the economic impact of this device will be felt by Maine consumers as early as March, 1975; and

Whereas, the following legislation is necessary to prevent such an unconscionable practice; 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 § 3-204, sub-§ 2**, as enacted by PL 1973, c. 762, § 1, is amended to read:

2. A creditor may change the terms of an open-end credit account whether or not the change is authorized by prior agreement. Except as provided in subsection 3, the ~~lender~~ creditor shall give to the consumer written notice of any change of terms relating to penalties, interest or other charges at least 3 times, with the first notice at least 3 months before the effective date of the change. **Any change of terms which would increase any penalty, interest or other charges may not affect outstanding balances incurred prior to the effective date of any such change unless:**

**A.** The creditor includes in the above described notice of change an offer to finance by a separate loan arrangement the outstanding unpaid balance as of the effective date of such change at the same rate of interest with the same repayment schedule as applies to such open-end credit account;

**B.** The consumer may accept such offer of said separate loan arrangement with respect to the then existing unpaid balance anytime prior to 30 days before the change is to become effective;