

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.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1975

PUBLIC LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
One Hundred and Seventh Legislature

1975

ing the due date of the earliest maturing instalment deferred as determined according to the sum of the balances method multiplied by the whole or fractional number of computational periods in the deferral period, counting each day as $\frac{1}{30}$ th of a month without regard to differences in lengths of months when the computational period is one month or as $\frac{1}{7}$ th of a week when the computational period is one week. A deferral charge computed according to this subsection is earned pro rata during the deferral period and is fully earned on the last day of the deferral period.

11. Deferral charge other than a standard deferral charge. With respect to a transaction as to which a creditor elects not to make and does not make a standard deferral or a deferral charge for a standard deferral, a deferral charge computed according to this subsection may be made as of the due date, as scheduled originally or as deferred pursuant to either subsection 10 or this subsection, of an instalment with respect to which no delinquency charge, section 2-502, has been made or, if made, is deducted from the deferral charge computed according to this subsection. A deferral charge pursuant to this subsection may equal but not exceed the rate of finance charge required to be disclosed to the consumer pursuant to law applied to each amount deferred for the period for which it is deferred computed without regard to differences in lengths of months, but proportionately for a part of a month, counting each day as $\frac{1}{30}$ th of a month or as $\frac{1}{7}$ of a week. A deferral charge computed according to this subsection is earned pro rata with respect to each amount deferred during the period for which it is deferred.

12. Additional charges. In addition to the deferral charge permitted by this section, a creditor may make and receive appropriate additional charges, section 2-501, and any amount of these charges which is not paid may be added to the deferral charge computed according to subsection 10 or to the amount deferred for the purpose of computing the deferral charge computed according to subsection 11.

13. Unilateral grant of deferral by creditor. The parties may agree in writing at the time of a transaction that, if an instalment is not paid within 10 days after its due date, the creditor may unilaterally grant a deferral and make charges as provided in this section. A deferral charge may not be made for a period after the date that the creditor elects to accelerate the maturity of the transaction.

Effective October 1, 1975

CHAPTER 465

AN ACT Relating to Agricultural Fairs.

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

Whereas, the Commissioner of Agriculture is required by this legislation to license agricultural fairs; and

Whereas, if this legislation is to cover agricultural fairs which will be held during the spring, summer and fall of this year, these fairs must be licensed as soon as possible so that plans for these fairs can be made; and

Whereas, the Commissioner of Agriculture must therefore be given the power to license fairs immediately; 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:

Sec. 1. 7 MRSA § 62, 9th sentence is repealed and the following enacted in place thereof:

No society shall be entitled to any share of the stipend unless it shall have first obtained a license issued pursuant to section 65.

Sec. 2. 7 MRSA § 62, sub-§ 2, as last amended by PL 1971, c. 45, is repealed and the following enacted in place thereof:

2. Minimum of \$500 on premiums. A society which pays a minimum of \$500 on premiums, exclusive of those for horse and ox pulling contests and is duly licensed pursuant to section 65;

Sec. 3. 7 MRSA § 62, sub-§ 3, first sentence is repealed and the following enacted in place thereof:

A society which has stockholders or members or the primary purpose of which is not profit to be distributed to its members or stockholders.

Sec. 4. 7 MRSA § 65 is repealed and the following enacted in place thereof:

§ 65. Licensing of exhibitions

No person, agricultural society, association or corporation shall hold, conduct or operate agricultural fairs or agricultural exhibitions for competition for premiums or purses within the State without a license for such purposes and only on dates assigned by the commissioner. The application for said license shall be signed and sworn to by the person or executive officer of a society, association or corporation and shall contain such information as the commissioner may require. All applications for licenses under this section shall be received by the commissioner not later than April 1st of the year of issuance and shall be accompanied by a \$10 license fee. If the commissioner is satisfied that the requirements of this chapter and the rules and regulations prescribed by the commissioner have been and will be complied with by the applicant, he may issue a license for such purpose, which shall expire on December 31st each year.

1. The commissioner, in approving or disapproving exhibition dates of agricultural fairs under this section, shall not permit 2 or more agricultural fairs to be held simultaneously within a 30-mile radius of each other.

2. Agricultural fairs and exhibitions that have been held on the same date for the past 15 years shall retain the same fair dates at their request

and agricultural fairs and exhibitions that are less than 15 years of age and lie within the 30-mile radius of the older established fairs shall be granted non-conflicting fair dates.

Sec. 5. Agricultural fair licenses for 1975. Agricultural fairs which have been designated for the year 1975 shall be considered licensed under the provisions of Title 7, section 65.

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

Effective June 12, 1975

CHAPTER 466

AN ACT Relating to Water Districts.

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

35 MRSA § 3211 is enacted to read:

§ 3211. Authority for taxation upon default

If there should be a default in the payment of the principal of, or interest on, any note, bond or other evidence of indebtedness issued by any water district created by special act of the Legislature, the trustees, directors or managing board of such district, shall, unless such default shall be cured, issue their warrant immediately thereafter, such warrant to be in form reasonably similar to that of the warrant used by the Treasurer of State for real estate taxes, to those portions of the municipality or municipalities which constitute the district. The assessors in each municipality shall assess the sum allocated to such municipality or portion thereof in such warrant for payment of such sum, upon the taxable estates within said municipality or portion thereof which is within the municipality and shall commit their assessment to the constable or collector of said municipality, who shall have all authority, powers and duty to collect said taxes as is vested by law to collect state, county and municipal taxes. If the district is composed of more than one municipality or portion thereof, such allocation shall be made by the trustees on a basis resulting in a uniform rate applied to 100% of the state valuation on all taxable property within the water district. Within 30 days after the date fixed by the municipalities on which their taxes are due, the treasurer of said municipality shall pay the amount of the tax so assessed to the treasurer of the district.

This section shall not take effect until the same shall have been submitted to the legislative body of the municipality or municipalities which constitute the district at a regular or special meeting. The action of the legislative body shall be declared by the appropriate municipal official and due certificate thereof shall be forthwith filed with the Secretary of State and with the clerk of the district. If the result so filed shows a majority of the legislative body voting on the matter of each of the municipalities which constitute the district approve this section, all of the provisions thereof shall take effect.

Effective October 1, 1975