

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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

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PUBLIC LAWS
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unit, the State Board of Education shall grant authority to the unit to make additional appropriations for school purposes. Moneys appropriated under such a special grant of authority by the State Board of Education shall be included in any future calculations of the administrative unit's elementary and secondary per pupil operating costs, but shall not be included in any future calculations of the state average or total operating costs.

4. Major capital projects. In the event the administrative unit undertakes major capital projects without the approval of the State Board of Education, such projects shall meet the requirements of all other statutes and shall not be reimbursed with state funds.

5. Spending limit. No unit shall raise and expend funds for purposes of elementary and secondary education except as authorized in this chapter.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect July 1, 1977. In section 4 of this Act, section 3749, subsection 3 shall be in effect from July 1, 1977 until June 30, 1978.

Effective July 1, 1977, unless otherwise indicated

CHAPTER 324

AN ACT to Revise the Excise Tax on Camper Trailers.

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

Sec. 1. 36 MRSA § 1481, sub-§ 1-A, as repealed and replaced by PL 1975, c. 252, § 16, is amended to read:

1-A. Camper trailer. "~~Camp~~ Camper trailer" shall mean:

A. A trailer or semitrailer of less than 32 feet in length primarily designed and constructed to provide temporary living quarters for recreational, camping, travel or other use.

B. A manufactured or homemade tent trailer, so called, which consists of a platform, shelf or box, with means of permanently or temporarily attaching a tent, used to provide temporary living quarters for recreational, camping, travel or other use.

Sec. 2. 36 MRSA § 1482, sub-§ 1, ¶ A-1, as enacted by PL 1965, c. 18, § 5, is repealed and the following enacted in its place:

A-1. Camper trailer. For the privilege of operating a camper trailer upon the public ways, each camper trailer so operated shall be subject to an excise tax as follows: A sum equal to 24 mills on each dollar of the maker's list price for the first or current year of model, 17½ mills for the 2nd year,

13½ mills for the 3rd year, 10 mills for the 4th year, 6½ mills for the 5th year and 4 mills for the 6th and succeeding years. The minimum tax for a camper trailer other than a tent trailer shall be \$15, for a tent trailer \$5.

Effective October 24, 1977

CHAPTER 325

AN ACT to Improve the Laws Relating to Exceptional Children.

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

Sec. 1. 20 MRSA § 3122, sub-§ 4, 2nd ¶, as enacted by PL 1975, c. 732, § 2, is repealed and the following enacted in its place:

Any child between the ages of 5 and 20 years, as defined in section 3123, subsection 1, diagnosed as deaf, shall be educated with regular students whenever possible and shall be educated under the principle of the least restrictive educational alternative as set forth in state and federal laws and regulations.

Sec. 2. 20 MRSA § 3127, as repealed and replaced by PL 1975, c. 732, § 2, is repealed and the following enacted in its place:

§ 3127. Denial of state aid

1. **Complaint.** A written complaint alleging that an administrative unit is not in compliance with this chapter may be filed with the commissioner by any interested party.

2. **Investigation.** Upon receiving a complaint, or if the commissioner has reason to believe that an administrative unit is not in compliance with this chapter, the commissioner shall cause an investigation to be conducted. The investigation shall be completed within 30 days after the complaint has been received.

3. **Probable cause; conciliation; local hearing.**

A. Within 10 days after the investigation has been completed, the commissioner shall determine whether probable cause exists to believe that an administrative unit is not in compliance with this chapter. If he determines probable cause does exist, he shall attempt to resolve the matter to the satisfaction of the interested parties through mediation and consultation. The commissioner shall reduce the results of the conciliation efforts to a written report and shall give notice of that report to all interested parties.

B. If conciliation between all interested parties cannot be attained within 45 days after the commissioner has determined that probable cause exists and that the unit is in violation of this chapter, the commissioner shall notify all interested parties of the time and place of a local hearing to be held to consider whether the unit is in violation of this chapter.