

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE  
AT THE

SECOND REGULAR SESSION

January 4, 1978 to April 6, 1978

FIRST SPECIAL SESSION

(No laws enacted)

September 6, 1978 to September 15, 1978

SECOND SPECIAL SESSION

October 18, 1978

THIRD SPECIAL SESSION

December 6, 1978

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

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K. J. Printing  
Augusta, Maine  
1979

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**  
AS PASSED AT THE  
**SECOND REGULAR SESSION**  
of the  
ONE HUNDRED AND EIGHTH LEGISLATURE  
January 4, 1978 to April 6, 1978

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526 or this Article is still effective. Sections 9-103-A and 9-401-A determine the proper place to file such a financing statement. Except as specified in this subsection, the provisions of section 9-403, subsection (3) for continuation statements apply to such a financing statement.

§ 10-107. Transition provisions as to priorities.

Except as otherwise provided in this Article, the old code shall apply to any questions of priority if the positions of the parties were fixed prior to the effective date of public law, 1977, chapter 526. In other cases, questions of priority shall be determined by the new code.

§ 10-108. Presumption that rule of law continues unchanged

Unless a change in law has clearly been made, the new code shall be deemed declaratory of the meaning of the old code.

**Emergency clause.** In view of the emergency cited in the preamble, this Act shall take effect when approved and shall be retroactive to January 1, 1978.

Effective January 31, 1978. Retroactive to January 1, 1978

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## CHAPTER 587

### AN ACT to Amend the Appeal Procedures in the Employment Security Law.

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

Whereas, since the 1973-74 economic recession the number of unemployment benefit appeals to the commission has more than tripled; and

Whereas, the need for this emergency legislation is to relieve the chairman of the 3-member commission from the responsibility of scheduling appeals and conducting hearings all across the State; and

Whereas, the chairman has additional responsibilities for administration of the department, which is impeded by the time required for conducting hearings; and

Whereas, this legislation would expedite the hearing of unemployment benefit appeals thereby eliminating delay in processing decisions and benefit payments to unemployed individuals; 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:

26 MRSA § 1194, sub-§ 5, next to the last sentence, as amended by PL 1975, c. 710, § 4, is repealed and the following enacted in its place:

Any proceedings so removed to the commission shall be heard in accordance with the requirements in subsection 3. All hearings conducted pursuant to this section may be heard by a quorum of commissioners, as defined in section 1081, subsection 3.

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

Effective January 31, 1978

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## CHAPTER 588

AN ACT Relating to Type of Notice under the Exceptional Children Statutes.

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

20 MRSA § 3131, sub-§ 1-B, ¶ C, as enacted by PL 1977, c. 325, § 3, is amended to read:

~~C. Criteria for selection and qualification of pupil evaluation team members.~~  
The interested parent, surrogate parent or guardian has the right to be a member of the team and the administrative unit shall give notice ~~by certified mail~~ **in writing** of his or her right to be a member of the team and a copy of the notice shall be placed in the student's permanent file.

Effective July 6, 1978

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## CHAPTER 589

AN ACT to Clarify Reporting Requirements under the Campaign Finance Law and to Correct Other Oversights in that Law.