

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26 MRSA § 1194, sub-§ 5, next to the last sentence, as amended by PL 1975, c. 710, § 4, is repealed and the following enacted in its place: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

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

Sec. 1. 21 MRSA § 1397, sub-§ 1, 1st sentence, as last repealed and replaced by PL 1977, c. 575, § 13, is amended to read:

When a state, district, county or municipal committee of a party makes contributions or expenditures expressly advocating the election or defeat of a candidate or candidates, other than by contribution to a candidate or a candidate's authorized political committee, in an aggregate amount in excess of \$50 ~~with respect to one candidate~~ in an election, such committee shall file a report with the commission.

Sec. 2. 21 MRSA § 1397, sub-§ 3, ¶ F, as enacted by PL 1977, c. 575, § 13, is repealed and the following enacted in its place:

F. Unless further reports shall be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph E shall be reported to the commission on the first day of each quarter of this State's fiscal year, until the surplus shall have been disposed of or the deficit shall have been liquidated. The reports shall set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

Sec. 3. 21 MRSA § 1397, sub-§ 4, ¶ D, as enacted by PL 1977, c. 575, § 13, is repealed and the following enacted in its place:

D. Unless further reports shall be filed in relation to a later election in the same calendar year, the disposition of any surplus or deficit in excess of \$50 shown in the reports describe in paragraph C shall be reported to the commission on the first day of each quarter of this State's fiscal year, until the surplus shall have been disposed of or the deficit shall have been liquidated. The reports shall set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

Sec. 4. 21 MRSA § 1412, sub-§ 2, as enacted by PL 1977, c. 575, § 17, is amended to read:

2. Commission. "Commission" means the Commission on Governmental Ethics and ~~Campaign~~ Election Practices established pursuant to Title 1, section 1002.

Sec. 5. 21 MRSA § 1413, sub-§ 2, ¶ B, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

**This requirement shall apply to each campaign defined in section 1412.**

Sec. 6. 21 MRSA § 1413, sub-§ 2, ¶ C, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

This requirement shall apply to each campaign defined in section 1412.

Sec. 7. 21 MRSA § 1413, sub-§ 2, ¶ D, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

This requirement shall apply to each campaign defined in section 1412.

Sec. 8. 21 MRSA § 1413, sub-§ 2, ¶ E, as enacted by PL 1977, c. 575, § 17, is amended by adding at the end the following new sentence to read:

This requirement shall apply to each campaign defined in section 1412.

Sec. 9. 21 MRSA § 1413, sub-§ 2, ¶ F, as enacted by PL 1977, c. 575, § 17, is repealed and the following enacted in its place:

F. The disposition of any surplus or deficit in excess of \$50 shown in the reports described in paragraph E shall be reported to the commission on the first day of each quarter of this State's fiscal year, until the surplus shall have been disposed of or such deficit shall have been liquidated. The reports shall set forth any contributions for the purpose of liquidating the deficit, in the same manner as contributions are set forth in other reports required in this section.

Sec. 10. 21 MRSA § 1414, sub-§ 3, 2nd sentence, as enacted by PL 1977, c. 575, § 17, is amended to read:

The person shall preserve all receipted bills and accounts required to be kept by this section for 2 years following the final report required to be filed for the campaign or referendum to which they pertain, unless otherwise ordered by the commission or a court.

Effective July 6, 1978

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## CHAPTER 590

### AN ACT Concerning the Discount Factor and Capitalization Rate in the Tree Growth Tax Statutes.

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

Whereas, this Act is necessary if the discount factor and capitalization rate determined by February 1, 1978 are to affect the April 1, 1978 property tax assessments of properties classified under the tree growth tax law; and

Whereas, unless this Act takes effect sooner than 90 days before the adjournment of the second regular session of the 108th Legislature, the new discount factor and capitalization rate will not be effective until April 1, 1979; and