

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINTH LEGISLATURE

FIRST REGULAR SESSION

January 3, 1979 to June 15, 1979

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

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Augusta, Maine
1979

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thereon, but using the minimum valuation standards of mortality and rate of interest, the minimum reserve required for such policy or contract shall be the greater of either the reserve calculated according to the mortality table, rate of interest and method actually used for such policy or contract, or the reserve calculated by the method actually used for such policy or contract, but using the minimum standards of mortality and rate of interest and replacing the valuation net premium by the actual gross premium in each contract year for which the valuation net premium exceeds the actual gross premium.

Sec. 8. 24-A MRSA § 958 is enacted to read:

§ 958. Interest rates

All changes in the interest rates specified in this subchapter and in sections 2528 to 2534, which were made by the Amendatory Acts of 1979, shall become ineffective as to contracts or policies issued on or after November 1, 1987, unless expressly extended by law.

Effective September 14, 1979

CHAPTER 454

H. P. 1315 — L. D. 1569

AN ACT Relating to the Marketing of Potatoes.

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

7 MRSA § 957, sub-§ 3, as enacted by PL 1977, c. 696, § 82, is amended to read:

3. **Third and subsequent violations.** For the 3rd and subsequent violations committed during the year from September 1st to August 31st, a civil penalty of not less than \$1,000 and, after notice and opportunity for hearing is provided by the commissioner in a manner consistent with the Maine Administrative Procedure Act for adjudicatory proceedings, may, for the remainder of the period, be subject to mandatory inspection in the manner provided in section 446.

Effective September 14, 1979

CHAPTER 455

H. P. 1132 — L. D. 1400

AN ACT to Permit Municipal Water Departments and Quasi-municipal Water Districts to Provide a Contingency Reserve.

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

35 MRSA c. 266 is enacted to read:

CHAPTER 266

RESERVE FUND FOR MUNICIPAL WATER DEPARTMENTS

AND QUASI-MUNICIPAL WATER DISTRICTS

§ 3311. Reserve fund

Notwithstanding any other provision of law or of any charter to the contrary and in addition to any charter or private and special acts creating or affecting any municipal water department or quasi-municipal water district, the commission, in setting rates, may provide for a contingency reserve fund for any public operated water supply utility that shows evidence, satisfactory to the commission, that a contingency fund is just and reasonable. This fund, if approved, shall be accrued by providing rates to reflect up to a 5% addition to yearly revenues over what is required to operate each utility.

Any funds collected which exceed the limitation set out in this section shall be transferred to the utilities sinking fund at the end of the operation year and shall be used for the retirement of existing bonded indebtedness of the utility or payment of outstanding debts of the utility. If the utility has no sinking fund, bonded indebtedness or outstanding debts, the excess shall be returned to the customers of the utility in the form of rate adjustments on the customers' future utility bills.

Effective September 14, 1979

CHAPTER 456

H. P. 69 — L. D. 75

AN ACT to Allow Dealers to Restrict the Hours during which they will Accept Returnable Beverage Containers.

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

Whereas, the current law requiring dealers to accept returnable beverage containers at any time during their business day creates severe problems for many store owners with respect to cash flow, storage space and personnel; and