

# 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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Kennebec Journal  
Augusta, Maine  
1979

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**CHAPTER 470**

H. P. 530 — L. D. 651

**AN ACT Concerning the Rate of Return on the Investment Factor under the Railroad Excise Tax.**

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

36 MRSA § 2624, first ¶, next to last sentence, as amended by PL 1977, c. 78, § 200, is repealed and the following enacted in its place:

The tax shall be decreased by the amount by which 5 3/4% of operating investment exceeds net railway operating income but shall in no event be decreased below a minimum amount equal to 1/4 of 1% of gross transportation receipts. For the purpose of this section, "operating investment" means investment in railway property used in transportation service, less depreciation, plus cash, including temporary cash investments and special deposits, material and supplies, all as reported by the railroad in its annual report to the Public Utilities Commission. For purposes of railroad excise taxes payable in 1980 and 1981, based upon operations for the calendar years 1979 and 1980, "operating investment" shall also include freight car operating leases of 10 years or more, valued at cost less straight-line depreciation over the initial term of the lease.

Effective September 14, 1979

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**CHAPTER 471**

H. P. 874 — L. D. 1064

**AN ACT to Encourage Free and Open Competition in Insurance Funded Repairs.**

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

24-A MRSA § 2164-B is enacted to read:

**§ 2164-B. Free competition**

No insurer, domestic or foreign, or its agent or employee, shall require, directly or indirectly, that appraisals or repairs to motor vehicle glass should or should not be made in a specified place of business.

Effective September 14, 1979