

# MAINE STATE LEGISLATURE

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**LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED BY THE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

December 3, 1986 to June 30, 1987

Chapters 1-542

PUBLISHED BY THE REVISOR OF STATUTES  
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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Twin City Printery  
Lewiston, Maine  
1987

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**PUBLIC LAWS**

OF THE

**STATE OF MAINE**

AS PASSED AT THE  
FIRST REGULAR SESSION  
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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
1987

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otherwise flush out of the certification program, upon application for certification by the grower of the seed and when the commissioner finds the following:

A. The variety has not been released to the public;

B. The first application to the commissioner for certification and inspection of the variety was made prior to 1982;

C. The grower now making application to the commissioner grew seed potatoes of this variety in this State which seed was certified in this State in 1986;

D. The seed for which application is now made meets all other requirements and standards of the certification program; and

E. The grower's only source of seed of the variety is through the granting of the waiver.

8. Grower's own seed. Any potato grower in this State, who is propagating seed stock pursuant to authorization for grower's own seed plot provided by the rules governing certification of seed potatoes in the State and whose application to the commissioner for certification and inspection of a variety that has not been released to the public was first made prior to 1982, is exempt from the requirement to comply with subsection 4 for seed potatoes grown in a grower's own seed plot; provided that the production from that seed is sold only as chip stock to be processed in this State.

Effective September 29, 1987.

## CHAPTER 337

H.P. 1160 — L.D. 1586

### AN ACT to Amend the Insurance Code Regarding Rates and Rating Organizations.

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

24-A MRS §2308, as amended by PL 1973, c. 585, §12, is repealed and the following enacted in its place:

#### §2308. Excess rates

1. A rate in excess of that provided by a filing otherwise applicable may be used on any specific risk, providing that the following requirements are satisfied.

A. The insured files a written application with the superintendent stating the reasons for the request.

B. The superintendent assents to the use of an excess rate for the specific risk.

2. To promote the availability of coverage in lines of

insurance when coverage is difficult to obtain or unavailable, a form more restrictive than that provided by filings otherwise applicable may be used on any specific risk, provided that the following requirements are satisfied.

A. The restrictive form and applicable rates are filed with the bureau.

B. A disclosure statement detailing the nature of the restriction or restrictions contained in the form and the manner in which the provisions of the restrictive form differ from an otherwise applicable filing is provided to and acknowledged by the applicant for insurance.

C. A copy of the disclosure statement and the written application for insurance submitted by the applicant are submitted to the bureau.

D. The superintendent does not disapprove the use of the restrictive form in the specific case.

The period during which a restrictive form may be employed, consistent with this subsection, is for the maximum period of one year. At any subsequent policy renewal, the provisions of this subsection must again be satisfied.

Effective September 29, 1987.

## CHAPTER 338

H.P. 1161 — L.D. 1587

### AN ACT Relating to Refusal to Appear and Taxable Wages under the Employment Security Law.

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

Sec. 1. 26 MRS §1043, sub-§19, ¶C, as amended by PL 1985, c. 348, §2, is further amended to read:

C. With respect to weeks of unemployment beginning on or after January 1, 1978, wages for insured work shall include wages paid for previously uncovered services. For the purposes of this paragraph, the term "previously uncovered services" means services:

(1) Which were not employment as defined in subsection 11, and were not services covered pursuant to section 1222, at any time during the one-year period ending December 31, 1975; and

(2) Which:

(a) Are agricultural labor, as defined in subsection 11, paragraph A-2 or domestic service as defined in subsection 11, paragraph A-3, or