

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTH LEGISLATURE

FIRST REGULAR SESSION

January 5, 1977 to July 25, 1977

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

PORTLAND LITHOGRAPH COMPANY
PORTLAND, MAINE
1977

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

Effective June 29, 1977

CHAPTER 403

AN ACT Amending the Maine Automobile Insurance Cancellation Control Act.

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

Sec. 1. 24-A MRSA § 2912, sub-§ 2, 1st ¶, last sentence, as enacted by PL 1973, c. 339, § 1, is amended to read:

Any renewal policy, other than a replacement policy for an unfinished term, with a term of ~~6 months~~ one year or less shall be considered written, for the purposes of this subchapter, for a term of ~~6 months~~ one year.

Sec. 2. 24-A MRSA § 2914, last 2 ¶¶, as enacted by PL 1973, c. 339, § 1, are repealed and the following enacted in their places:

During the policy period, an automobile insurance policy may not be modified except by agreement between the insured and the insurer. Modification agreed upon between the insured and the insurer shall not be deemed a cancellation of the coverage or of the policy.

This section shall not apply to any policy or coverage which has been in effect less than 60 days at the time notice of cancellation is mailed or delivered by the insurer nor shall section 2920 apply to any policy or coverage that has been in effect less than 60 days.

This section shall not apply to nonrenewal of an automobile insurance policy.

Sec. 3. 24-A MRSA § 2915, 2nd ¶, as enacted by PL 1973, c. 339, § 1, and as amended by PL 1973, c. 585, § 12, is repealed and the following enacted in its place:

The reason shall accompany the notice of cancellation and, except for policies in force less than 60 days, a notification of the right to apply for a hearing before the Superintendent of Insurance within 15 days as provided herein shall accompany the notice of cancellation.

Sec. 4. 24-A. MRSA § 2917, 2nd ¶, as amended by PL 1973, c. 585, § 12, is repealed and the following enacted in its place:

The reason or reasons for the intended nonrenewal action shall accompany

the notice of intent not to renew and the reason or reasons shall be explicit. Explanations such as "underwriting reasons," "underwriting experience," "loss record," "driving experience," "credit report," and similar insurance terms are not by themselves acceptable explanations of an insurer's intended nonrenewal of an automobile insurance policy.

Sec. 5. 24-A MRSA § 2920, 2nd sentence, as enacted by PL 1973, c. 339, § 1, is amended to read:

The purpose of this hearing shall be limited to establishing the existence of the proof or evidence used given by the insurer in its reason for cancellation or intent not to renew.

Sec. 6. 24-A MRSA § 2922 is enacted to read:

§ 2922. Superintendent's authority to suspend

In the event of impairment or serious financial difficulty of an insurer, the superintendent shall have the authority to suspend the provisions of this Act from applying to the policies of the financially distressed insurer.

Effective October 24, 1977

CHAPTER 404

AN ACT Providing for the Practice of Architecture through a Corporation or a Partnership.

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

32 MRSA § 202, sub-§ 2, is repealed and the following enacted in its place:

2. Corporations and partnerships. No corporation as such shall be registered to practice architecture in this State, but it shall be lawful for a corporation to practice architecture providing at least $\frac{1}{3}$ of the directors, if a corporation, or $\frac{1}{3}$ of the partners, if a partnership, are licensed under the laws of any state to practice architecture and the person having the practice of architecture in his charge is himself a director, if a corporation, or a partner, if a partnership, and licensed to practice architecture under this chapter and all drawings, plans, specifications and administration of construction or alterations of buildings or projects by such corporation are under the personal direction of such registered architect. One-third of the directors or partners shall be licensed under the laws of any state to practice engineering, architecture, landscape architecture or planning. In cases where the number of directors or partners is not divisible by 3, the number of directors or partners shall be the number that results from rounding up or rounding down to the nearest number.

Effective October 24, 1977