

MAINE STATE LEGISLATURE

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March 30, 1948

To David B. Soule, Insurance Commissioner

I have your memo of March 16th referring to mine of February 9, 1948, providing that an adjuster for the General Adjustment Bureau, adjusting losses for the General Adjustment Bureau's companies, which he or his agency represents in Maine, need not have a license as an adjuster, unless he adjusts losses for companies that are not members of the Bureau. You state that there is a question in your mind as to what the last part of my statement means, "unless he adjusts losses for companies that are not members of said Bureau." You state that a Bureau adjuster is authorized by the by-laws of the Bureau to adjust losses for a non-member company and that because of this authority the majority of adjusters representing the Bureau do, when requested, adjust losses for companies which are not members of the Bureau. In view of the authority vested in the Bureau adjusters to adjust losses for non-member companies, you ask if you are correct in assuming that all Bureau adjusters must therefore be licensed.

Adjusters for the Bureau who adjust for non-members companies should take out a license under the statute. If an adjuster is going to adjust only for the companies which he or his agency represents in Maine, then he would not need to have a license under the provisions of the statute.

I appreciate your problem in policing the adjusters for the Bureau concerning the question of whether or not they are adjusting for non-members of the Bureau. However, the statute prevails over the by-laws of the Bureau, and any Bureau adjuster who adjusts losses for outside companies should be required to take the examination and secure a license.

Ralph W. Farris
Attorney General

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