

# MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 2110

6  
7 S.P. 784

In Senate, February 23, 1984

8 Approved for introduction by the Legislative Council pursuant to Joint  
9 Rule 26.

10 Referred to the Committee on Business Legislation. Ordered printed and  
sent down for concurrence.

JOY J. O'BRIEN, Secretary of the Senate

Presented by Senator Sewall of Lincoln.

11  
12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FOUR  
16

17 AN ACT Relative to Group Legal Insurance.  
18

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

21 Sec. 1. 24-A MRSA §711 is enacted to read:

22 §711. Legal services insurance

23 "Legal services insurance" is insurance which in-  
24 volves the assumption of a contractual obligation to  
25 reimburse the beneficiary against or pay on behalf of  
26 the beneficiary all or a portion of his fees, costs  
27 or expenses related to or arising out of services  
28 performed by or under the supervision of an attorney  
29 who is not an employee of or under the control of the  
30 insurer directly or indirectly and who is licensed to  
31 practice in this State.

32 Sec. 2. 24-A MRSA §1503, sub-§§5 and 6, as en-  
33 acted by PL 1969, c. 132, §1, are amended to read:

1           5. Health insurance, when transacted by an in-  
2           surer also represented by the same agent as to prop-  
3           erty or casualty or surety insurance; ~~and~~

4           6. Title insurance; ~~and~~

5           Sec. 3. 24-A MRSA §1503, sub-§7 is enacted to  
6           read:

7           7. Legal services insurance.

8           Sec. 4. 24-A MRSA §1506, sub-§2, ¶¶D and E, as  
9           enacted by PL 1969, c. 132, §1, are amended to read:

10          D. Surety insurance; ~~and~~

11          E. Title insurance; ~~and~~

12          F. Legal services insurance.

13          Sec. 5. 24-A MRSA §1508, sub-§2, ¶E, as enacted  
14          by PL 1969, c. 132, §1, is amended to read:

15          E. Title insurance; ~~and~~

16          Sec. 6. 24-A MRSA §1508, sub-§2, ¶F is enacted  
17          to read:

18          F. Legal services insurance.

19          Sec. 7. 24-A MRSA §2302, sub-§1, ¶C, as amended  
20          by PL 1973, c. 585, §12, is further amended to read:

21          C. Property, marine and inland marine insurance  
22          on risks located in this State. Inland marine in-  
23          surance shall be deemed to include insurance now  
24          or hereafter defined by statute, or by interpre-  
25          tation thereof, or if not so defined or inter-  
26          preted, by ruling of the superintendent, or as  
27          established by general custom of the business, as  
28          inland marine insurance; ~~and~~

29          Sec. 8. 24-A MRSA §2302, sub-§1, ¶D is enacted  
30          to read:

31          D. Legal services insurance.

1           Sec. 9. 24-A MRSA §2412, sub-§1, as amended by  
2 PL 1973, c. 585, §12, is further amended to read:

3           1. No basic insurance policy or annuity contract  
4 form, or application form where written application  
5 is required and is to be made a part of the policy or  
6 contract, or printed rider or endorsement form or  
7 form of renewal certificate, shall be delivered, or  
8 issued for delivery in this State, unless the form  
9 has been filed with and approved by the superintend-  
10 ent. This provision shall not apply to surety bonds,  
11 or to specially rated inland marine risks, or to po-  
12 licies, riders, endorsements or forms of unique char-  
13 acter designed for and used with relation to insur-  
14 ance upon a particular subject, or which relate to  
15 the manner of distribution of benefits or to the res-  
16 ervation of rights and benefits under life or health  
17 insurance policies and are used at the request of the  
18 individual policyholder, contract holder, or certifi-  
19 cate holder. As to group insurance policies effectua-  
20 ted and delivered outside this State but covering  
21 persons resident in this State, the group certifi-  
22 cates to be delivered or issued for delivery in this  
23 State shall be filed, for the superintendent's infor-  
24 mation only, with the superintendent at his request.  
25 As to forms for use in property, marine other than  
26 wet marine and transportation insurance, casualty,  
27 legal services and surety insurance coverages the  
28 filing required by this subsection may be made by  
29 rating organizations on behalf of its members and  
30 subscribers; but this provision shall not be deemed  
31 to prohibit any such member or subscriber from filing  
32 any such forms on its own behalf.

33           Sec. 10. 24-A MRSA c. 38 is enacted to read:

34                           CHAPTER 38

35                           LEGAL SERVICES INSURANCE

36           §2881. Contracts subject to general provisions

37           All contracts of legal services insurance deliv-  
38 ered or issued for delivery in this State and cover-  
39 ing subjects resident, located or to be performed in  
40 this State are also subject to the applicable provi-  
41 sions of chapter 27 and to other applicable provi-  
42 sions of this Title.

