

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 73

In Senate, Feb. 1, 1917.

*Referred to Committee on Mercantile Affairs and Insurance
and five hundred copies ordered printed. Sent down for con-
currence.*

W. E. LAWRY, Secretary.

Presented by Mr. Bartlett of Kennebec County.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT relating to insurance agents and brokers.

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

Section 1. That Section 121 of Chapter 53 of the Revised
2 Statutes of 1916 be amended by striking out the words "he
3 forfeits not more than fifty dollars for each offense" in the
4 thirteenth line and inserting in place thereof the words 'he
5 shall upon conviction be subject to a fine not exceeding two
6 hundred dollars or imprisonment not exceeding sixty days'
7 so that said section as amended shall read as follows:

'Sect. 121. Licenses to Agents; Agents Personally Liable

2 for Unlawful Contracts. R. S. C. 49, S. 96. 1907, C. 5.
3 The insurance commissioner may issue a license to any per-
4 son to act as an agent of a domestic insurance company, upon
5 his filing with the commissioner a certificate from the com-
6 pany or association, or its authorized agent, empowering him
7 so to act; and to any resident of the state to act as an agent
8 of any foreign insurance company, which has received a
9 license to do business in the state as provided in Section one
10 hundred and five or Section one hundred and fifty upon his
11 filing such certificate. Such license shall continue until the
12 first day of the next July. If any person solicits, receives or
13 forwards any risk or application for insurance to any com-
14 pany, without first receiving such license, or fraudulently
15 assumes to be an agent and thus procures risks and receives
16 money for premiums, he shall upon conviction be subject to
17 a fine not exceeding two hundred dollars or imprisonment
18 not exceeding sixty days; but any policy issued on such appli-
19 cation binds the company if otherwise valid. Agents of duly
20 authorized insurance companies may place risks with agents
21 of other duly authorized companies when necessary for the
22 adequate insurance of property, persons or interests. An in-
23 surance agent shall be personally liable on all contracts of
24 insurance unlawfully made by or through him, directly or
25 indirectly, for or in behalf of any company not authorized
26 to do business in the state. Nothing herein contained shall
27 require a duly licensed insurance agent or broker to obtain
28 any license for an employee doing only clerical office work in
29 the office of said agent or broker.'