

MAINE STATE LEGISLATURE

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E I G H T Y - N I N T H L E G I S L A T U R E

Legislative Document

No. 884

H. P. 1674

House of Representatives, February 14, 1939.

Referred to Committee on Mercantile Affairs and Insurance and sent up for concurrence. 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. McNamara of Winthrop.

S T A T E O F M A I N E

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-NINE

AN ACT Relating to Insurance Agents.

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

R. S., c. 60, additional. Chapter 60 of the revised statutes is hereby amended by adding a new section to be numbered 124-A, and to read as follows:

‘Sec. 124-A. Rights of insurance brokers protected. (1) The good will of every agent of any foreign fire or liability insurance company, including the records, use and control of all expirations of policies issued by such agent, except upon risks received from such company or from another duly authorized agent, resident within or without the state, is the exclusive property of such agent and all rights thereunto pertaining are vested in him. No agent shall waive such rights. All agreements heretofore or hereafter made inconsistent herewith are void and unenforceable. Upon the decease of such agent, the good will of his agency and rights become part of his estate.

(2) It shall be unlawful for any company in which a policy is written to solicit, directly or indirectly, the renewal thereof except through the same agent or his successor in the same agency, or to divulge to any person

the time of the expiration of such policy for the purposes of renewing the insurance, save by the assent of such agent or his successor.

(3) Upon complaint made to the insurance commissioner of an alleged violation of subsections (1) or (2), he shall cause a hearing thereon to be held before him, at which time both the complainant and the company may be heard. The company shall produce any and all correspondence relating to the cause of complaint. If it shall be found to have violated the provisions hereof, its license may be suspended forthwith.'