

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Legislative Document

No. 10

H. P. 24

House of Representatives, January 19, 1943.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Murchie of Calais.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to Insurance Agents and Brokers.

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

Sec. 1. R. S., c. 60, § 122, amended. The 4th sentence from the end of section 122 of chapter 60 of the revised statutes, as amended by chapter 95 of the public laws of 1939 and by section 1 of chapter 205 of the public laws of 1939, is hereby repealed and the following sentence enacted in place thereof:

‘Agents of duly authorized insurance companies may place business which they are duly licensed to solicit with agents of other duly authorized insurance companies transacting the same kinds of business, when necessary for the adequate insurance of property, persons, or interests.’

Sec. 2. R. S., c. 60, § 125, amended. Section 125 of chapter 60 of the revised statutes, as amended, is hereby further amended to read as follows:

‘Sec. 125. Personal examination of applicants required in certain cases. Before an agent or broker is licensed as provided in the 3 preceding sections he shall file with the insurance commissioner a statement under oath, giving his name, residence, present occupation, his occupation for the 5 years next preceding the date of such statement, and such other information, if any, as the insurance commissioner may require. After the statement here-

in provided for is filed, the insurance commissioner may, if he is satisfied that the appointee is a suitable person, **and that there is need for additional agents to service the public in the territory for which the applicant in his statement has designated he intends to operate as a licensed insurance agent**, issue to him a license in accordance with said sections; provided, however, that it shall not be necessary for an applicant once qualified as a broker, or as an agent for any particular company, to re-qualify. The insurance commissioner may at any time after granting such license, for cause shown, and after a hearing, determine any person so appointed, or any person theretofore appointed as agent, to be unsuitable to act as such agent, and shall thereupon revoke such license and notify both the company and the agent of such revocation. Before any person is licensed as hereinbefore provided as a first-time agent of any foreign casualty or foreign fire insurance company, or as a first-time insurance broker, he shall pay to the insurance commissioner a fee of \$10, and appear in person at such time and place as the insurance commissioner, his deputy, or any person delegated by the insurance commissioner or his deputy shall designate in writing for that purpose, for a personal **written** examination as to his ~~character and~~ qualifications to act as such agent or broker.

Provided that no personal examination, or examination fee, shall be required of a resident of the state when applying for license to solicit accident and health insurance only on behalf of not more than one insurance company, licensed to transact such business in this state, and provided further that the annual premium for such policy shall not exceed \$2.

Said fee shall be used solely to defray all ~~of~~ the expenses of conducting examinations, and said examinations shall be in writing and kept on file in the insurance department for at least 6 months. The examiner shall be satisfied that such person is of good character and is otherwise qualified for the license he desires; that he intends to hold himself out in good faith as an insurance agent or broker, and that no part of the commission on the business of such agent or broker shall be paid to any person, firm, or corporation other than a duly licensed agent, broker, or insurance company.'