

MAINE STATE LEGISLATURE

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

Legislative Document

No. 1127

H. P. 1788

House of Representatives, March 1, 1949.

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

HARVEY R. PEASE, Clerk.

Presented by Mr. Burgess of Rockland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-NINE

AN ACT Relating to the Duties of the Insurance Commissioner and State Fire Inspectors.

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

R. S., c. 85, § 29, repealed and replaced. Section 29 of chapter 85 of the revised statutes, as amended by section 8 of chapter 188 of the public laws of 1947, is hereby repealed and the following enacted in place thereof:

‘Sec. 29. Insurance commissioner may incur expense for administration of fire preventive laws. The insurance commissioner may incur such expense, appoint such state fire inspectors, subject to provisions of the personnel law, as may be necessary to carry out the provisions of all fire preventive and investigative laws, rules and regulations which he is by law empowered to administer. He may also incur reasonable expenses in educating the public in fire prevention and protection. The state fire inspectors appointed under the provisions of this section shall carry out those functions which the commissioner may direct. Every fire insurance company or association which does business or collects premiums or assessments in the state shall pay to the state tax assessor on the 1st day of May, annually, in addition to the taxes now imposed by law to be paid by such companies or associations, $\frac{1}{2}$ of 1% of the gross direct premiums for fire risks written

in the state during the preceding calendar year, less the amount of all direct return premiums thereon and all dividends paid to policyholders on direct fire premiums during said calendar year. The state tax assessor shall pay over all receipts from such tax to the treasurer of state daily. Said funds shall be used solely to defray the expenses incurred by the insurance commissioner in administering all fire preventive and investigative laws, rules and regulations and in educating the public in fire safety and are appropriated for such purposes.

Whenever there shall accumulate in the special fund created by this section a surplus sufficient to defray the expenses of such administration for an ensuing period of 1 year, then, in the discretion of the insurance commissioner, the foregoing special tax for that year may be omitted, and the insurance commissioner shall certify to the state tax assessor that the special tax is to be omitted and said certification is to be made not later than the 31st day of January of the year in which the tax would otherwise be assessed. The premium tax return shall be made at the same time and in the same manner as provided for insurance premium taxes specified in section 136.'