

MAINE STATE LEGISLATURE

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

Legislative Document

No. 760

S. P. 269

In Senate, February 17, 1953

Referred to the Committee on Business Legislation. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Dennett of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

**AN ACT Relating to Refusal by Insurance Commissioner to Grant or
Renew Licenses and Revocation of Licenses.**

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

Sec. 1. R. S., c. 56, § 249-A, additional. Chapter 56 of the revised statutes is hereby amended by adding thereto a new section to be numbered 249-A, to read as follows :

‘Sec. 249-A. Refusal by insurance commissioner to grant or renew licenses; revocation of licenses. It shall be the duty of the insurance commissioner to refuse to grant any license applied for, to refuse to renew, and to revoke any license of or to any licensee, agent, resident or non-resident broker, when he is satisfied that the principal use of such license has been or is to procure, receive or forward applications for insurance of any kind, other than life, or to solicit, place or effect such insurance directly or indirectly upon or in connection with the property of such licensee, agent, resident or non-resident broker or that of relatives, employers, employees, or that for which they or the licensee, agent, resident or non-resident broker are or is agent, custodian, vendor, bailee, trustee or payee, or to evade or violate the provisions of section 257.

It also shall be the duty of the insurance commissioner when a written complaint is filed with him that any such licensee, agent, resident or non-

resident broker has been, is or will be using any license or renewal thereof directly or indirectly for the purpose or purposes above set forth, to investigate such complaint forthwith. Provided, however, that in the event the insurance commissioner finds there is no probable cause for complaint, he may order the complaint dismissed. Such action of the insurance commissioner shall be subject to review by appeal to the superior court in Kennebec county, provided such appeal shall be filed by the complainant with the insurance commissioner and the court within 30 days after such action by the commissioner. Said cause shall proceed as a new civil action with the right of either party to submit evidence subject to exceptions and to appeal.

Unless the complaint has been dismissed as aforesaid, immediately upon completion of such investigation, the insurance commissioner shall fix a time and place at which such complaint will be heard and shall give notice thereof to the complainant and to the licensee, agent, resident or non-resident broker complained of. The date set for such hearing shall be within 30 days, but not earlier than 15 days after the date of such notice. The complainant shall be a party, as may any other interested person upon application to the insurance commissioner and for good cause shown may be made a party to such hearing. At such hearing, any party shall have the right to produce and examine witnesses and to participate in the investigation and hearing with the right of appeal from any order entered therein to the superior court in said Kennebec county.'