

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)

STATE OF MAINE

Transmitted by Director of Legislative Research pursuant to joint order.

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

Legislative Document

No. 1224

H. P. 856

House of Representatives, March 12, 1959

Referred to the Committee on Business Legislation, sent up for concurrence and ordered printed.

HARVEY R. PEASE, Clerk

Presented by Mr. Earles of South Portland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-NINE

AN ACT to Revise the Fraternal Beneficiary Association Law.

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

Sec. 1. R. S., c. 60-A, § 15-A, additional. Chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is amended by adding a new section 15-A, to read as follows:

'Sec. 15-A. Application of benefits. The benefits allowed by section 15 may be provided on the life of a member or on the lives of a member, his spouse and minor children in the same or separate certificates.'

Sec. 2. R. S., c. 60-A, § 16, amended. The 2nd paragraph of section 16 of chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is repealed, as follows:

~~'Children insured under certificates issued pursuant to this section shall be transferred to and become members of the adult branch of the society upon attaining the minimum age for adult membership under the laws of the society.'~~

Sec. 3. R. S., c. 60-A, § 22, amended. The last sentence of section 22 of chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is amended to read as follows:

'Any filing made hereunder shall be deemed approved unless disapproved within 30 days from the date of such filing.'

Sec. 4. R. S., c. 60-A, § 25, amended. The 4th sentence of section 25 of chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is amended to read as follows:

'For each such license or renewal the society shall pay the Insurance Commissioner ~~\$5~~ \$50.'

Sec. 5. R. S., c. 60-A, § 29, sub-§ I, ¶ B, amended. Paragraph B of subsection I of section 29 of chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is amended to read as follows:

'B. Any agent or representative of a society who devotes ~~or intends to devote~~ less than ~~50%~~ 25% of his time to the solicitation and procurement of insurance contracts for such society. Any person who in the preceding calendar year has solicited and procured life insurance contracts on behalf of any society in an amount of insurance in excess of ~~\$50,000~~ \$25,000, or, in the case of any other kind or kinds of insurance which the society might write, on the persons of more than 25 individuals and who has received or will receive a commission or other compensation therefor, shall be presumed to be devoting ~~or intending to devote~~, 50% 25% of his time to the solicitation or procurement of insurance contracts for such society.'

Sec. 6. R. S., c. 60-A, § 29, sub-§ IV, ¶ E, amended. Paragraph E of subsection IV of section 29 of chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is amended to read as follows:

'E. Every license issued pursuant to this section, and every renewal thereof, shall expire on ~~December 31st of the even-numbered calendar year following the calendar year in which such license or renewal license was issued~~ July 1st, annually.'

Sec. 7. R. S., c. 60-A, § 37, amended. The last sentence of section 37 of chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is repealed, as follows:

~~'The compensation and actual expenses of the examiners making any examination or general or special valuation shall be paid by the society examined or by the society whose certificate obligations have been valued, upon statements furnished by the Insurance Commissioner.'~~

Sec. 8. R. S., c. 60-A, § 39, amended. The last paragraph of section 39 of chapter 60-A of the Revised Statutes, as enacted by section 1 of chapter 217 of the public laws of 1957, is amended to read as follows:

'Any person who violates any provision of this section or knowingly receives any compensation or commission by or in consequence of such violation, shall upon conviction be punished by a fine of not less than \$100 nor more than \$500 or by imprisonment in the county jail not less than 30 days nor more than ~~one year~~ 11 months, or by both, and shall in addition, be liable for a civil penalty in the amount of 3 times the sum received by such violator as compensation or commission, which penalty may be sued for and recovered by any person or society aggrieved for his or its own use and benefit in accordance with the provisions of civil practice.'