

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

OF THE

STATE OF MAINE

ENACTED BY THE

Seventy-Seventh Legislature

1915

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Seventy-Seventh Legislature

1915

[supplied from page 1 of volume]

said section the word "commissioner" and inserting therefor the word 'commissioners,' so that said section as amended shall read as follows: CHAP. 340

'Section 1. The Governor, with the advice and consent of the Council, shall appoint a Bank Commissioner, who shall hold his office for three years, subject to removal at any time by the appointing power, and shall not during his continuance in office hold any office in any bank in the State. Wherever the words "bank examiner" now appear in the statutes of the State, they shall be construed to mean Bank Commissioner. The Bank Commissioner shall be paid the salary now or hereafter provided by law for that office and his necessary traveling expenses and the reasonable and necessary expenses of his office, the payment of which shall be made subject to the approval of the Governor and Council and shall be authorized to employ at the expense of the State, one or more clerks as the business of the office may require, the amount of their compensation to be subject to the approval of the Governor and Council, and two of whom may be designated as deputy bank commissioners. The present Bank Examiner may serve out the unexpired term of his office as Bank Commissioner without new appointment.'

Bank Commissioner, how appointed.
—tenure of office.

—compensation.

—appointment of deputy commissioners.

Approved April 2, 1915.

Chapter 340.

An Act to Amend Sections One and Two of Chapter One Hundred Thirty-one of the Public Laws of Nineteen Hundred Eleven, as Amended by Chapter One Hundred Fourteen of the Public Laws of Nineteen Hundred Thirteen, Relating to the Taxing of Insurance in Companies not Authorized to Do Business in Maine.

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

Section 1. Section one of chapter one hundred thirty-one of the Public Laws of nineteen hundred eleven, as mended by section one of chapter one hundred fourteen of the Public Laws of nineteen hundred thirteen, is hereby amended by adding in the sixth line after the word "insurance," the words 'against loss or damage by fire or lightning;' and in the seventh line after the words "risks," the words 'or property,' so that said section as amended shall read as follows:

Ch. 131, Sec. 1, P. L., 1911, as amended by Ch. 114, P. L., 1913, further amended.

'Section 1. All persons, companies, associations or corporations, residing or doing business in this State, that enter into any agreements with an insurance company, association, individual, firm, underwriter or Lloyd, not authorized to do busi-

Persons doing business with unauthorized companies

CHAP. 340

shall make
annual re-
turns to
the Insur-
ance Com-
missioner.

ness in this State, whereby said person, company, association or corporation shall enter into contracts of insurance against loss or damage by fire or lightning covering risks or property within this State, with said unauthorized association, individual, firm, underwriter or Lloyd, for which there is a premium charged or collected, the said person, company, association or corporation so insured shall, annually on the first day of December or within ten days thereafter, return to the Insurance Commissioner of this State a statement under oath for the twelve months preceding on policies or contracts of insurance or indemnity taken by the said person, company, association or corporation. Such statement shall show the amount of insurance and the gross premiums paid to each stock company for insurance during the period covered by such statement, and there may be deducted from the gross premiums any premiums returned to the insured on policies cancelled where such policies have been issued during the term covered by the statement or premiums returned on policies cancelled where such original premiums have been previously taxed under this act; or if the insurance or indemnity is with a mutual company or association or individual or through an attorney for individuals, partnerships or corporations, or firm or Lloyds, such statement shall show the amount of insurance or indemnity and gross premium or deposit or payment made to secure such insurance or indemnity and from said gross premium or deposit or payment there may be deducted any premiums returned to the insured on policies cancelled where such policies have been issued during the term covered by the statement or premiums returned on policies cancelled where such original premiums have been previously taxed under this act. The Insurance Commissioner shall give notice to each person, company, association or corporation filing such return of the amount of his tax, computed at two and one-half per cent of the gross premium or deposit or payment made to secure the insurance or indemnity and said tax shall be payable to the State Treasurer on or before the thirty-first day of December following.'

—tax rate.

Ch. 131, Sec.
2, P. L.,
1911, as
amended,
further
amended.

—addi-
tional.

Section 2. Section two of chapter one hundred thirty-one of the Public Laws of nineteen hundred eleven, as amended by section two of chapter one hundred fourteen of the Public Laws of nineteen hundred thirteen, is hereby amended by adding to said section the following words: 'Any person, company, association or corporation failing or refusing to pay the tax required by section one, shall be liable for such tax in an action of debt to be brought in the name of the State in the Supreme Judicial court in any county where such person, company, asso-

ciation or corporation has a residence or place of business. Such action shall be prosecuted by the various county attorneys at the request of the State Treasurer,' so that said section as amended shall read as follows:

'Section 2. Any person, company, association or corporation failing or refusing to make the report required in section one of this act and to furnish all the data and information that may be required by the Insurance Commissioner to determine the amount due, shall be deemed guilty of a misdemeanor and upon conviction be fined not less than one hundred dollars nor more than five hundred dollars for each offense. Any person, company, association or corporation, failing or refusing to pay the tax required by section one, shall be liable for such tax in an action of debt to be brought in the name of the State in the Supreme Judicial court in any county where such person, company, association or corporation has a residence or place of business. Such action shall be prosecuted by the various county attorneys at the request of the State Treasurer.'

CHAP. 341

Penalty for refusing to make returns.

—action of debt may be brought in name of the State.

Approved March 31, 1915.

Chapter 341.

An Act for the Better Protection and Preservation of the Lobster Fisheries, Authorizing the Appointment of a Commission.

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

Section 1. The Governor and Council are hereby authorized to appoint a commission, consisting of three suitable and competent men who are familiar with the lobster industry, to confer with the United States Department of Commerce and Labor and with similar commissions from other states or with legislative committees of other states or department heads of other states having the lobster industry under their charge, with the purpose in view of determining what legislative and federal regulation should be adopted for the best interest of the lobster industry in all states where lobsters are caught; and that their findings shall be reported to the next Legislature.

Governor and Council shall appoint a commission to investigate the lobster industry.

Section 2. That there be and hereby is appropriated the sum of one thousand five hundred dollars annually for this year and a similar amount for next year to defray the expenses of the Commission hereby created.

—appropriation.

Section 3. Whereas it appears that an emergency exists for carrying into effect the provisions of section one of this act, this act will take effect when approved.

—emergency clause.

Approved April 2, 1915.