

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Ninety-eighth Legislature

OF THE

STATE OF MAINE

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-eighth Legislature

1957

'Sec. 294. Licenses to special insurance brokers; conditions upon which insurance procured; licensee to keep account of business done and report; bond. The Commissioner may annually issue licenses, subject to revocation at any time, to citizens of this State already agents of one or more duly authorized fire insurance companies, permitting the person named therein to procure policies of insurance on fire, inland and ocean marine and ~~or~~ casualty insurance risks and fidelity and surety coverages in this State in foreign insurance companies not authorized to transact business in this State when necessary for the protection of persons, property or interests; provided such insurance coverage may be written under the laws of this State by authorized insurers and is not available in companies authorized to do business in this State. The person named in such a license shall in each case make application to the Commissioner setting forth his reasons for desiring to insure the particular risk with companies not authorized in this State, and said Commissioner shall, if he deems it advisable, grant permission to procure such insurance. He shall give notice to the Commissioner not later than 5 days after the risk is insured, giving the name of the owner, location of the property and name of the company or companies issuing policies thereon, and such other information as the Commissioner may require. In case the Commissioner finds that any company named by a special broker under the provisions of this section is not financially sound and is not believed to be a responsible and reliable company, he shall so notify the special broker who shall forthwith substitute another company, submitting the name of the substitute company to the Commissioner for approval. Each person so licensed shall keep a separate account of the business done under the license which shall be open to the inspection of the Commissioner or his representative. He shall monthly file with the Commissioner a statement showing the amount of insurance placed for any person, firm or corporation, the location of each risk, the gross premium charged thereon, the companies in which the insurance is placed, the date of the policies and the term thereof and such further information as the Commissioner may require. He shall also report in the same detail all policies canceled during the month covered by the report showing the return premiums thereon. Before receiving such license he shall execute and deliver to the Treasurer of State a bond in the penal sum of \$1,000, with such sureties as the Commissioner shall approve, with a condition that the licensee will faithfully comply with all the requirements of this section and will file with the Treasurer of State, in January of each year, a sworn statement of the gross premiums charged for insurance procured or placed and the gross returned premiums on such insurance canceled under such license during the year ending on the 31st day of December next preceding, and at the time of filing such statement will pay into the Treasury of State a sum equal to 2% of such gross premiums, less such returned premiums as are reported.'

Effective August 28, 1957

Chapter 264

AN ACT Relating to Countersignature by Resident Agents on Insurance Policies.

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

R. S., c. 60, § 274, amended. Section 274 of chapter 60 of the Revised Statutes is hereby amended by adding after the 2nd paragraph, 2 new paragraphs, as follows:

'No licensed foreign or alien insurer in this State shall issue, deliver or otherwise effectuate any contract of insurance covering either persons resident in this

State or property situated in this State, or covering any risk incident to the performance or non-performance of any contract or obligation to be performed in this State, or covering any risk incident to any obligation or duty which is governed by the laws of this State though actually to be performed elsewhere, unless such contract of insurance is issued or effectuated through, or countersigned by, a resident licensed insurance agent of this State. A licensed individual insurance agent shall be deemed to be resident in this State if he has his domicile or his principal place of business in this State, and a licensed corporation insurance agent shall be deemed to be resident in this State if it maintains a lawfully established place of business in this State; and a licensed firm or association insurance agent shall be deemed to be resident in this State if it maintains an established place of business in this State.

This section shall not apply to contracts of insurance of the following kinds:

I. Any contract of life insurance, or annuity contract, or any supplemental contract of insurance against accidental death or permanent and total disability made in connection therewith.

II. Any contract of insurance covering the rolling stock of any railroad or covering any vessel, aircraft or motor carrier used in interstate or foreign commerce, or covering any liability or other risks incident to the ownership, maintenance or operation thereof.

III. Any contract of insurance covering any property in interstate or foreign commerce, or any liability or risk incident thereto.

IV. Any contract of reinsurance between any insurance companies or other insurers.'

Effective August 28, 1957

Chapter 265

AN ACT to Increase Clerk Hire for Probation Officers in Androscoggin County.

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

R. S., c. 149, § 24, amended. The 3rd paragraph of section 24 of chapter 149 of the Revised Statutes as amended by section 4 of chapter 464 of the public laws of 1955 is hereby further amended to read as follows:

'The county of Androscoggin shall have 2 probation officers, one to be designated probation officer and one to be designated assistant probation officer. ~~and~~ ~~the~~ The county commissioners for Androscoggin county shall pay the probation officer a salary of \$3,800, annually, and shall pay the assistant probation officer a salary of \$2,800, annually. ~~and furthermore the~~ The probation officers for Androscoggin county shall be entitled to select a clerk or stenographer for the probation office, and the county commissioners shall appropriate the sum of ~~\$2,340~~ \$2,460, annually, for such clerk hire. Furthermore, the county commissioners for Androscoggin county shall provide suitable quarters in the county building for this office.'

Effective August 28, 1957