

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundredth Legislature

OF THE

STATE OF MAINE

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of the provisions of this chapter may bring a bill in equity civil action in the supreme judicial court or the Superior Court in term time or vacation in the county where he resides, to prevent, restrain or enjoin such violation or threatened violation. If in such action a violation or threatened violation of the provisions of this chapter shall be established, the court may enjoin and restrain or otherwise prohibit such violation or threatened violation. In such action it shall not be necessary that actual damages to the plaintiff be alleged or proved. In addition to such injunctive relief, the plaintiff in said action shall be entitled to recover from the defendant 3 times the amount of actual damages by him sustained and the costs of ~~suit~~ the action including reasonable attorneys' fees.'

Effective September 16, 1961

Chapter 318

AN ACT Relating to Maintenance of Cemeteries in Unorganized Territory.

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

R. S., c. 58, § 5, amended. The last sentence of section 5 of chapter 58 of the Revised Statutes is amended to read as follows:

'All expenses and costs incurred in ~~Discataquis County~~ any county while carrying out the provisions of this section shall annually be assessed, by the county commissioners of ~~Discataquis County~~, against the estates of said county.'

Effective September 16, 1961

Chapter 319

AN ACT Establishing Educational Requirements for Insurance Agents and Brokers.

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

Sec. 1. R. S., c. 60, § 273-D, sub-§ VII-A, additional. Section 273-D of chapter 60 of the Revised Statutes, as enacted by section 13 of chapter 346 of the public laws of 1959, is amended by adding a new subsection VII-A, to read as follows:

'VII-A. Educational requirement. An applicant who is required to take a written examination must have completed the educational requirement prescribed by either paragraph A or B within the 2 years next prior to the date his application for a license is filed with the commissioner.

A. Required courses of instruction. He must have completed successfully such courses of instruction in insurance as may be required and approved by the commissioner. Such courses may be either in attendance at or under the supervision and direction of or by correspondence with an educational institution or insurance company approved by the commissioner.

B. Experience. He must have had 6 months of responsible duties as a substantially full-time employee of an insurance agent or broker, or of an insurance company, its manager, general agent or representative in the fire, casualty and surety business.

C. Affidavit required. Where an applicant's educational requirement consists of employment as prescribed by paragraph B, he must submit an affidavit by his employer stating his period of employment, that it was substantially full-time, and the nature of the duties performed by him.'

Sec. 2. R. S., c. 60, § 273-D-1, additional. Chapter 60 of the Revised Statutes is amended by adding a new section 273-D-1 to read as follows:

'Sec. 273-D-1. Examination advisory board. The commissioner shall appoint an advisory board of 5 members to make recommendations with respect to the scope, type and conduct of written examinations and the examination schedule.

I. Qualification of members. The members of the board must be residents of the State who are experienced in the fire, casualty or surety business, 2 of whom shall be representatives of the agents of fire, casualty and surety companies, one of whom shall be a representative of the domestic mutual insurance companies excluding life insurance companies, one of whom shall be the representative of other companies authorized to do a fire, casualty or surety business in the State and one of whom shall represent the public.

II. Term of office. Each member holds office for 3 years, but initial appointments must be made as follows: 2 for 3 years, 2 for 2 years and one for one year.

III. Compensation. The members of the board shall serve without pay, but the commissioner may authorize their reimbursement for travel expenses when attending board meetings.'

Sec. 3. R. S., c. 60, § 273-J, amended. Section 273-J of chapter 60 of the Revised Statutes, as enacted by section 13 of chapter 346 of the public laws of 1959, is amended to read as follows:

'Sec. 273-J. Requalification of agent, broker or adjuster. After the elapse of 2 years from the expiration date of an agent's, broker's or adjuster's license, he must requalify under section 273-D before being relicensed, but the educational requirements for brokers or agents once fulfilled need not be repeated.'

Sec. 4. Effective date. This act shall take effect on January 1, 1962.

Effective January 1, 1962

Chapter 320

AN ACT Classifying Certain Waters in Salmon Falls-Piscataqua River Watershed.

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

Sec. 1. R. S., c. 79, § 15, amended. Section 15 of chapter 79 of the Revised Statutes, as amended, is further amended by adding a new caption "Salmon Falls-