

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

One Hundred and Fourth Legislature

OF THE

STATE OF MAINE

Published by the Director of Legislative Research in accordance with
the Revised Statutes of 1964, Title 3, Section 164, Subsection 6.

THE KNOWLTON AND MCLEARY COMPANY
FARMINGTON, MAINE
1969

PUBLIC LAWS
OF THE
STATE OF MAINE
AS PASSED BY THE
ONE HUNDRED AND FOURTH LEGISLATURE
1969

been so assumed together with proof that the project was approved by the state board subsequent to July 1, 1969 and completed in accordance with approved plans.

Effective October 1, 1969

Chapter 374

AN ACT Relating to Strikes of Insurance Agents.

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

R. S., T. 24-A, c. 65, additional. Title 24-A of the Revised Statutes is amended by adding a new chapter 65, to read as follows:

CHAPTER 65

STRIKES OF INSURANCE AGENTS

§ 475I. Life, noncancellable health, hospital expense and hospital and surgical expense insurance contracts; default in payment of premium during strike of insurance agents

1. Default. No contract of life, noncancellable health, hospital expense or hospital and surgical expense, insurance which goes into effect in this State on or after the 30th day after January 2, 1970 shall lapse during any 30-day period immediately following the inception of a strike by reason of any default in the payment of any premium during a strike of insurance agents employed by an insurer authorized to transact business in this State, if

A. The collection of the contract premium was, at commencement of the strike, a duty, charge or obligation of any of such agents, according to the records, books, instructions, practice or organization of the insurer, and

B. Such agents are represented for purposes of collective bargaining by a labor organization which has been so recognized or certified or has been a party to any collective bargaining agreement with the insurer.

2. Definitions. For the purpose of this section:

A. Lapse. "Lapse" shall mean lapse, be terminated or in any way modified or qualified as to the obligations of the insurer and the right of the insured.

B. Premium. "Premium" shall mean premium, interest, assessment or any other payment or charge for or in connection with the insurance which would be due to the insurer under the insurance contract during the strike of agents, except for the operation of this section.

C. **Strike.** "Strike" shall mean strike or other concerted stoppage of work by employees, including a stoppage by reason of the expiration of a collective bargaining agreement, so long as any of the foregoing is authorized by the labor organization according to the labor organization's own interpretation and application of its applicable internal rules and procedures.

3. **Claims.** If a claim under any insurance contract covered by this section arises during a 30-day period immediately following the inception of a strike, the insurer may deduct from any amounts payable on account of the claim any premiums which are thus in default.

4. **Notice.** Within 10 days from the inception of a strike, notice of same containing instructions to make payment of premiums by mail shall be mailed to each affected insured by the insurer.

Effective October 1, 1969

Chapter 375

AN ACT Relating to Tuberculosis Sanatoriums.

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

Sec. 1. R. S., T., 34, § 3001, amended. Section 3001 of Title 34 of the Revised Statutes is amended to read as follows:

§ 3001. Establishment and maintenance

The State shall maintain by building, lease or by purchase one or more sanatoriums in such districts of the State as shall seem best to serve the needs of the people for the care and treatment of persons affected with tuberculosis; if, however, at any time the number of persons requiring such care and treatment in such sanatoriums decreases to a level which, in the judgment of the Commissioner of Health and Welfare, makes continued operation and maintenance of a sanatorium impracticable, then the commissioner, with the advice and consent of the Governor and Council, may close any or all such sanatoriums. In the event that all such sanatoriums are closed as provided, any funds from such sanatorium accounts and appropriations may, with the advice and consent of the Governor and Council, be made available to the Commissioner of Health and Welfare for the purpose of providing alternative treatment and care for those patients needing same. Where lease or purchase is made, the State shall have the right to enlarge or otherwise adapt the property to meet the needs of the situation. Such additions or improvements shall be considered permanent. At the expiration of the original lease of any property for use as a tuberculosis sanatorium, the State shall have the right of renewal or of purchase.