

# MAINE STATE LEGISLATURE

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ACTS, RESOLVES AND CONSTITUTIONAL RESOLUTIONS

AS PASSED BY THE

One Hundred and Sixth 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.

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THE KNOWLTON AND MCLEARY COMPANY  
FARMINGTON, MAINE  
1973

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PUBLIC LAWS  
OF THE  
STATE OF MAINE  
AS PASSED BY THE  
One Hundred and Sixth Legislature  
1973

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This section shall not apply:

1. If the insurer has manifested its willingness to renew;
2. If the insured fails to pay any premium due or any advance premium required by the insurer for renewal.

§ 3052. Duplicate coverage

If an insured obtains a replacement policy which provides equal or more extensive coverage for any property designated in both policies, the first insurer's coverage of such property may be terminated by failure to renew as of the effective time and date of the replacement policy, whether or not the first insurer complies with all provisions of section 3051.

§ 3053. Renewal not a waiver or estoppel

Renewal of a policy shall not constitute a waiver or estoppel with respect to grounds for cancellation which existed before the effective date of renewal.

§ 3054. Hearing before commissioner

Any named insured who has received a statement of reason for cancellation, or of reason for an insurer's intent not to renew a policy, may, within 15 days of the receipt or delivery of a statement of reason, request a hearing before the Insurance Commissioner. The purpose of this hearing shall be limited to establishing the existence of the proof or evidence used by the insurer in its reason for cancellation or intent not to renew. The burden of proof of the reason for cancellation or intent not to renew shall be upon the insurer. The Insurance Commissioner shall adopt rules and regulations for carrying out this section. If the insurer does not meet the burden of proof, the Insurance Commissioner shall have the authority to order the policy to continue in effect.

Effective October 3, 1973

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## CHAPTER 240

### AN ACT Relating to Raptors for Use in Falconry.

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

R. S., T. 12, § 2466-B, additional. Title 12 of the Revised Statutes is amended by adding a new section 2466-B, to read as follows:

§ 2466-B. Protection of raptors; falconry

The word "raptor" when used in this section shall mean all birds of the order Strigiformes and of the families Accipitridae and Falconidae commonly

called Buteos, Accipiters, Falcons and Owls. Permittees may take, possess and use all raptors, except Golden Eagles, Bald Eagles, Ospreys, Peregrine Falcons and Red-Shouldered Hawks and those classified as "endangered" by the United States Department of the Interior.

It shall be unlawful for any person at any time to possess, capture, transport, train or use for hunting more than 2 raptors except as herein provided for by rules and regulations.

The commissioner may promulgate specific regulations for the keeping of records, taking, possession or training of raptors used in the practice of falconry and may issue licenses to persons to engage in the practice of falconry.

The fee for a falconry license shall be \$10.

No falconry license shall be issued unless the person has complied with all the requirements as prescribed by the Bureau of Sport Fisheries and Wildlife.

Properly licensed persons engaged in the practice of falconry shall be subject to all the rules and regulations pertaining to seasons and bag limits of upland game birds and fur-bearing animals and shall also be the holder of a valid hunting license.

The commissioner shall revoke the falconry license of any person who is convicted of violating any of the provisions of chapters 301 to 335.

Effective October 3, 1973

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## CHAPTER 241

### AN ACT Relating to the University of Maine Treasurer's Report.

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

R. S., T. 20, § 2256, amended. Section 2256 of Title 20 of the Revised Statutes is amended to read as follows:

#### § 2256. —report

The treasurer shall prepare a complete report for the ~~periods~~ period ending on June 30th and December 31st of each year and forward a copy of said ~~semiannual~~ report of the ~~colleges~~ university to the Governor and Council and, to the board of trustees and to the Members of the State Legislature.

Effective October 3, 1973