



# 127th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2015

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Legislative Document

No. 705

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H.P. 481

House of Representatives, March 5, 2015

### An Act Relating to Insurance Licensing

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Submitted by the Department of Professional and Financial Regulation pursuant to Joint Rule 204.

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative BECK of Waterville.  
Cosponsored by Senator WHITTEMORE of Somerset and  
Senator: BAKER of Sagadahoc.

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

2 **Sec. 1. 24-A MRSA §1416-A, sub-§2**, as amended by PL 2005, c. 43, §1, is  
3 further amended to read:

4 **2. Biennial license continuation fees.** Each nonresident adjuster and consultant  
5 must be billed by the superintendent a biennial fee as provided in section 601 and shall  
6 pay the fee due by January 1st of even-numbered years. Each nonresident business  
7 entity must be billed by the superintendent a biennial fee as provided in section 601 and  
8 shall pay the fee due by April 1st of odd-numbered years. Each resident adjuster ~~and~~  
9 ~~consultant~~ must be billed by the superintendent a biennial fee as provided in section 601  
10 and shall pay the fee due by October 1st of even-numbered years. Each resident  
11 consultant must be billed by the superintendent a biennial fee as provided in section 601  
12 and shall pay the fee due by the date the completion of the consultant's biennial education  
13 requirements is due in accordance with section 1482. Each resident business entity must  
14 be billed by the superintendent a biennial fee as provided in section 601 and shall pay the  
15 fee due by December 1st of even-numbered years.

16 **Sec. 2. 24-A MRSA §1419**, as amended by PL 2001, c. 259, §23, is further  
17 amended to read:

18 **§1419. Duty to notify of changes; payment of late fee**

19 Unless a different time is set by another provision of law, any change of ~~business~~  
20 address, ~~business~~ telephone number, e-mail address, name or other material change in the  
21 conditions or qualifications set forth in the original application of a licensee must be  
22 reported to the superintendent no later than 30 days after the change. This requirement  
23 includes any conviction of a crime other than a traffic violation or any disciplinary action  
24 brought by an insurance regulatory official of any other jurisdiction against the licensee  
25 or against any officer, director, member or partner in a business entity. A licensee shall  
26 report to the superintendent any administrative action taken against the licensee in  
27 another jurisdiction or by another governmental agency in this State within 30 days of the  
28 final disposition of the matter. This report must include a copy of the order, consent to  
29 order or other relevant legal documents. Within 30 days of the initial pretrial hearing  
30 date, a licensee shall report to the superintendent any criminal prosecution of the licensee  
31 taken in any jurisdiction. The report must include a copy of the initial complaint filed,  
32 the order resulting from the hearing and any other relevant legal documents. If any notice  
33 required under this section is received after the prescribed time period, the licensee shall  
34 pay the late fee for filing as prescribed in section 601.

35 **Sec. 3. 24-A MRSA §1477** is enacted to read:

36 **§1477. Reciprocity**

37 **1. Reciprocity.** The superintendent shall waive any requirements for a nonresident  
38 adjuster license applicant with a valid license from that applicant's home state, except the  
39 requirements imposed by sections 1420-G and 1472, subsection 2, paragraph B, if the  
40 applicant's home state awards nonresident licenses to residents of this State on the same  
41 basis. If the applicant's home state does not license adjusters for the license or authority

1 sought, the applicant shall designate as the applicant's home state any state in which the  
2 applicant is licensed and in good standing.

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### **SUMMARY**

4 This bill proposes several changes to Maine law relating to the licensing of insurance  
5 producers, consultants and adjusters. The bill requires that biennial resident insurance  
6 consultant fees be due at the same time as the biennial continuing education requirement  
7 is due. It adds a provision for insurance adjusters that allows those individuals who live in  
8 a state that does not license adjusters to obtain reciprocal licensing based on their  
9 qualifications in another state. This bill requires producers to keep both their contact  
10 information up to date, including their e-mail address, in the records of the Department of  
11 Professional and Financial Regulation, Bureau of Insurance.