

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE**

IN RE:

GEORGE A. PALMER

Docket No. INS-03-209

**DECISION AND ORDER
REVOKING
INSURANCE PRODUCER
LICENSE**

INTRODUCTION

1) This matter is before the Superintendent of Insurance, after notice and opportunity for hearing, pursuant to a Petition to REVOKE the nonresident insurance producer license of George A. Palmer, dated May 19, 2003, and filed by the Staff of the Maine Bureau of Insurance.

2) The Maine Insurance Code regulates persons who offer or sell insurance products in the State of Maine. The Superintendent of Insurance has jurisdiction over this matter pursuant to the Insurance Code generally, Title 24-A Maine Revised Statutes Annotated, and in particular, 24-A M.R.S.A. §§211, 220, 1417, and 1420-K.

FINDINGS OF FACT

3) George A. Palmer is licensed in Maine as an insurance producer, with license authority for Life and Health insurance. His license number in Bureau records is PRR 68134.

4) Mr. Palmer's last known address of record, as specified in correspondence the Bureau received from him on April 3, 2003, is:

George A. Palmer
34 Katahdin Ave.
Caribou, ME 04736

5) In February of 2003, Mr. Palmer was convicted of a Class C criminal offense of Criminal Threatening under 17-A M.R.S.A. §§ 209(1) and 1252(4-A), in Maine Superior Court, Aroostook County, Docket Number CARSC-CR -2002-00272. Mr. Palmer was also convicted on that date of a Class D criminal offense of Criminal Mischief under 17-A M.R.S.A. §806(1)(A). The indictment points out that Mr. Palmer had previously

been convicted of Assault on August 12, 1999, and convicted of Assault on June 13, 1994.

6) The Bureau provided notice by U.S. Mail to Mr. Palmer of the Petition to revoke, and opportunity for hearing, by certified mail, return receipt, as well as by regular mail on May 20, 2003 in accordance with the requirements of 24-A M.R.S.A. §213.

7) Mr. Palmer has not requested a hearing on this matter, and the time period allotted for the filing of any such request has expired.

CONCLUSIONS OF LAW

CRIMINAL CONVICTION AS STATUTORY BASIS FOR REVOCATION

8) Under 24-A M.R.S.A. §1417 and §1420-K(1)(F), the superintendent may, after notice and opportunity for hearing, revoke a producer's license based upon a conviction in court of any offense under Title 5 M.R.S.A. §5301, which includes among the convictions for which such actions are authorized: "Convictions for which incarceration for one year or more may be imposed."

9) Mr. Palmer's Class C conviction in February 2003 for Criminal Threatening referenced above constitutes a conviction for which incarceration for one year or more may be imposed, and the conviction occurred within the time limits established under 5 M.R.S.A. §5303.

10) Mr. Palmer's Class C conviction for Criminal Threatening establishes statutory grounds for revoking his producer license under 24-A M.R.S.A. §1417 and §1420-K(1)(F).

ORDER REVOKING LICENSE of George A. Palmer

The Superintendent of Insurance, after notice and opportunity for hearing, hereby finds that George A. Palmer has been convicted of criminal offenses which constitute statutory grounds for revoking his producer license under the Maine Insurance Code as specifically stated in the above Findings of Fact and Conclusions of Law.

Therefore, the insurance producer license of **George A. Palmer**, # PRR 68134, is hereby **REVOKED** pursuant to 24-A M.R.S.A. §1417 and 24-A M.R.S.A. §1420-K.

The effective date of this Order is June 30, 2003.

NOTICE OF APPEAL RIGHTS

This Decision and Order is a final agency action of the Superintendent of Insurance within the meaning of the Maine Administrative Procedures Act.

It is appealable to the Superior Court in the manner provided in 24-A M.R.S.A. §236, 5 M.R.S.A. §11001, *et seq.*, and M.R.Civ.P. 80C. Any party to the proceeding may initiate an appeal within thirty (30) days after receiving this notice. Any aggrieved non-party whose interests are substantially and directly affected by the Decision and Order may initiate an appeal within forty (40) days of the issuance of this Decision and Order. There is no automatic stay pending appeal; application for stay may be made in the manner provided in 5 M.R.S.A. §11004.

By: ERIC A. CIOPPA
Deputy Superintendent of Insurance