

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DATE: June 12, 1995 (Filing No. S- 240)

BANKING AND INSURANCE

Reported by: Senator ABROMSON of Cumberland for the Committee.

Reproduced and distributed under the direction of the Secretary of the Senate.

**STATE OF MAINE
SENATE
117TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT " A " to S.P. 299, L.D. 838, Bill, "An Act to Extend the Final Determination of a Fresh Start Policy Year Status"

Amend the bill in section 1 in subsection 9 by striking out all of the blocked paragraph (page 1, lines 24 to 28 in L.D.) and inserting in its place the following:

'After the receipt of 9 complete annual evaluations, but not later than the 20th calendar year following the close of the policy year under review, the superintendent may reopen a final determination of the deficit or surplus for cause and order additional surcharges as needed to recover the remainder of any deficit. This redetermination may be taken on the superintendent's own motion, upon the motion of the board of governors of the workers' compensation residual market pool or upon the motion of any party to the administrative proceeding that resulted in the final determination.'

Further amend the bill by inserting at the end before the statement of fact the following:

FISCAL NOTE

The Bureau of Insurance will incur some minor additional costs to administer certain requirements pertaining to the final determination of a Fresh Start policy year status. Considering that Fresh Start hearings are already required until the year

AdB.

COMMITTEE AMENDMENT "A" to S.P. 299, L.D. 838

2 2001, these costs can be absorbed within the bureau's existing
budgeted resources.

4 Beginning in calendar year 2002, the Bureau of Insurance
6 will incur additional annual expenses of \$50,000 to hold the
Fresh Start hearings required in this bill.'

8

STATEMENT OF FACT

10

12 This amendment permits the Superintendent of Insurance to
14 amend a determination so as not to improperly collect or assess a
surcharge as a result of an earlier decision, while enabling the
superintendent to order appropriate additional surcharges if
needed to retire a deficit. This amendment also adds a fiscal
16 note to the bill.