

the House.           Ite         STATE OF MAINE           HOUSE OF REPRESENTATIVES         118TH LEGISLATURE           III         FIRST SPECIAL SESSION           III         COMMITTEE AMENDMENT "A" to H.P. 716, L.D. 980, Bill,           Act to Amend Provisions Applicable to Property Casualty Insur           and Reporting Requirements to the Bureau of Insurance"           Amend the bill by striking out all of section 3           inserting in its place the following:           Scc. 3. 24-A MRSA § 2382-F is enacted to read:           S2382-F. Report required           In order to comply with Title 26, section 61, subsect           Iosses and the total actual paid workers' compensation           showing the amount of total actual paid workers' compensation medi           payments for the previous calendar year.'           Further amend the bill by striking out all of sections 9,           and 11 and inserting in their place the following:           'Sec. 9. 39-A MRSA §403, sub-§17 is enacted to read:           I. Report required. In order to comply with Title           section 61, subsection 1-A, on or before March lst of each year           Huther amend the bill by striking out all of sections 9,           and 11 and inserting in their place the following:           'Sec. 9. 39-A MRSA §403, sub-§17 is enacted to read:           I. Report required. In order to comply with Title		L.D. 980
6       BANKING AND INSURANCE         8         10       Reproduced and distributed under the direction of the Clerk the House.         12       STATE OF MAINE         14       HOUSE OF REPRESENTATIVES LIBTH LEGISLATURE FIRST SPECIAL SESSION         16       FIRST SPECIAL SESSION         18       COMMITTEE AMENDMENT "A" to H.P. 716, L.D. 980, Bill,         10       Act to Amend Provisions Applicable to Property Casualty Insur and Reporting Requirements to the Bureau of Insurance"         12       Amend the bill by striking out all of section 3 inserting in its place the following:         16       'Sec. 3. 24-A MRSA § 2382-F is enacted to read:         17       Sigener required         18       In order to comply with Title 25, section 61, subsect 1-A, on or before March 1st of each year, every worke compensation insurer shall file a report with the superintend showing the amount of total actual paid workers' compensation gaments for the previous calendar year.'         19       Further amend the bill by striking out all of sections 9, and 11 and inserting in their place the following:         10       'Sec. 9. 39-A MRSA §403, sub-§17 is enacted to read:         11       Report required. In order to comply with Title section 61, subsection 1-A, on or before March 1st of each yea         14       Isseet on 1-A, on or before march 1st of each yea         15       Further amend the bill by striking out all of sections 9, and 11 and in	2	DATE: 4-1-97 (Filing No. H-148)
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## COMMITTEE AMENDMENT

## COMMITTEE AMENDMENT "H" to H.P. 716, L.D. 980

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Sec. 10. 39-A MRSA §404, sub-§2, as amended by PL 1995, c. 594, §7, is further amended by amending the first paragraph to read:

2. Membership required. All self-insurers, as-defined-in 6 under this Title, must be members of the association as a condition of authority to self-insure in this State, except that 8 all public employers that are individual self-insurers,-with-a state-assessed-valuation-equal-to-or-in-excess-of-\$300,000,000 10 and-have-either-a-net-worth-equal-to-or-in-excess-of-\$25,000,000 er--a-bond-rating--equal--to--or--in--excess--of--the--2nd--highest 12 standard-as--set-by-a-national-bond-rating-organization,-are-not subject-to-this-subsection .- Public employers -that - are and qualify for the alternative security requirements of section 403, 14 subsection 3, paragraph D and group self-insurers with whose membership consists exclusively of public employers and whose 16 members have in the aggregate a state-assessed valuation equal to 18 of \$5,000,000,000 are--not---subject---to---this or in excess However,-if-a-self-insurer-relying-on-a-bond-rating subsection. 20 is - a - county, -- city - or - town, - it - shall - value - or - cause - to - be - valued its -- unpaid -- workers '-- compensation -- claims -- pursuant -- to -- sound 22 accepted - actuarial -- principles -- - This -- value - must -- be -- incorporated in-the-annual-audit-of-the-county--city-or-town-together-with disclosure--of-funds--appropriated--to--discharge-incurred--claims 24 expenses. The association shall perform its functions under a 26 plan of operation established or amended, or both, and approved by the superintendent and shall exercise its powers through the 28 board of directors established in this section.

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Sec. 11. 39-A MRSA §404, sub-§4, ¶A, as amended by PL 1995, c. 594, §8, is further amended by repealing subparagraph (1).

Sec. 12. 39-A MRSA §404, sub-§7, ¶D is enacted to read:

D. On or before May 15th of each year, the Bureau of Insurance shall provide to the Maine Self-Insurance Guarantee Association the annual standard workers' compensation premium for each individual and group workers' compensation self-insurer and each individual and group workers' compensation self-insurer's payroll by class and experience modification factor for the previous calendar year. For the purposes of this paragraph, the definitions of annual standard premium in subsection 4 apply. The Maine Self-Insurance Guarantee Association may request additional information from workers' compensation self-insurers to verify the accuracy of the amounts reported.

48 50 Sec. 13. 39-A MRSA §409, first ¶, as amended by PL 1993, c. 313, §40, is further amended to read:

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COMMITTEE AMENDMENT

COMMITTEE AMENDMENT " $\mu$ " to H.P. 716, L.D. 980

The Superintendent of Insurance shall annually assess make an assessment on self-insuring employers approved pursuant to 2 section 403, respecting the operations of each self-insurer conducted in the State to defray the cost of administration of 4 the Bureau of Insurance. On or before March 1st of each year, every individual workers' compensation self-insurer and group 6 workers' compensation self-insurer shall report to the superintendent the self-insurer's experience modification factor 8 for the previous calendar year. The superintendent shall calculate the amount of annual standard premium that would have 10 been paid during the previous calendar year for every individual 12 workers' compensation self-insurer and group workers' compensation self-insurer. The annual assessment upon approved 14 self-insuring employers must be calculated using the imputed annual standard premium relating to business operations in the State that each self-insurer would have paid during the previous 16 calendar year pursuant to manual rates established by the 18 principal rating organization in the State and using the experience rating procedure approved by the Superintendent of 20 Insurance for that self-insurer. For the purposes of this section, the definitions of annual standard premium in section 404, subsection 4 apply. The assessment must be applied to the 22 budget of the bureau for the fiscal year commencing July 1st. The 24 assessment must be in an amount not exceeding 11/100 of 1% of the imputed annual standard premium. When the superintendent 26 calculates the amount of the annual assessment, the superintendent may consider, among other things, the staffing 28 level required to administer workers' compensation self-insurance oversight responsibilities of the bureau. All information filed 30 by self-insurers in compliance with this section is confidential in accordance with section 403, subsection 15.

Sec. 14. 39-A MRSA §409, sub-§1 as enacted by PL 1991, c. 885, Pt. A, §8 and affected by §§9 to 11, is amended to read:

Annual 36 1. standard premium. The superintendent shall utilize the annual standard premium for each approved 38 self-insurer as reperted-to <u>calculated by</u> the Bureau of Insurance by--the-Maine-Self-Insurance--Guarantee--Association pursuant to this section 4047-subsection-4 in determining the amount of the 40 assessment.'

Further amend the bill by inserting at the end before the summary the following:

**'FISCAL NOTE** 

48 The Bureau of Insurance within the Department of Professional and Financial Regulation will incur some minor 50 additional costs to administer certain requirements pertaining to

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## COMMITTEE AMENDMENT

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property casualty insurers. These costs can be absorbed within the bureau's existing budgeted resources.

The Department of Administrative and Financial Services will realize some minor savings from reduced reporting requirements.'

## SUMMARY

10 This amendment allows workers' compensation self-insurers to report payrolls by class and experience modification factors for each calendar year to the Superintendent of Insurance instead of requiring the reporting of annual standard premium. Under the amendment, the superintendent determines annual standard premium based on the report filed by the self-insurer.

The amendment changes the date required for submission of 18 information to the Maine Self-Insurance Guarantee Association to May 15th and removes the amendment to Maine Revised Statutes, 20 Title 24-A, section 237.

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The amendment also adds a fiscal note to the bill.

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COMMITTEE AMENDMENT