

MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 1431

6
7 H.P. 1077

House of Representatives, April 6, 1983

8 Referred to the Committee on Business Legislation. Sent up for
9 concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

11 Presented by Representative Brannigan of Portland.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-THREE
16

17 AN ACT to Provide Access to Insurance
18 Rate Filings before a Rate Filing Becomes
19 Effective.
20

21 Be it enacted by the People of the State of Maine as
22 follows:

23 Sec. 1. 24-A MRSA §2304, sub-§2, as amended by
24 PL 1973, c. 585, §12, is further amended to read:

25 2. When a filing is not accompanied by the
26 information upon which the insurer supports such
27 filing, and the superintendent does not have suffi-
28 cient information to determine whether such filing
29 meets the requirements of this chapter, he shall re-
30 quire the insurer to furnish the information upon
31 which it supports the filing. Any filing may be sup-
32 ported by the experience, or judgment if experience
33 is not available, of the insurer or rating organiza-
34 tion making the filing, the experience of other

1 insurers or rating organizations or any other factors
2 which the insurer or rating organization deems rele-
3 vant. A filing and any supporting information shall
4 be open to public inspection after the filing becomes
5 effective at anytime after the filing and supporting
6 information is filed with the superintendent.

7 Sec. 2. 24-A MRSA §2304, sub-§4, as enacted by
8 PL 1969, c. 132, §1, is amended to read:

9 4. A rate filing and its supporting data are
10 confidential until the filing becomes effective open
11 to public inspection at any time after the filing and
12 supporting information is filed with the superinten-
13 dent.

14 Sec. 3. 24-A MRSA §2319, sub-§1, as amended by
15 PL 1973, c. 585, §12, is further amended to read:

16 1. Any person or organization in interest
17 aggrieved with respect to any filing which, whether
18 or not the filing is in effect, may make written
19 application to the superintendent for a hearing
20 thereon, except that the insurer or rating organiza-
21 tion that made the filing shall not be authorized to
22 proceed under this section. Such application shall
23 specify the grounds to be relied upon by the appli-
24 cant.

25 STATEMENT OF FACT

26 This bill provides public access to rate filings
27 before the filings are effective and, thus, permits
28 interested persons to determine whether to request a
29 hearing on rate filings before those filings go into
30 effect. Additionally, the bill permits interested
31 and aggrieved persons to request a hearing prior to
32 the effective date of the filing.

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