

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
116TH LEGISLATURE  
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 50, L.D. 66, Bill, "An Act to Preserve the Public Advocate's Participation in Residual Market Deficit Proceedings at the Bureau of Insurance"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

'Sec. 1. 24-A MRSA §2386-A, sub-§6, ¶ C is enacted to read:

C. For all filings pursuant to this section during calendar years 1993 and 1994, the insurance carriers participating in the proceeding are not required to pay the fees as provided in paragraph B but shall pay to the superintendent a filing fee of \$50,000. The superintendent shall immediately credit the filing fee to the Public Advocate. The filing fee must be segregated and expended to employ outside consultants and pay other expenses, including staff salaries, to fulfill the requirements of this section. In addition, the insurance carriers participating in the filing shall pay to the superintendent an additional fee of \$15,000 to cover the salaries of Public Advocate staff involvement in this proceeding. The superintendent shall transfer this fee and any other fees received for staff salaries to the Public Advocate Regulatory Fund established pursuant to Title 35-A, section 116, subsection 8. Any portion of the fees paid pursuant to this paragraph not expended for the purposes of the fee must be returned to the insurance carriers.

On or before September 15, 1994, the Public Advocate shall report to the joint standing committee of the Legislature having jurisdiction over banking and insurance matters on fees paid pursuant to this paragraph, including, but not limited to, the income received, expenses paid and any amounts returned to insurance carriers.

**COMMITTEE AMENDMENT**

2           **Sec. 2. Allocation.** The following funds are allocated from  
 4 Other Special Revenue to carry out the purposes of this Act.

	1992-93	1993-94
<b>EXECUTIVE DEPARTMENT</b>		
<b>Office of the Public Advocate</b>		
10           Personal Services	\$15,000	\$15,000
12           All Other	50,000	50,000
14           Provides for the allocation 16 of funds from expected filing 18 fees for the Public Advocate's participation in fresh start proceedings.		
20 <b>EXECUTIVE DEPARTMENT</b>		
22 <b>TOTAL</b>	\$65,000	\$65,000'

24           Further amend the bill by inserting before the statement of  
 26 fact the following:

**FISCAL NOTE**

	1992-93	1993-94
<b>APPROPRIATIONS/ALLOCATIONS</b>		
32           Other Funds	\$65,000	\$65,000
<b>REVENUES</b>		
38           Other Funds	\$65,000	\$65,000

40           The Office of the Public Advocate within the Executive  
 42 Department will receive an additional \$45,000 of Other Special  
 44 Revenue from a \$30,000 increase in the filing fee and a \$15,000  
 46 fee assessed for each fresh start proceeding. Revenue is not  
 48 currently budgeted or allocated for this purpose, despite the  
 fact that there is usually one filing per year. This bill  
 recognizes additional revenue of \$65,000 annually and allocates  
 that amount in fiscal year 1992-93 and fiscal year 1993-94.

50           The Bureau of Insurance will incur some minor additional  
 costs related to the expansion of the fresh start hearings.

2 These costs can be absorbed within the bureau's existing budgeted  
resources.'

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### STATEMENT OF FACT

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8 This amendment replaces the bill and accomplishes the same  
purposes while also doing the following.

10 1. It makes the increased fees applicable only for calendar  
years 1993 and 1994.

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14 2. It applies the repayment of unexpended fees to both the  
\$50,000 fee and the \$15,000 fee.

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18 3. It requires a report to the Joint Standing Committee on  
Banking and Insurance on income and expenses paid from the fees  
on or before September 15, 1994.

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22 4. It adds a fiscal amendment for the allocations necessary  
to authorize the Public Advocate to use the increased fees.

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Reported by the Majority of the Committee on Banking and Insurance  
reduced and distributed under the direction of the Clerk of the  
House  
2/26/93 (Filing No. H-31)