

# MAINE STATE LEGISLATURE

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(Filing No. H- 257 )

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

COMMITTEE AMENDMENT "A" to H.P. 334, L.D. 437, Bill, "An Act to Provide for the Popular Election of the Superintendent of Insurance"

Amend the bill in section 1 in that part designated "§201." in subsection 1 by inserting at the end a new sentence to read: 'The superintendent must be qualified by reason of education and experience as a professional in one of the following fields: insurance, law, economics, accounting or finance.'

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

'5. The superintendent may be recalled by the vote of the people. Recall proceedings may be commenced by written petition of electors, in accordance with the procedures set forth in the Constitution of Maine, Article IV, Part Third, Section 17 for the following conduct:

A. Wrongful conduct that affects, interrupts, or interferes with the performance of official duty;

B. Performance of a duty in an improper manner;

C. Commission of an unlawful act; and

D. Willful neglect of or failure to perform faithfully a duty imposed by law.

**COMMITTEE AMENDMENT**

**FISCAL NOTE**

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The Department of the Secretary of State will incur some additional administrative costs to provide for the popular election of the Superintendent of Insurance. These costs can be absorbed within the department's existing budgeted resources.

If the Superintendent of Insurance is recalled by the voters, the Department of the Secretary of State will require an additional General Fund appropriation for an additional statewide election. The amounts will depend upon the timing of the election.'

**STATEMENT OF FACT**

This amendment is the minority report of the Joint Standing Committee on Banking and Insurance. It adds qualifications for the Superintendent of Insurance and adds a recall provision for wrongful conduct, performance of a duty in an improper manner, commission of a crime and willful neglect of or failure to perform a duty.

This amendment adds a fiscal note to the bill.

Reported by the Minority of the Committee on Banking and Insurance  
Reproduced and distributed under the direction of the Clerk of the  
House  
5/7/93 (Filing No. H-257)