



# STATE OF CONNECTICUT

## INSURANCE DEPARTMENT

### Notice of Intent to Amend Regulation

In accordance with Conn. Gen. Stat. §4-168(a), notice is hereby given that the Insurance Commissioner of the State of Connecticut, pursuant to the authority of Conn. Gen. Stat. §38a-328, proposes to amend Conn. Agencies Regs. §§38a-328-16, 38a-328-17 and 38a-328-18 to provide for a change in the composition of the governing committee of the Connecticut FAIR (Fair Access to Insurance Requirements) Plan (“FAIR Plan”) and to make certain stylistic changes. The proposed amendment is as follows:

**Section 1.** Section 38a-328-16 of the Regulations of Connecticut State Agencies is amended to read as follows:

**Sec. 38a-328-16.** Administration

The program shall be administered by a governing committee (hereinafter referred to as the committee) of the FAIR Plan and operated by a manager appointed by the committee. The committee shall include ex-officio, the insurance commissioner or [his] THE COMMISSIONER’S designee, one representative of each of the following groups and [one member] TWO MEMBERS selected by the committee and approved by the commissioner:

American Insurance Association OR ITS SUCCESSOR ORGANIZATION  
[Alliance of American Insurers  
National Association of Independent Insurers]  
PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA OR ITS  
SUCCESSOR ORGANIZATION  
All other stock insurers  
All other nonstock insurers  
PROFESSIONAL INSURANCE AGENTS OF CONNECTICUT OR ITS  
SUCCESSOR ORGANIZATION  
INDEPENDENT INSURANCE AGENTS OF CONNECTICUT OR ITS  
SUCCESSOR ORGANIZATION

Not more than one insurer under the same management or ownership shall serve on the committee at the same time. The ex-officio member shall not vote on matters before this committee.

**Section 2.** Subsection (1) of Section 38a-328-17 of the Regulations of Connecticut State Agencies is amended to read as follows:

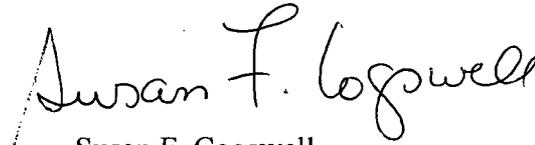
(1) There shall be an annual meeting of the insurers on a date fixed by the committee. The [three] FOUR aforementioned associations shall designate or elect their representatives to the committee. The two nonassociation groups of companies represented on the committee as provided in section [38-114f-15] 38a-328-16 shall elect their representatives by majority vote counted on a weighted basis in accordance with each insurer’s premiums written and the aggregate premiums written for all insurers in the respective groups of companies. Representatives on the committee shall serve for a period of one year or until successors are elected or designated.

**Section 3.** Subsection (a) of Section 38a-328-18 of the Regulations of Connecticut State Agencies is amended to read as follows:

(a) The committee shall meet as often as may be required to perform the general duties of administration of the program or on the call of the commissioner. [Four insurers] FIVE VOTING MEMBERS of the committee shall constitute a quorum.

**Statement of Purpose:** To amend current regulations regarding the membership of the FAIR Plan governing committee to take into account the merger of the Alliance of American Insurers and the National Association of Independent Insurers into the Property Casualty Insurers Association of America; to add an additional member selected by the governing committee; to allow for representation of the Professional Insurance Agents of Connecticut and the Independent Insurance Agents of Connecticut or their successor organizations; and to make certain stylistic changes.

All interested persons are invited to submit written data, views or arguments in connection with the proposed action within thirty days following publication of this notice in the *Connecticut Law Journal* to State of Connecticut Insurance Department, Attention: Michael S. Malesta, Esq., P.O. Box 816, Hartford, CT 06142-0816.

  
Susan F. Cogswell  
Insurance Commissioner