

STATE OF CONNECTICUT  
**REGULATION**  
OF

5716

Page 1 of 2 pages

R-39 REV. 1/77

**IMPORTANT:** Read Instructions on bottom of Certification Page before completing this Form. Failure to comply with instructions may cause disapproval of proposed Regulations.

NAME OF AGENCY

INSURANCE DEPARTMENT

Concerning

SUBJECT MATTER OF REGULATION

Connecticut Fair Access to Insurance Requirements ("FAIR") Plan

**SECTION 1**

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

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

This 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.** Subdivision (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 respective 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.

5716

**CERTIFICATION**  
R-39 REV. 1/77

Be it known that the foregoing:

Page 2 of 2 pages

Regulations  Emergency Regulations

Are:  
 Adopted  Amended as hereinabove stated  Repealed

By the aforesaid agency pursuant to:

Section 38a-328 of the General Statutes.  
 Section \_\_\_\_\_ of the General Statutes, as amended by Public Act No. \_\_\_\_\_ of the \_\_\_\_\_ Public Acts.  
 Public Act No. \_\_\_\_\_ of the Public Acts.  
3/14/06

After publication in the Connecticut Law Journal on, \_\_\_\_\_ and \_\_\_\_\_ of the notice of the proposal to:

Adopt  Amend  Repeal such regulations

(If applicable):  And the holding of an advertised public hearing on \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

WHEREFORE, the foregoing regulations are hereby:

Adopted  Amended as hereinabove stated  Repealed

Effective:

When filed with the Secretary of the State.

(OR)

The \_\_\_\_\_ day of \_\_\_\_\_.

Aug 31 2 19 PM '06  
SECRETARY OF THE STATE  
ELECTIONS DIVISION

In Witness Whereof: 

DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
5/17/06	<i>Gayne E. McLaughlin</i>	ACTING INSURANCE COMMISSIONER

Approved by the Attorney General as to legal sufficiency In accordance with Sec. 4-169, as amended, C. G. S.: 

SIGNED	DATE	OFFICIAL TITLE, DULY AUTHORIZED
<i>William D. Allen</i>	6/1/06	ATTORNEY GENERAL

Approved  
 Disapproved  
 Disapproved in part, (Indicate Section Numbers disapproved only)  
 Rejected without prejudice.

By the Legislative Regulation Review Committee in accordance With Sec. 4-170, as amended, of the General Statutes. 

DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
8/22/06	<i>Camela B. Booth</i>

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications In accordance with Section 4-172, as amended, of the General Statutes.

DATE: 8-31-2006 SIGNED (Secretary of the State) *Susan Bismarck* BY *Bar Slay*  
INSTRUCTION

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.

