

HOUSE No. 883

The Commonwealth of Massachusetts

PRESENTED BY:

Michael A. Costello

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to public employer self-insurance.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Michael A. Costello

1st Essex

John J. Lawn, Jr.

10th Middlesex

HOUSE No. 883

By Mr. Costello of Newburyport, a petition (accompanied by bill, House, No. 883) of Michael A. Costello and John J. Lawn, Jr. relative to public employer self-insurance. Financial Services.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to public employer self-insurance.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 10 of chapter 40M of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by striking out the title "Reports" of section 10, and
3 inserting thereof the following: "Performance Reports, Statements of Financial Condition and
4 Administrative Supervision."

5 SECTION 2. Section 10 of chapter 40M of the General Laws, subsection (1), is hereby
6 amended by inserting after paragraph (D), the following new paragraphs:

7 (E) A group may be subject to administrative supervision by the commissioner, without a
8 prior hearing, in the same manner as M.G.L. c. 175J, if upon examination or at any other time the
9 commissioner determines that:

10 (1) the group's condition renders the continuance of its business hazardous as defined in
11 M.G.L. c. 175J, § 3(C) to its members or the general public;

12 (2) the group gives its consent; or

13 (3) the business of the group is being conducted fraudulently.

14 The commissioner shall have the same powers and limitations relative to the
15 administrative supervision of a group as are provided under M.G.L. c. 175J, except as otherwise
16 provided in this chapter.

17 (F) Nothing contained in subpart (E) of this section shall permit the commissioner to
18 initiate judicial proceedings to place a group in rehabilitation or liquidation proceedings or any
19 other delinquency proceedings, however designated under the General Laws.