

By Mr. Mannering of Boston, petition of Vincent A. Mannering for appointment of a special commission (including members of the General Court) to investigate the practice of liability insurance companies of delaying claimants of limited means in order to force settlement of such claims. Insurance.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Eight.

RESOLVE TO PROVIDE FOR THE APPOINTMENT OF A SPECIAL LEGISLATIVE COMMISSION TO INVESTIGATE THE PRACTICES OF CERTAIN LIABILITY INSURANCE COMPANIES OF DELAYING CLAIMANTS OF LIMITED MEANS IN ORDER TO FORCE THE SETTLEMENT FOR INADEQUATE AMOUNTS OF THEIR CLAIMS FOR DAMAGES FOR SERIOUS PERSONAL INJURIES AND OF PAYING ADEQUATE AMOUNTS IN SETTLEMENT THEREFOR ONLY WHEN SUITS FOR DAMAGES FOR SUCH INJURIES ARE ABOUT TO BE TRIED.

1 *Resolved*, That an unpaid special commission, to
2 consist of three members of the senate to be designated
3 by the president thereof, five members of the house of
4 representatives to be designated by the speaker
5 thereof, and three persons to be appointed by the
6 governor, is hereby established for the purpose of
7 making an investigation relative to the practices of
8 certain liability insurance companies of delaying
9 claimants for damages for serious personal injuries
10 in order to force poor persons suffering such injuries

11 to settle their claims for amounts for damages which
12 are an inadequate compensation for the injury sus-
13 tained and the practices followed by such companies
14 of offering adequate amounts in settlement of such
15 claims only when suits and actions for damages for
16 such injuries are reached for trial, and to consider
17 legislation providing for complaints by such persons
18 in such cases to the commissioner of insurance, for a
19 hearing by such commissioner of the claimant and
20 the insurance company complained of, and legislation
21 providing the commissioner with authority to pro-
22 ceed against any insurance company he finds to have
23 adopted such practice by revoking its license to do
24 business within the commonwealth or to enforce such
25 other penalties as may be deemed suitable.

26 Said commission shall hold public hearings, shall
27 have the power to summons witnesses and to require
28 the production of books, records, contracts and papers
29 and the giving of testimony under oath, and may
30 expend for legal, expert, clerical and other services
31 and expenses, such sums, not exceeding in the aggre-
32 gate five thousand dollars as may hereafter be appro-
33 priated therefor.

34 Said commission shall report to the general court
35 the results of its investigation, and its recommenda-
36 tions, together with drafts of legislation necessary
37 to carry its recommendations into effect, by filing
38 the same with the clerk of the house of representatives
39 not later than the first Wednesday in December,
40 nineteen hundred and forty-eight.