

SENATE No. 1216

By Mr. Webber, a petition (accompanied by bill, Senate, No. 1216) of Peter C. Webber for legislation to establish a municipal liability insurance fund. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-four.

AN ACT ESTABLISHING A MUNICIPAL LIABILITY INSURANCE FUND.

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 13 of Chapter 40 of the General Laws is
2 hereby amended by striking out the last sentence of the first
3 paragraph and inserting in place thereof the following sen-
4 tence: — Such fund shall be managed and administered by the
5 sinking fund commissioners of the city or town if any, other-
6 wise by the commissioners of trust funds of the city or town,
7 if any, otherwise by the Board of Selectmen of the town, or
8 the mayor of a city with the approval of the council.

1 SECTION 2. Section 13A of Chapter 40 of the General Laws
2 is hereby amended by striking out the second sentence and
3 inserting in place thereof the following sentence: — Such fund
4 shall be managed and administered by the sinking fund com-
5 missioners of the city or town, if any, otherwise by the com-
6 missioners of trust funds of the city or town, if any, otherwise
7 by the Board of Selectmen of the town, or the mayor of a city
8 with the approval of the council.

1 SECTION 3. Chapter 40 of the General Laws is hereby
2 amended by inserting after Section 13A the following sec-
3 tion: —

4 *Section 13B.* A town which at a town meeting, or a city
5 which by its city council accepts this section, or has in like
6 manner accepted corresponding provisions of earlier laws, may
7 appropriate an amount not exceeding in any one year one
8 twentieth of one percent of its equalized valuation, as defined

9 in section one of Chapter Forty-four, to establish and main-
10 tain a municipal liability insurance fund from which any tort
11 liability losses or judgments may be paid after it is determined
12 by the appropriate authority such as town or city counsel,
13 that the city or town is liable; but no money shall be appro-
14 priated for such purpose while the fund equals or exceeds one
15 percent of such equalized valuation. Such fund shall be man-
16 aged and administered by the sinking fund commissioners of
17 the city or town, if any, otherwise by the commissioners of
18 trust funds of the city or town, if any, otherwise by the Board
19 of Selectmen of the town, or the mayor of a city with the ap-
20 proval of the council.