

# SENATE . . . . No. 165

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To accompany the petition of Daniel F. O'Brien that provision be made for the formation of corporations for the carrying out of non-profit funeral service plans, so-called. Insurance.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-Two.

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AN ACT PROVIDING FOR THE FORMATION OF CORPORATIONS  
FOR THE CARRYING OUT OF NON-PROFIT FUNERAL  
SERVICE PLANS, SO-CALLED.

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

1 The General Laws are hereby amended by insert-  
2 ing after chapter 176D, as inserted by chapter 659  
3 of the acts of 1947, the following new chapter:—

4 CHAPTER 176E.

5 NON-PROFIT FUNERAL SERVICE CORPORATIONS.

6 *Section 1.* Any corporation organized under the  
7 laws of the commonwealth for the purpose of estab-  
8 lishing, maintaining and operating a non-profit fu-  
9 neral service plan whereby funeral service may be pro-  
10 vided by such corporation, or by any funeral director  
11 with which it has a contract for such service, to such  
12 of the public who may become subscribers to said plan  
13 under a contract which entitles each subscriber to

14 certain funeral service shall be governed by this chap-  
15 ter and shall be exempt from all provisions of the in-  
16 surance laws of the commonwealth, except as other-  
17 wise provided in this chapter.

18 *Section 2.* Persons desiring to form such a non-  
19 profit funeral service corporation shall incorporate as  
20 provided in section three of chapter one hundred and  
21 eighty. Every certificate of organization of a corpo-  
22 ration subject to this chapter filed under said chapter  
23 one hundred and eighty shall have endorsed thereon  
24 or attached thereto the consent of the commissioner of  
25 insurance.

26 *Section 3.* Any corporation subject to this chapter  
27 may enter into contracts for the rendering of funeral  
28 service to any of its subscribers with funeral directors  
29 referred to in section one. The rates charged by such  
30 corporation to the subscribers for funeral service shall  
31 at all times be subject to the approval of the com-  
32 missioner of insurance. All rates of payments to  
33 funeral directors made by such corporation under  
34 contracts provided for in this section shall be ap-  
35 proved prior to payment by the commissioner of in-  
36 surance.

37 *Section 4.* Every such corporation shall annually,  
38 on or before the first day of March, file in the office  
39 of the commissioner of insurance a statement, verified  
40 by at least two of the principal officers of said corpo-  
41 ration, showing its condition as of the thirty-first  
42 day of December next preceding. Such statement  
43 shall be in such form and shall contain such other  
44 matters as the commissioner of insurance shall pre-  
45 scribe.

46 *Section 5.* The commissioner of insurance, or any  
47 deputy or examiner or any other person whom said

48 commissioner shall designate, may visit any such cor-  
49 poration and examine into its affairs, shall have free  
50 access to all of the books, papers and documents of  
51 the corporation that relate to its business, and may  
52 summon as witnesses and examine under oath its offi-  
53 cers, agents or employees or other persons in rela-  
54 tion to its affairs, transactions and condition.

55 *Section 6.* All acquisition costs in connection with  
56 the solicitation of subscribers to such non-profit fu-  
57 neral service plans shall at all times be subject to the  
58 approval of the commissioner of insurance.

59 *Section 7.* The funds of any corporation subject to  
60 this chapter shall be invested only in securities per-  
61 mitted by the laws of the commonwealth for the in-  
62 vestment of assets of life insurance companies.

63 *Section 8.* Any dispute arising between a corpo-  
64 ration subject to this chapter and any funeral director  
65 with which such corporation has a contract for funeral  
66 service as authorized by this chapter may be submitted  
67 to the commissioner of insurance for his decision with  
68 respect thereto.

69 *Section 9.* The dissolution or liquidation of any  
70 corporation subject to this chapter shall be under the  
71 supervision of the commissioner of insurance, who  
72 shall have, with respect thereto, all powers granted to  
73 him under chapter one hundred and seventy-five with  
74 respect to insurance companies.

75 *Section 10.* Every corporation subject to this chap-  
76 ter is hereby declared to be a charitable and benevo-  
77 lent corporation, and its property shall be exempt  
78 from state, county, district and municipal taxes.

The first part of the history of the world is the history of the human race. It is a story of progress and struggle, of triumph and defeat. It is a story of the human mind and the human heart, of the human spirit and the human soul. It is a story of the human race and the human world, of the human past and the human future. It is a story of the human race and the human world, of the human past and the human future.

The second part of the history of the world is the history of the human mind. It is a story of the human intellect and the human imagination, of the human reason and the human emotion. It is a story of the human mind and the human world, of the human past and the human future. It is a story of the human mind and the human world, of the human past and the human future.

The third part of the history of the world is the history of the human heart. It is a story of the human love and the human hate, of the human joy and the human sorrow. It is a story of the human heart and the human world, of the human past and the human future. It is a story of the human heart and the human world, of the human past and the human future.

The fourth part of the history of the world is the history of the human spirit. It is a story of the human faith and the human doubt, of the human hope and the human despair. It is a story of the human spirit and the human world, of the human past and the human future. It is a story of the human spirit and the human world, of the human past and the human future.

The fifth part of the history of the world is the history of the human soul. It is a story of the human conscience and the human sin, of the human virtue and the human vice. It is a story of the human soul and the human world, of the human past and the human future. It is a story of the human soul and the human world, of the human past and the human future.