

# HOUSE . . . . . No. 6090

By Mr. Sisitsky of Springfield, petition of Alan D. Sisitsky and other members of the General Court that the Commissioner of Insurance be authorized to conduct a public hearing relative to earnings of insurance companies from compulsory motor vehicle liability insurance policies issued and providing for a rebate to the policy holders of certain earnings. Insurance.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT AUTHORIZING THE COMMISSIONER OF INSURANCE TO CONDUCT A PUBLIC HEARING RELATIVE TO THE EARNINGS OF INSURANCE COMPANIES FROM COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE POLICIES ISSUED AND PROVIDING FOR A REBATE TO THE POLICY HOLDERS OF CERTAIN EARNINGS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide immediate relief to compulsory motor vehicle liability insurance policy holders from the high cost for such insurance coverage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 Notwithstanding the provision of any law, the commis-  
2 sioner of insurance is hereby authorized and directed to  
3 hold a public hearing, on or before November fifteenth, nineteen  
4 hundred and seventy-one, relative to the earnings realized by  
5 insurance companies from compulsory motor vehicle liability  
6 insurance policies issued in the commonwealth for the year  
7 nineteen hundred and seventy-one. If the commissioner deter-  
8 mines that an unfair profit has been realized by the insurance  
9 companies, he shall direct such companies, under a schedule  
10 determined by him, to return to its motor vehicle liability

11 insurance policy holders, such amounts as he determines is fair  
12 and reasonable. Failure of the insurance companies to return the  
13 amounts as so determined by the commissioner, shall be  
14 sufficient cause for him to revoke the right of the company to do  
15 business in the commonwealth after December thirty-first,  
16 nineteen hundred and seventy-one.

17 Any order or decision of the commissioner under authority of  
18 this act shall be subject to review, which shall be on the basis of  
19 the record of the proceedings before the commissioner, by appeal  
20 to the supreme judicial court at the instance of any party in  
21 interest. The order or decision shall be reviewed in accordance  
22 with the standards for review provided in paragraph (8) of  
23 section fourteen of chapter thirty A.

24 The court shall determine whether the filing of the appeal shall  
25 operate as a stay of any such order or decision of the  
26 commissioner. The court may, in disposing of the issue before it,  
27 modify, affirm or reverse the order or decision of the commis-  
28 sioner in whole or in part.