

House, No. 229

Presented by: [Representative Edward G. Connolly](#)

Petition of the Retired State, County and Municipal Employees Association of Massachusetts, Edward G. Connolly, Michael R. Knapik, Charles E. Shannon, David L. Flynn, Brian P. Golden and Colleen M. Garry relative to indemnification of public retirees.

01/01/03 H Referred to the committee on [Public Service](#)

01/01/03 S Senate concurred

Public Hearing date Nov 13 am at 10:00 in Room B-2

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By Mr. Connolly of Everett, petition of the Retired State, County and Municipal Employees Association of Massachusetts, Edward G. Connolly, Michael R. Knapik, Charles E. Shannon, David L. Flynn, Brian P. Golden and Colleen M. Garry relative to indemnification of public retirees. Public Service.

The Commonwealth of Massachusetts

In the Year Two Thousand and Three.

AN ACT RELATIVE TO INDEMNIFICATION OF PUBLIC RETIREES.

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

Section 100B of Chapter 41 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by inserting after the last sentence thereof the following sentences:— Such panel shall act on an application hereunder within sixty days of its receipt of due proof from the applicant. An applicant, aggrieved by any denial of his application or the failure of such panel to act hereon within sixty days, may petition the superior court in equity to determine whether such panel has without good cause failed to act on such an application, or has been arbitrary or capricious, or has abused discretion, or otherwise has not acted in accordance with the law. After due notice and hearing, such court may order such panel to act on such application, or to consider or further consider and determine the same in conformity with the law, and award the applicant costs, attorney fees and such other relief if deems proper in prosecuting his petition. The expenses, for which indemnification is certified by such panel, shall be paid out of funds appropriated for such purpose within sixty days of such certification, may petition the superior court to order such payment and award the applicant costs, attorney fees and such other relief it deems proper in prosecuting his petition.