

(3) THE LACK OF COMMERCIAL CASUALTY INSURANCE WILL CAUSE A SUBSTANTIAL NUMBER OF COMMERCIAL ENTITIES IN THE SUBPOOL TO CEASE OPERATIONS IN THIS STATE; AND

(4) THE CESSATION OF OPERATION OF A SUBSTANTIAL NUMBER OF COMMERCIAL ENTITIES IN A SUBPOOL WILL BE DETRIMENTAL TO THE GENERAL WELFARE OF THE CITIZENS OF THIS STATE.

(b)--WITHIN 15 DAYS AFTER A FINDING BY THE COMMISSIONER UNDER SUBSECTION (A) OF THIS SECTION THAT COMMERCIAL CASUALTY INSURANCE IS UNAVAILABLE IN A CERTAIN SUBPOOL, THE COMMISSIONER SHALL ORDER ALL INSURERS THAT ARE LICENSED TO WRITE GENERAL CASUALTY INSURANCE IN THIS STATE TO CREATE A JOINT INSURANCE UNDERWRITING ASSOCIATION FOR COMMERCIAL CASUALTY INSURANCE:

(c)(1) EACH CASUALTY INSURER LICENSED TO WRITE IN THIS STATE, ON A DIRECT BASIS, CASUALTY INSURANCE OR ANY COMPONENT OF CASUALTY INSURANCE IN MULTIPERIS POLICIES, SHALL:

(i) AUTOMATICALLY BECOME A MEMBER OF THE COMMERCIAL CASUALTY JOINT INSURANCE UNDERWRITING ASSOCIATION; AND

(ii) REMAIN A MEMBER OF THE ASSOCIATION AS A CONDITION OF THE INSURER'S AUTHORITY TO TRANSACT COMMERCIAL CASUALTY INSURANCE IN THIS STATE.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, OTHER INSURERS MAY BECOME MEMBERS OF THE ASSOCIATION UPON APPROVAL BY THE COMMISSIONER.

(b) (B) IN THE ANY ORDER ISSUED UNDER SUBSECTION (A) OF THIS SUBSECTION SECTION, THE COMMISSIONER MAY REQUIRE THE ASSOCIATION TO ACTIVATE ANY OF THE FOLLOWING SUBPOOLS:

(1) DAY CARE CENTERS REGULATED UNDER TITLE 14 OF THE HEALTH - GENERAL ARTICLE;

(2) NURSE-MIDWIVES LICENSED UNDER TITLE 7, SUBTITLE 6 OF THE HEALTH OCCUPATIONS ARTICLE AND FAMILY DAY CARE HOMES AS DEFINED IN § 5-501(C), (D), AND (E) OF THE FAMILY LAW ARTICLE;

(3) LOCAL GOVERNMENTS AND MUNICIPALITIES, AND SPECIAL TAXING DISTRICTS WITHIN THIS STATE AND NONPROFIT COMMUNITY SERVICE CORPORATIONS, INCORPORATED UNDER MARYLAND LAW, THAT ARE AUTHORIZED TO COLLECT CHARGES OR ASSESSMENTS;

(4) ARCHITECTS AND ENGINEERS REGULATED UNDER ARTICLES 56 AND 75 1/2 OF THE CODE, RESPECTIVELY; -OR-

(5) ANY PERSON LICENSED UNDER ARTICLE 2B OF THE MARYLAND ANNOTATED CODE;

(6) ANY COAL OPERATOR WHO IS LICENSED OR HAS BEEN GRANTED A PERMIT UNDER TITLE 7 OF THE NATURAL RESOURCES ARTICLE; OR