

[NEW DRAFT]

SENATE No. 1988

The Commonwealth of Massachusetts

SENATE, JULY 16, 1979.

The Committee on Bills in the Third Reading, to whom was referred the bill providing for tenant representation on housing authorities and tenant review of mayoral appointments (Senate, No. 1898), reports recommending that the same be amended by substituting therefor a new draft with the same title (Senate, No. 1988) and that, when so amended, the same will be correctly drawn.

For the Committee,

ARTHUR JOSEPH LEWIS, JR.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR TENANT REPRESENTATION ON HOUSING AUTHORITIES AND TENANT REVIEW OF MAYORAL APPOINTMENTS.

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 5 of chapter 121B of the General Laws,
2 as most recently amended by chapter 426 of the acts of 1974,
3 is hereby further amended by striking out the first three
4 paragraphs and inserting in place thereof the following four
5 paragraphs: —

6 Every housing and redevelopment authority shall be man-
7 aged, controlled and governed by five members, appointed or
8 elected as provided in this section, of whom three shall con-
9 stitute a quorum; provided, however, that in cities with a
10 population over one hundred and fifty thousand such re-
11 development authority shall be managed, controlled and gov-
12 erned by seven members, two of whom shall be tenant repre-
13 sentatives appointed by the mayor from lists of names sub-
14 mitted by public housing tenants' organizations in such city.
15 Four members shall constitute a quorum of such seven mem-
16 ber authority. Lists submitted by such tenants' organizations
17 to the mayor shall contain not less than two nor more than
18 five names. If no such list of names is submitted within sixty
19 days after a vacancy occurs, the mayor may appoint any
20 tenant representative of his choosing to the authority. Such
21 tenant representative shall be appointed to fill a vacancy
22 which is not reserved for the appointment of a representa-
23 tive of organized labor as provided for elsewhere in this sec-
24 tion. The remaining members of the said authority shall
25 be appointed only after the said local tenants' organizations
26 have had an opportunity to review and comment on those
27 persons being considered for such appointment. Sixty days
28 prior to the expiration of the term of any such member, or
29 within thirty days of the creation of a vacancy in any other

30 way, the mayor shall submit the names of all candidates being
31 considered to the said local tenants' organizations together
32 with a brief biography of each candidate. Each such candi-
33 date shall, if requested seasonably by a tenants' organization,
34 meet with such organization to discuss the appointment. In
35 making the appointment, the mayor shall consider any com-
36 ments and preferences, if any, of such organization or or-
37 ganizations. The mayor shall not be bound by the recommen-
38 dations of the tenants' organizations, but shall not appoint
39 any person who did not comply with the applicable provisions
40 of this section unless such person is recommended by a
41 tenants' organization and commented upon, pursuant to the
42 procedures of this section, by other local tenants' organiza-
43 tions.

44 In a city having a housing or redevelopment authority
45 consisting of five members, four shall be appointed by the
46 mayor subject to confirmation by the city council; provided,
47 however, the members shall be appointed to serve for initial
48 terms of one, two, four and five years, respectively.

49 In a town having a housing or redevelopment authority of
50 five members, four members shall be elected by the town;
51 provided, that of the members originally elected at an annual
52 town meeting, the one receiving the highest number of votes
53 shall serve for five years, the one receiving the next highest
54 number of votes, for four years, the one receiving the next
55 highest number of votes, for two years, and the one receiving
56 the next highest number of votes shall serve for one year;
57 provided, further, that upon the initial organization of a
58 housing or redevelopment authority, if a town so votes at an
59 annual or special town meeting called for the purpose, four
60 members of such an authority shall be appointed forthwith
61 by the selectmen to serve only until the qualifications of their
62 successors, who shall be elected at the next annual town
63 meeting as provided above.

64 In a city having a housing or redevelopment authority con-
65 sisting of seven members, six shall be appointed by the
66 mayor, subject to confirmation by the city council; provided,
67 however, such members appointed by the mayor shall serve

68 for initial terms of one, two, three, four, five and six years,
69 respectively.

1 SECTION 2. The sixth paragraph of said section 5 of said
2 chapter 121B is hereby amended by striking out the first
3 sentence, as most recently amended by chapter 426 of the
4 acts of 1969, and inserting in place thereof the following sen-
5 tence: — In a city, one of the members of a housing author-
6 ity appointed by the mayor shall be a resident of that city and
7 shall be a representative of organized labor who shall be ap-
8 pointed by the mayor from a list of names submitted by labor
9 unions in the city; each of these unions may submit a list
10 which contains not less than two nor more than five names to
11 the mayor who shall make his selection from the lists of
12 names submitted by the respective unions.

1 SECTION 3. Section 7 of said chapter 121B, as added by sec-
2 tion one of chapter 751 of the acts of 1969, is hereby amended
3 by inserting after the third paragraph the following para-
4 graph: —
5 Any compensation paid to a tenant member of a housing
6 authority for services as a member shall be included as in-
7 come in determining the rent of such tenant, and such tenant
8 shall be subject to appropriate rent increases, as provided for
9 by authority policy and as regulated by the department; pro-
10 vided, however, that such compensation shall not be con-
11 sidered income for purposes of determining continued occu-
12 pancy.