

HOUSE No. 234

By Mr. Carroll of Revere (by request), petition of John Malcolm Macauley that a finance commission be established for the city of Revere. Cities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Three.

An Act establishing a Finance Commission for the City of Revere.

1 *Whereas*, The deferred operation of this act would
2 defeat its purpose, therefore it is hereby declared to
3 be an emergency law, necessary for the immediate
4 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 SECTION 1. Within thirty days after the effective
2 date of this act, the governor, with the advice and
3 consent of the council, shall appoint a finance com-
4 mission for the city of Revere to consist of three
5 persons, inhabitants of and qualified voters in said
6 state, who shall have been such for at least three
7 years prior to the date of their appointment, one
8 for three years, one for two years, and one for
9 one year, and thereafter as the terms of office ex-
10 pire in each year one member for a term of three
11 years. Vacancies in the commission shall be filled

12 for the unexpired term by the governor with the
13 advice and consent of the council. The members
14 of said commission may be removed by the gover-
15 nor with the advice and consent of the council
16 for such cause as he shall deem sufficient. The
17 chairman shall be designated by the governor. His
18 annual salary shall be twenty-five hundred dol-
19 lars, which shall be paid in monthly instalments
20 by said city. The other members shall receive one
21 thousand dollars.

1 SECTION 2. It shall be the duty of the finance
2 commission from time to time to investigate any
3 and all matters relating to appropriations, loans,
4 expenditures, accounts, and methods of administra-
5 tion affecting the city of Revere, or any depart-
6 ment, board or officer thereof, that may appear to
7 the commission to require investigation, and to re-
8 port thereon from time to time to the mayor, the
9 city council, the governor, or the general court.
10 The commission shall make an annual report in
11 January of each year to the general court.

1 SECTION 3. Whenever any pay roll, bill, or other
2 claim against the city is presented to the mayor,
3 city auditor, or the city treasurer, he shall refer it
4 to the finance commission, which shall immediately
5 investigate the facts and report thereon; and pend-
6 ing said report payment shall be withheld.

1 SECTION 4. The said commission is authorized
2 to employ such experts, counsel, and other assist-
3 ants, and to incur such other expenses as it may
4 deem necessary, and the same shall be paid by

5 said city upon requisition by the commission, not
6 exceeding in the aggregate in any year the sum
7 of five thousand dollars, or such additional sums
8 as may be appropriated for the purpose by the
9 city council, and approved by the mayor. A sum
10 sufficient to cover the salary of the commission and
11 the further sum of at least five thousand dollars to
12 meet the expenses as aforesaid shall be appropriated
13 each year by said city. The commission shall have
14 the same right to incur expenses in anticipation of
15 its appropriation as if it were a regular department
16 of said city.

1 SECTION 5. For the purpose of enabling the said
2 commission to perform the duties and carry out
3 the objects herein contemplated, and to enable
4 the mayor, the city council, the governor or the
5 general court to receive the reports and findings
6 of said commission as a basis for such laws, or-
7 dinances, or administrative orders as may be
8 deemed meet, the commission shall have power to
9 require the attendance and testimony of witnesses
10 and the production of all books, papers, contracts
11 and documents relating to any matter within the
12 scope of any investigation authorized by this act,
13 or which may be material in the performance of
14 the duties imposed by this act. Such witnesses
15 shall be summoned in the same manner and be
16 paid the same fees as witnesses before district
17 courts. Each of such witnesses may be repre-
18 sented by counsel who may cross examine the wit-
19 ness for whom he appears for not more than ten
20 minutes during his examination. Counsel for any
21 witness at any public hearing may ask him any

22 pertinent question and may offer pertinent evidence
23 through other witnesses subject to cross examina-
24 tion by the commission and its counsel. The chair-
25 man or any member of the commission may ad-
26 minister oaths to or take the affirmation of wit-
27 nesses who appear before the commission. The
28 commission may prescribe reasonable rules and regu-
29 lations for the conduct of hearings and the giving
30 of testimony.

1 SECTION 6. If any person so summoned and paid
2 shall refuse to attend, or to be sworn, or to af-
3 firm, or to answer any question, or to produce
4 any book, contract, document or paper pertinent
5 to the matter of inquiry in consideration before
6 the commission, a justice of the supreme judicial
7 court or of the superior court, in his discretion,
8 upon application by the commission or any mem-
9 ber thereof, authorized thereto by vote of said
10 commission, may issue an order requiring such
11 person to appear before the commission, and to
12 produce his books, contracts, documents and papers
13 and to give evidence touching the matter in ques-
14 tion. Any failure to obey such order of the court
15 may be punished by such court as a contempt
16 thereof.

1 SECTION 7. Any person so summoned and paid
2 who shall refuse to attend, or to be sworn, or to
3 affirm, or to answer any question, or to produce
4 any book, contract, document or paper pertinent
5 to the matter in consideration by the commission,
6 and any person who wilfully interrupts or dis-
7 turbs, or is disorderly at, any hearing of the com-

8 mission shall be punished by a fine not exceeding
9 fifty dollars, or by imprisonment for not more than
10 thirty days, or by both such fine and imprisonment.

1 SECTION 8. Upon application by the commis-
2 sion to any justice of the supreme judicial court,
3 or of the superior court, the said justice may is-
4 sue a commission to one or more competent persons
5 in another state for the examination of a per-
6 son without this commonwealth relative to any
7 matter within the scope of the said investigation
8 or of this act. The testimony of such person
9 may be taken by open commission, or otherwise
10 under the procedure, so far as the same may be
11 applicable, provided by section forty-two of chap-
12 ter two hundred and thirty-three of the General
13 Laws, and the said justice may issue letters roga-
14 tory in support of said commission.

1 SECTION 9. The commission shall have power to
2 withhold from payment any, and all, bills, vouchers,
3 checks, or pay rolls, which they may deem to be ex-
4 cessive. They shall approve all contracts of every
5 nature no matter how small or large amount.
6 They shall also approve every settlement of any
7 claim against said city, and before any note or bond
8 is issued it shall first have the commission's ap-
9 proval before same can be issued, and no bond or
10 note shall be valid without said approval.

