

By Messrs. Natsios of Holliston and Lane of Essex, petition of David J. Lane and other members of the House for legislation to provide that certain county appropriations be made by a county budget board. Counties.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT CERTAIN COUNTY APPROPRIATIONS BE MADE BY A COUNTY BUDGET BOARD.

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 14 of chapter 34 of the General Laws, as
2 appearing in the Tercentenary Edition, is hereby amended by
3 striking out, in line 6, the words "the general court" and inserting in
4 place thereof the words:— their county budget board.

1 SECTION 2. Section 28 of chapter 35 of the General Laws, as
2 so appearing, is hereby amended by striking out, in line 20, the
3 words "the general court" and inserting in place thereof the
4 words:— their county budget board.

1 SECTION 3. Section 28A of said chapter 35, as appearing in
2 section 3 of chapter 398 of the acts of 1945, is hereby amended by
3 striking out, in lines 16 and 17, the words "the general court" and
4 inserting in place thereof the words:— their county budget board.

1 SECTION 4. Said chapter 35 is hereby further amended by
2 striking out section 28B, inserted by section 1 of chapter 1166 of the
3 acts of 1973, and inserting in place thereof the following section:—
4 *Section 28B.* In every county other than Suffolk and Nan-
5 tucket, there shall be a county budget board, consisting of the city
6 manager, or his designee, in the case of a Plan D or Plan E city, or
7 the mayor of each other city, or the chairman of the board of

8 selectmen of each town, and the town manager or administrator in
9 a town which does not have selectmen. Each chairman may, by
10 writing filed with the county commissioners, from time to time
11 appoint another member of the board of selectmen as his designee
12 on the budget board.

13 Each city and town shall have votes and fractions thereof, to the
14 nearest one tenth of one percent, determined from the population
15 of each city and town from the latest census. The total vote of each
16 city or town shall be determined by the Secretary of the
17 Commonwealth according to the following procedure: for each
18 county, each city or town's proportion of the county population,
19 determined by dividing the city or town's population by the total
20 county population, shall be multiplied by a factor to be determined
21 by said Secretary such that the smallest city or town in the county
22 shall have not less than one vote. Said Secretary shall revise these
23 computations, as necessary, after every state census, to be effective
24 January 1 of the following year. Notice of the total vote of each city
25 or town and any revision of such total, shall be sent by said
26 Secretary to the clerk of each city or town.

27 Each county budget board shall hold at least one public hearing
28 on the estimates of receipts and expenditures as reported by the
29 director of accounts to said board. Said board shall cause notice of
30 said hearing or hearings to be posted in each city and town hall
31 within the county at least fourteen days prior to the hearing and
32 shall cause notice thereof to be published in a newspaper of general
33 circulation in the county at least fourteen days prior to said
34 hearing.

35 After such hearing or hearings, and in no case later than May 15,
36 each county budget board shall make appropriations. A majority
37 vote of the entire county budget board shall be required for the
38 approval of such budget which shall then be submitted to the
39 county commissioners for their approval. Said county com-
40 missioners may make changes in said budget which shall be
41 submitted to the budget board. Said board may restore all or a
42 portion of the cuts made by its county commissioners or delete all
43 or a portion of the cuts made by its county commissioners or delete
44 all or a portion of the additions made by its county commissioners
45 by a two-thirds vote of said budget board. Each county
46 appropriation shall be reported to the director and county
47 treasurer by said board.

1 SECTION 5. Section 28 of said chapter 35, as appearing in
2 section 2 of chapter 158 of the acts of 1945, is hereby amended by
3 striking out, in lines 2 and 3, the words "the general court" and
4 inserting in place thereof the words: — each county budget board.

1 SECTION 6. Section 30 of said chapter 35, as appearing in
2 section 3 of said chapter 158, is hereby amended by striking out, in
3 line 4, the words "the general court" and inserting in place thereof
4 the words: — each county budget board.

1 SECTION 7. Section 32 of said chapter 35, as most recently
2 amended by section 1 of chapter 147 of the acts of 1970, is hereby
3 further amended by striking out, in line 1 and in line 2, the words
4 "acts", and inserting in place thereof the word:— budgets, by
5 striking out, in lines 3 and 4, the words "the joint committee on
6 counties" and inserting in place thereof the words: — each county
7 budget board, by striking out, in line 8, the word "acts" and in-
8 serting in place thereof the words:— budgets, by striking out, in
9 line 29, the words "the joint committee on counties" and inserting
10 in place thereof the words:— each county budget board, by
11 striking out, in line 30, the word "committee" and inserting in place
12 thereof the word:— board, by striking out, in line 41, the word
13 "acts" and inserting in place thereof the word:— budgets, by
14 striking out, in line 43, the words "joint committee on counties"
15 and inserting in place thereof the words:— said county budget
16 board, and by striking out, in lines 63, 66 and 68, the word "acts"
17 and inserting in place thereof, in each instance, the word:—
18 budgets.

1 SECTION 8. The second last sentence of section 34 of said
2 chapter 35, as appearing in chapter 227 of the acts of 1965, is
3 hereby amended by striking out, in line 3, the words "general
4 court" and inserting in place thereof the words:— said county
5 budget board.

1 SECTION 9. Section 34A of said chapter 35, as most recently
2 amended by section 4 of chapter 766 of the acts of 1971, is hereby
3 further amended by striking out, in line 8, the word "act" and
4 inserting in place thereof the word:— budget.

1 SECTION 10. Section 39B of said chapter 35, as most recently
2 amended by chapter 37 of the acts of 1963, is hereby further
3 amended by striking out, in line 25, the words "the general court"
4 and inserting in place thereof the words: — a county budget board.

1 SECTION 11. Section 46 of said chapter 35 is hereby amended
2 by striking out, in lines 3 and 4, as appearing in section 2 of chapter
3 654 of the acts of 1953, the words "the general court" and inserting
4 in place thereof the words: — each county budget board.