

HOUSE No. 5624

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 1, 1978.

The committee on Local Affairs, to whom were referred the petition (accompanied by resolve, House, No. 782) of Gerard D'Amico, Francis J. McGrath and Thomas J. Early that provision be made for an investigation and study by a special commission (including members of the General Court) relative to the provision of state aid to cities and towns which serve as regional service centers; the petition (accompanied by resolve, Senate, No. 788) of Sharon M. Pollard that provision be made for an investigation and study by a special commission (including members of the General Court) relative to the problems of town government; and the petition (accompanied by bill, House, No. 848) of the Massachusetts Selectmen's Association, Richard T. Moore and others for the creation of a local government advisory committee, reports recommending that the accompanying bill (House, No. 5624) ought to pass.

For the committee,

RICHARD T. MOORE

The Commonwealth of Massachusetts

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

AN ACT CREATING ADVISORY COMMISSION ON LOCAL GOVERNMENT.

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. The purposes of this act are declared to be to
2 provide a continuing means whereby the municipalities, as the
3 principal subdivisions of the state, can be involved in the
4 formulation and evaluation of policies and programs of state
5 government which impact on them and can participate in timely
6 and substantive consultation with the Governor, and Cabinet and
7 the General Court in an appropriate forum for discussion of state
8 and local problems and concerns.

1 SECTION 2. Section 62, Chapter 3, of the General Laws is
2 hereby amended by striking out Section 62 and inserting in place
3 thereof the following new section.

4 *Section 62.* There shall be an advisory commission on local
5 government hereinafter referred to as the Commission. The
6 Commission shall consist of 27 members of whom 21 shall be
7 appointed by the Governor with the advice of the Secretary of the
8 Executive Office of Communities and Development, who shall be
9 an ex-officio member. Five members shall be appointed from
10 among persons nominated by the Massachusetts League of Cities
11 and Towns; five members shall be appointed from among persons
12 nominated by the Massachusetts Selectmen's Association; five
13 members shall be appointed from among persons nominated by
14 the Massachusetts Mayors' Association; five members shall be
15 appointed from among members nominated by the Massachusetts
16 Municipal Management Association; one member shall be
17 appointed from among persons nominated by the Massachusetts
18 Association of Town Finance Committees. Three members of the
19 Senate shall be designated annually by the president thereof, three
20 members of the House of Representatives shall be designated
21 annually by the Speaker thereof.

22 The members of the Commission other than those who are
23 members of the General Court shall be nominated by each
24 organization following its annual election of officers. Said
25 members shall serve a term of one year from the date of
26 appointment, unless sooner removed by the Governor upon the
27 recommendation of the appropriate nominating organization after
28 consultation with the Secretary of the Executive Office of
29 Communities and Development. When a vacancy occurs for any
30 reason, a new member representing the same organization shall be
31 appointed to fill the remainder of the unexpired term.

32 An Executive Committee shall be established to formulate the
33 agenda for the full commission meetings and direct the staff
34 assigned to the Commission by the nominating organizations. The
35 Executive Committee shall consist of a designee from each of the
36 five nominating organizations, the Secretary of the EOCDC, one
37 Senator, and one representative who shall have a vote. A
38 Chairperson of the full Commission, who shall also be chair-
39 person of the Executive Committee, shall be elected by the
40 Executive Committee from among its (the Executive Committee)
41 members. If the Executive Committee shall divide evenly in its vote
42 on any issue the vote shall be considered negative.

43 In the event that any of the designated organizations cease to
44 exist, the Commission shall either name an appropriate organiza-
45 tion to nominate the same number of members as the originally
46 designated organization or expand the representation of the
47 remaining member organizations. Members of the Commission
48 shall serve without compensation. However, they shall be
49 reimbursed for all necessary expenses, except that members of the
50 general court shall not be reimbursed for traveling expenses as
51 members of the commission while the general court is in session.
52 (The commission shall consider any matter germane to municipal
53 government and shall file its recommendations, if any, from time
54 to time, with the clerk of the senate, together with drafts of
55 legislation necessary to carry its recommendations into effect.)

56 The Commission shall have the following responsibilities:

57 1. To review and analyze proposed legislation and regulatory
58 changes from the point of view of municipal government and
59 present that point of view to the Governor, the Cabinet and the

60 General Court.

61 2. To act as an independent advocate for the interests of local
62 governments in their relations with state and federal governments.

63 3. To advise officials of the Commonwealth and the Federal
64 Government on the needs of local governments, assist in
65 mobilizing state and federal resources to deal with problems of
66 local governments, provide coordinating support to agencies
67 responsible for administering federal-state-local programs, and
68 promote legislative and administrative proposals reflecting the
69 interests of local governments.

70 4. To establish from time to time study committees or
71 taskforces to consider issues pertaining to local government in
72 detail and to present the results of those considerations to the
73 Governor, the Cabinet, and the General Court.

74 5. To meet monthly with the Governor and at such other times
75 as the Chairperson deems necessary.

76 6. To meet quarterly with the Legislative Leadership, and at
77 such other times as may be necessary.

78 7. To promulgate rules and regulations governing its
79 procedures and those of the Executive Committee.

80 8. To perform such other like services as the Commission shall
81 decide upon.

82 Any provision herein which is in conflict with any existing
83 statute shall be deemed to be null and void without adversely
84 affecting the remainder of the provisions.