

By Ms. McGovern, a petition (accompanied by bill, Senate, No. 582) of Patricia McGovern for legislation to establish a gateway cities program in the Executive Office of Communities and Development, Human Services and Elderly Affairs.

**The Commonwealth of Massachusetts**

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

**AN ACT ESTABLISHING A GATEWAY CITIES PROGRAM IN THE EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 23B of the General Laws, as appearing in the 1986  
2 Official Edition, is hereby amended by adding after section 5A  
3 the following new section: —

4 SECTION 5B. (1) For purposes of this section, the following  
5 words shall have the following meanings unless the context clearly  
6 requires otherwise:

7 (a) "PLINE", a child between the ages of three and twenty-one  
8 who is enrolled in public school and whose primary language is  
9 not English;

10 (b) "Gateway city", any city or town in the commonwealth  
11 where at least two different groups of fifty or more PLINES  
12 speaking at least two different primary languages, are enrolled in  
13 the public schools; where at least eight per cent of the students  
14 enrolled in the public schools are PLINES whose primary  
15 language is Asian, which term shall include Chinese, any Chinese  
16 dialect, Hmong, Khmer, Lao, Vietnamese, Korean, Japanese,  
17 Thai, Hindi, Bengali, Urdu, any other Indian language, and  
18 Tamil; or where at least eight per cent of the students enrolled  
19 in the public schools are PLINES whose primary language is  
20 Spanish; provided, said enrollment characteristics shall be  
21 determined according to the individual school reports submitted

22 to the commissioner of education for the most recent October first,  
23 pursuant to section thirty-seven D of chapter seventy-one and  
24 section two of chapter seventy-one A, and shall be subject to  
25 approval, verification and adjustment by the commissioner  
26 pursuant to section four of chapter seventy, and shall not include  
27 students enrolled in regional schools.

28 (c) "Newcomer", a person who enters the United States as an  
29 immigrant or a refugee, a person who is seeking or is granted  
30 asylum in the United States, or a person who migrated to the  
31 continental United States from Puerto Rico.

32 (d) "Council", the council on gateway cities established by this  
33 section.

34 (2) There shall be within the department of community affairs  
35 a council on gateway cities consisting of twelve members to be  
36 appointed by the governor and three ex officio members. Six of  
37 the appointed members shall be mayors or members of the city  
38 councils or boards of selectmen of gateway cities. The remaining  
39 six appointed members shall include at least one immigrant and  
40 at least one refugee. Said remaining members shall be appointed  
41 as follows: at least one immigrant or refugee admitted to the  
42 United States from Southeast Asia; at least one immigrant or  
43 refugee admitted to the United States from Latin America; at least  
44 one immigrant or refugee admitted to the United States from a  
45 country outside Southeast Asia or Latin America; at least one  
46 person who migrated to the continental states from Puerto Rico;  
47 and at least two representatives of nongovernmental organiza-  
48 tions providing services to newcomers. The secretary, the  
49 commissioner of education and the commissioner of revenue shall  
50 be the ex officio members. The council by majority vote of all  
51 members shall annually elect its own chairman and such other  
52 officers as it sees fit from among its own members. The appointed  
53 members shall serve for terms of three years each. Members of  
54 the council shall be reimbursed for their necessary expenses  
55 incurred in the performance of their duties. The council shall meet  
56 at least monthly, and shall advise the secretary on the gateway  
57 cities program.

58 (3) The secretary, with the advice of the council, shall perform  
59 the following duties:

60 a) review and coordinate the delivery of state services to  
61 newcomers;

62 b) provide information and referral to the appropriate federal,  
63 state, local or nongovernmental agency for newcomers seeking  
64 assistance and for gateway cities seeking support in meeting the  
65 needs of newcomers;

66 c) determine the amounts and recipients of the emergency and  
67 partnership grants authorized by this section and approve or  
68 disapprove the expenditure plans of the gateway cities for the  
69 additional local aid provided pursuant to this section;

70 d) monitor the expenditure of funds by each municipality to  
71 ensure compliance by each municipality with its plan of activities  
72 and withdraw approval of additional local aid or emergency or  
73 partnership grants to a municipality found to be in noncompliance  
74 with its plan of activities; and

75 e) study and evaluate the concerns of gateway cities and  
76 newcomers regarding the adjustment of newcomers to life in the  
77 commonwealth, and recommend any further legislation which  
78 said secretary deems necessary or desirable.

79 (4) Subject to appropriation, the secretary, with the advice of  
80 the council, shall approve or disapprove applications for grants  
81 to gateway cities for the following purposes:

82 a) the provision of services needed on an emergency basis  
83 because of a rapid increase in the number of newcomers living  
84 in the city; and

85 b) projects operated by a partnership between a gateway city  
86 and a neighboring city or town for the purpose of providing  
87 benefits to and promoting exchange between newcomers and  
88 natives of the continental United States, in areas including but  
89 not limited to education, housing, recreation, day care,  
90 employment or health.

91 (5) Subject to appropriation, every gateway city shall each year  
92 received an amount of local aid in addition to all other amounts,  
93 which amount shall be determined according to the following  
94 formula: for each such city, the amount appropriated for this  
95 purpose shall be multiplied by a fraction, the numerator of which  
96 is that city's gateway allocation and the denominator of which is  
97 the sum of the gateway allocations for all of the gateway cities.

98 Said gateway allocation for each such city shall be determined by  
99 multiplying said city's gateway grant portion by the population  
100 of the city. Said gateway grant portion for each such city shall  
101 equal the product obtained by multiplying the percent PLINE  
102 ratio for said city times the sum of the equalized valuation ratio  
103 for said city and the PLINE ratio for said city. Said perfect  
104 PLINE ratio for each such gateway city shall equal the ratio of  
105 the PLINE concentration in said gateway city to the PLINE  
106 concentration for all the gateway cities; provided, said PLINE  
107 concentration for said gateway city shall equal the ratio of the  
108 number of PLINES enrolled in the public schools of said gateway  
109 city to the total number of students enrolled in the public schools  
110 of said gateway city; and provided, further, said PLINE  
111 concentration for all the gateway cities shall equal the ratio of the  
112 total number of PLINES enrolled in the public schools of all the  
113 gateway cities, to the total number of students enrolled in the  
114 public schools of all the gateway cities. Said equalized valuation  
115 ratio for each such city shall equal the ratio of the total equalized  
116 valuation per capital for all the gateway cities to the equalized  
117 valuation per capita for said gateway city. Said PLINE ratio for  
118 each such city shall equal the ratio of the number of PLINES  
119 per capita in said gateway city to the total number of PLINES  
120 per capita in all the gateway cities. Said additional aid shall not  
121 be released to any such gateway city until the secretary approves  
122 a plan submitted by said city for the expenditure of such aid.

123 (6) The secretary, with the advice of the council, shall adopt  
124 regulations containing criteria for the selection of recipients of  
125 grants authorized by this section and the approval of spending  
126 plans for the additional local aid authorized by this section. Such  
127 regulations shall include criteria designed to ensure that grants  
128 and spending plans approved under this section directly benefit  
129 newcomer groups, and that such spending plans reflect, to the  
130 extent feasible, the needs and concerns of all newcomer groups  
131 represented in the population of the gateway city receiving such  
132 additional local aid. Such regulations shall authorize, but not  
133 require, the provision of services, pursuant to such spending  
134 plans, through contracts with nongovernmental organizations  
135 providing services to newcomers or other nongovernmental  
136 organizations.