

HOUSENo. 1391.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 2, 1902.

The committee on Labor, to whom was referred the petition (with accompanying bill, House, No. 466) of Fred E. Fuller for legislation to authorize cities and towns to establish emergency funds for the protection of unemployed citizens and their families, report the accompanying bill.

For the Committee,

GEO. A. SCHOFIELD.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Two.

AN ACT

To provide for the Establishment in Cities and Towns of Emergency Funds for the Employment of Labor in Times of Business Depression.

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. Each city and town shall establish
2 a fund to be known as an "emergency fund," to
3 be used for no other purpose than the employment
4 of labor for public or local improvement or benefit
5 in times of general or local depression in business
6 or scarcity of work, and shall annually contribute
7 thereto an amount equal to, but not exceeding
8 one-half of one per centum of the total amount
9 raised and appropriated by said cities and towns
10 for the year; and shall continue to contribute to
11 said fund, when once established, until said fund
12 with its accumulations is equal to the amount
13 raised and appropriated for the year; then all
14 accumulations not used for the purpose for which

15 this fund is established may be used for general
16 appropriations.

1 SECTION 2. A town shall elect by ballot three
2 or six commissioners of its emergency fund, and a
3 city shall elect such commissioners by a concur-
4 rent vote of both branches of the city council;
5 one-third of the number shall be for one, two and
6 three years respectively; and annually thereafter
7 there shall be elected for a term of three years a
8 number equal to the number whose term of service
9 then expires. In case of a vacancy, the remaining
10 member or members shall exercise the powers of
11 the board until the vacancy is filled. The city or
12 town treasurer shall not be eligible as a commis-
13 sioner, and the acceptance by a commissioner of
14 the office of treasurer shall operate as a resigna-
15 tion of the former office. The commissioners
16 shall choose a treasurer, who may be the city or
17 town treasurer, and if the city or town treasurer
18 is chosen, his bond shall apply to and include
19 duties performed under the provisions of this
20 chapter. If any other person is chosen treasurer,
21 he shall give a bond with sureties to the satisfac-
22 tion of the commissioners for the proper perform-
23 ance of his official duties. They may also choose
24 a secretary.

1 SECTION 3. The commissioners shall have
2 charge of the emergency fund, shall have full
3 power to use a part or the whole of said fund at
4 any time for the purpose of giving employment

5 to citizens (preference to be given to persons hav-
6 ing families depending upon them for their sup-
7 port), who, in the opinion of the commissioners,
8 are or may become destitute or be compelled to
9 seek aid from the city or town, in accordance with
10 the provisions of this chapter; and shall invest
11 and reinvest in the name of the board all amounts
12 contributed thereto and the income thereof, as
13 it accrues, in bonds of such city or town secured
14 by sinking funds, or in temporary loan notes or
15 certificates of their city or town issued in antici-
16 pation of taxes, or in securities, except personal
17 securities, in which funds of a savings bank may
18 by law be invested; but no portion of the same
19 shall be loaned to the city or town except as
20 herein provided; and the commissioners may sell
21 or reinvest such securities. They shall keep a
22 record of their proceedings, and shall annually
23 make a written report to the city or town of the
24 amount and condition of said fund and of the
25 income thereof; of the amount used, and for what
26 purposes, if any be used, for the preceding finan-
27 cial year. Their records and the securities be-
28 longing to said fund shall at all times be subject
29 to the inspection of the mayor and aldermen, select-
30 men, or of any committee of the city or town
31 authorized for the purpose. No member of the
32 board shall receive compensation for his services,
33 but the necessary expenses of the board shall be
34 paid by the city or town, and the treasurer and
35 secretary thereof shall receive such compensation
36 as shall be fixed by the city or town.

1 SECTION 4. The supreme judicial court, by
2 mandamus or other appropriate remedy at law or
3 in equity upon the suit or petition of the attorney-
4 general, of the mayor or of one or more of the
5 taxable inhabitants of a city or town may compel
6 such city or town, and its assessors, collectors,
7 treasurer, commissioners of the emergency fund
8 and other proper officers, to conform to the pro-
9 visions of this chapter, and to restrain or prevent
10 the violation thereof.

1 SECTION 5. Upon the petition of fifty or more
2 voters in any city or town this act shall be sub-
3 mitted to the voters of that city or town at the
4 next annual city or town election in the following
5 form: "Shall an emergency fund be established
6 for the employment of labor in times of depres-
7 sion in business?" If a majority of voters voting
8 thereon vote yes to the question, then this act
9 shall take effect at once in such city or town;
10 otherwise, it shall not take effect.

