

By Mr. Morrissey of Quincy, petition of Michael W. Morrissey, Thomas F. Brownell and another for legislation to establish an advisory board on expenditures by the Nut Island and Deer Island sewerage treatment plants. Housing and Urban Development.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING AN ADVISORY BOARD ON EXPENDITURES BY THE NUT ISLAND AND THE DEER ISLAND SEWERAGE TREATMENT PLANTS.

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

1 There is hereby established an advisory board on expenditures
2 whose membership shall be composed exclusively of representa-
3 tives from each city and town constituting the Metropolitan Sew-
4 erage District, and which may exercise such powers relating to the
5 expenditures of the Nut Island sewerage treatment plant and the
6 Deer Island sewerage treatment plant as may be authorized by
7 other provisions of this act. Said board shall consist, in the case of a
8 Plan D or Plan E city, of the city manager or his designee, who
9 must be a member of the city council or board of aldermen, or, in
10 the case of every other city, the mayor or his designee, who must be
11 a member of the city council or board of aldermen, or, in the case of
12 every town, any member of the board of selectmen, or, in the case
13 of every town which does not have selectmen, any member of the
14 town council. Each such city and town shall have a weighted vote
15 based on that city or town's assessment for expenses of said plants.
16 Each such city or town's weighted vote shall be computed based on
17 the most recent apportionment among such cities and towns of
18 such expenses.

19 Said vote shall be determined by dividing such city or town's
20 assessment for such expenses by the total of all expenses for each
21 such plant.

22 A quorum of the advisory board shall consist of that number of

23 persons who represent a majority of the aggregate weighted vote. A
24 majority shall be defined for the purposes of this chapter as a
25 majority of the quorum.

26 The advisory board, upon receipt of the proposed itemized
27 budget for each plant shall review each proposed budget. The
28 advisory board may increase, decrease, alter and revise the pro-
29 posed budgets, provided that:

30 (i) The statement of the amount to be expended for any object
31 or purpose for which an expenditure is required to be made by law
32 shall not be reduced below estimated expenditure of the current
33 year unless the advisory board shall enter into its minutes a state-
34 ment of the basis for the reduction.

35 (ii) The advisory board shall enter into its minutes a statement
36 of the basis for any change in any statement of estimated revenues.

37 (iii) If the advisory board shall make any change in the proposed
38 itemized budgets, provision shall be made that the total estimated
39 revenues, together with the amount of assessment to be levied shall
40 equal the total estimated expenditures.

41 Notwithstanding any other provision of law, before the final
42 adoption of the expenditure resolution, the advisory board shall
43 hold at least one public hearing to inform the residents of the cities
44 and towns serviced by the plants of its proposed budget and to hear
45 testimony and argument before the adoption of the expenditure
46 resolution. The board shall cause notice of said hearing to be
47 posted in each such city and town hall at least fourteen calendar
48 days prior to the hearing and shall also cause notice thereof to be
49 published in a newspaper of general circulation in the county at
50 least fourteen calendar days prior to the hearing. The notice shall
51 include, but is not limited to, the date, time and place of the
52 hearing, announcement of the citizen's right to provide written and
53 oral comments and suggestions respecting the possible use of
54 funds, a summary of the entire proposed budget, and the place
55 where the proposed budget may be inspected or procured by any
56 interested person during business hours.

57 After completion of such public hearing the advisory board, by
58 resolutions, may further increase, decrease, alter and revise the
59 proposed itemized budget. The proposed itemized budget as
60 increased, decreased, altered and revised shall be finally adopted
61 by an expenditure resolution by a majority vote of the advisory

62 board at a duly called meeting on or before June first, and shall be
63 the approved budget.

64 If the advisory board on county expenditures shall fail to finally
65 adopt an expenditure resolution for the ensuing fiscal year on or
66 before February first, the itemized budget as proposed together
67 with such changes, alterations and revisions as shall have been
68 made by a majority vote of advisory board on or before February
69 first shall constitute the approved budget for the ensuing year, and
70 the expenditure resolution shall be deemed to have been passed by
71 the advisory board as of that date.

72 Each approved budget shall govern the expenditures of that
73 plant during the fiscal year. No expenses may be incurred in excess
74 of those shown in the approved budget, but the budget may be
75 from time to time amended by the preparation and submission of a
76 proposed supplementary budget to the advisory board.

77 The advisory board shall, not less than fifteen calendar days,
78 except in emergencies, nor more than thirty calendar days after
79 such submission to it, approve or amend any such supplementary
80 budget.

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