

By Mr. Jordan of Springfield, petition of Raymond A. Jordan, Jr., and Mary Jeanette Murray for legislation to provide for the orderly administration of county government. Counties.

**The Commonwealth of Massachusetts**

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

**AN ACT PROVIDING FOR THE ORDERLY ADMINISTRATION OF COUNTY 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. Subsection (b) of section 28B of chapter 35 of the  
2 General Laws is hereby amended by adding the following para-  
3 graph: —

4 (iv) In every county other than Suffolk and Nantucket, five  
5 percent of the revenue generated pursuant to section one of chapter  
6 sixty-four D shall be expended for county extension services; ten  
7 percent of the revenue generated pursuant to said section one shall  
8 be expended for the office of register of deeds; and thirty-five per  
9 cent of the revenue generated pursuant to said section one shall be  
10 expended for the administration of county jails and houses of  
11 correction. Said expenditures mandated pursuant to this section  
12 shall be expended during each fiscal year in addition to an amount  
13 equal to the amount appropriated for each of the above items  
14 during the fiscal year nineteen hundred and eighty-four; provided,  
15 further, that the provisions of this section shall expire on July first,  
16 nineteen hundred and eighty-seven.

1 SECTION 2. Said section 28B of said chapter 35 is hereby  
2 further amended by adding the following paragraph: —

3 (i) For the purpose of establishing a stabilization fund, every  
4 county, other than Suffolk and Nantucket pursuant to a majority  
5 vote of the advisory board may appropriate in any year an amount

6 not to exceed ten percent of the tax levy of the prior fiscal year. The  
7 aggregate amount in the fund at any time shall not exceed one  
8 percent of the equalized valuation of that county as defined in the  
9 most recent biennial report of the commissioner of revenue under  
10 section 10C of chapter 58. Any interest shall be added to and  
11 become part of the fund.

12 In every county other than Suffolk and Nantucket, the county  
13 treasurer shall be the custodian of the fund and may deposit the  
14 proceeds in national banks or invest the proceeds by deposit in  
15 savings banks, co-operative banks or trust companies organized  
16 under the laws of the commonwealth, or invest the same in such  
17 securities as are legal for the investment of funds of savings banks  
18 under the laws of the commonwealth or in federal savings and loan  
19 associations situated in the commonwealth.

20 The stabilization fund may be appropriated by a majority vote  
21 of the county advisory board upon the recommendation of the  
22 county commissioners.

1 SECTION 3. Chapter 64D of the General Laws is hereby  
2 amended by striking out section 1 and inserting in place thereof the  
3 following section: —

4 *Section 1.* There shall be levied, collected and paid for the be-  
5 nefit of the commonwealth and the respective counties for and in  
6 respect of the deeds, instruments and writings hereinafter men-  
7 tioned and described, or for in respect of the vellum, parchment or  
8 paper upon which such deeds, instruments or writings, or any of  
9 them, are written or printed, the excise taxes herein specified: —

10 Deed, instrument or writing, whereby any lands, tenements or  
11 other realty sold shall be granted, assigned, transferred or other-  
12 wise conveyed to, or vested in, the purchaser or purchasers, or any  
13 other person or persons, by his, her or their direction, when the  
14 consideration of the interest or property conveyed, exclusive of the  
15 value of any lien or encumbrance remaining thereon at the time of  
16 sale, exceeds one hundred dollars and does not exceed five  
17 hundred dollars, two dollars and fifty cents; and for each  
18 additional five hundred dollars or fractional part thereof, two  
19 dollars and fifty cents.

20 The registers of deeds of the various counties, except Suffolk and  
21 Nantucket, shall monthly distribute to the county treasurer an

22 amount equal to one-half of the excise tax collected. In Nantucket  
23 County, the register of deeds shall monthly distribute said amount  
24 to the treasurer of the town of Nantucket and in Suffolk county the  
25 register of deeds shall monthly distribute said amount to the treas-  
26 urer of the city of Boston. The remainder of said excise taxes shall  
27 be deposited in the General Fund. This chapter shall not apply to  
28 any instrument or writing given to secure a debt or to any deed,  
29 instrument or writing to which the commonwealth or the United  
30 States or any of their agencies are a party.

1 SECTION 4. Section twenty-three of chapter five hundred and  
2 forty-six of the acts of nineteen hundred and sixty-nine is hereby  
3 repealed.

1 SECTION 5. There is hereby established a special commission,  
2 to consist of two members of the senate and three members of the  
3 house of representatives for the purpose of making an investigation  
4 and study relative to the scope, duties and necessity of county  
5 government and the continued existence of the legislative commit-  
6 tee on counties.

1 SECTION 6. This act shall take effect on January first, nine-  
2 teen hundred and eighty-five.

