

By Mr. Ames of Easton, petition of Donald R. Dwight, Francis W. Hatch, Jr., and John S. Ames III relative to reconstituting county advisory boards as county appropriation boards and providing that the votes of cities and towns on such boards be weighted in proportion to population. Counties.

**The Commonwealth of Massachusetts**

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

AN ACT RECONSTITUTING COUNTY ADVISORY BOARDS AS COUNTY APPROPRIATION BOARDS AND PROVIDING THAT THE VOTES OF CITIES AND TOWNS ON SUCH BOARDS BE WEIGHTED IN PROPORTION TO POPULATION.

*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. Section 28 of chapter 35 of the General Laws,  
2 as most recently amended by section 2 of chapter 766 of the acts  
3 of 1971, is hereby further amended by striking out the fourth  
4 sentence and inserting in place thereof the following sentence: —  
5 The clerk of the county commissioners shall record the  
6 foregoing in a book kept therefor, and, on or before January  
7 thirty-first, shall send a copy thereof, by him attested and signed  
8 by the chairman, to the county treasurer and to said director,  
9 who shall analyze and classify said estimates, and report the  
10 same to the respective county appropriation boards not later  
11 than the March first next following.

1 SECTION 2. Section 28A of said chapter 35, as most recently  
2 amended by section 12 of chapter 849 of the acts of 1969, is  
3 hereby further amended by striking out the second sentence and  
4 inserting in place thereof the following sentence: — The clerk of  
5 the commissioners shall record the foregoing in a book kept  
6 therefor and, on or before February fifteenth in the following  
7 year, shall send a copy thereof, attested by him and signed by  
8 the chairman, to said director, who shall analyze and classify

9 said estimates and report the same to the respective county  
10 appropriation boards not later than the March first next  
11 following.

1 SECTION 3. Said chapter 35 is hereby further amended by  
2 striking out section 28B, as amended by chapter 179 of the acts  
3 of 1974, and inserting in place thereof the following section: —  
4 *Section 28B.* In every county other than Suffolk and  
5 Nantucket, there shall be an appropriation board consisting of  
6 the city manager, or his designee, in the case of a Plan D or Plan  
7 E city, the mayor of each other city, the chairman of the board  
8 of selectmen of each town, and the town manager or  
9 administrator of each town which does not have selectmen of  
10 each city or town constituting the county. Each such chairman  
11 may, by a writing filed with the county commissioners, from  
12 time to time appoint another member of the board of selectmen  
13 as his designee on the appropriation board. Each city or town  
14 shall have votes on the appropriation board for its county  
15 weighted in proportion to its population and the population of  
16 the other cities and towns in such county. The total vote of each  
17 city or town shall be determined by the director of accounts and  
18 delivered in writing to its appropriation board thirty days after  
19 the state treasurer has sent his warrants for payments to the  
20 cities and towns. The determination of votes shall be based upon  
21 the most recent state census.

1 SECTION 4. Section 29 of said chapter 35, as most recently  
2 amended by section 13 of chapter 849 of the acts of 1969, is  
3 hereby further amended by striking out the first sentence and  
4 inserting in place thereof the following sentence:—The  
5 expenditure of money by the several counties shall be in  
6 accordance with the appropriations of the respective appropria-  
7 tion boards, which shall specify as separate appropriations the  
8 several items of expenditure, as prescribed by the director of  
9 accounts.

1 SECTION 5. Section 30 of said chapter 35, as most recently  
2 amended by section 14 of said chapter 849, is hereby further  
3 amended by striking out the first sentence and inserting in place  
4 thereof the following sentence:—The amount which the county

5 commissioners of each county, except Suffolk and Nantucket,  
6 shall levy as the county tax shall be as authorized annually by its  
7 appropriation board, and as computed by adding together the  
8 amounts of the annual appropriation and of any new special  
9 appropriation, so far as the money therefor is to be raised by  
10 taxation, and deducting therefrom the probable receipts from all  
11 sources, except loans, and so much of the unappropriated  
12 balance in the county treasury at the closing of the treasurer's  
13 books for the previous fiscal year as is in excess of ten per cent  
14 of the tax levy for said year; and by adding the following  
15 sentence:—The appropriation board of each county may, after  
16 a public hearing, make appropriations for such county's  
17 performance of its functions as provided by law.

1 SECTION 6. Section 32 of said chapter 35, as most recently  
2 amended by section 1 of chapter 147 of the acts of 1970, is  
3 hereby further amended by striking out the first sentence and  
4 inserting in place thereof the following sentence:—Sums  
5 appropriated for counties and for the care, maintenance and  
6 repair of county hospitals shall be based upon detailed schedules  
7 approved by the appropriation boards, copies of which shall be  
8 deposited with the director of accounts; by striking out, in lines  
9 8 and 9, the words "as provided by such acts or except", by  
10 striking out, in line 27, the words "in such acts"; by striking and  
11 inserting in place thereof the words:—appropriation boards; by  
12 striking out, in line 30, the words "said committee" and inserting  
13 in place thereof the words:—such boards; by striking out, in  
14 line 43, the words "joint committee on counties" and inserting in  
15 place thereof the words:—appropriation boards; by striking  
16 out, in line 63, the words "under such acts"; and by striking out,  
17 in line 66, the words "under such acts".

1 SECTION 7. This act shall take effect on July first, nineteen  
2 hundred and seventy-five; provided, however, that the  
3 provisions of law in effect immediately prior to said effective  
4 date shall remain in effect for one year thereafter for the  
5 purposes of administering any county appropriation made prior  
6 to said effective date and of making and administering any  
7 county appropriation for the fiscal year commencing on said  
8 effective date.

