

SENATE No. 1861

The Commonwealth of Massachusetts

SENATE, April 18, 1995.

The committee on State Administration, to whom was referred the petition (accompanied by bill, Senate, No. 1482) of Frederick E. Berry, Brian S. Dempsey, J. Michael Ruane, Douglas W. Petersen and Sally P. Kerans for legislation to establish the Essex American heritage district, reports the accompanying bill (Senate, No. 1861).

For the committee,

WARREN E. TOLMAN.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING THE ESSEX AMERICAN HERITAGE COMMISSION.

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. There is hereby established the Essex American
2 Heritage District Commission, hereinafter referred to as the
3 Commission, for the purposes of:

4 A. Coordinating the activities of and establishing cooperative
5 agreements with Federal, State and local governments and private
6 businesses and organizations to further historic preservation cul-
7 tural conservation, natural area protection and compatible revital-
8 ization.

9 B. Establishing guidelines and preparing programs and exhibits
10 including recognition, preservation, promotion, interpretation and
11 economic revitalization of historic and natural resources;

12 C. Providing advice and assisting with loan or grant applica-
13 tions;

14 D. Making loans and grants from funds appropriated for that
15 purpose to buildings, sites, resources and objects which are
16 included or eligible for inclusion on the National Register of
17 Historic Places or for the purposes of providing educational and
18 cultural programs which encourage appreciation of the resources
19 of the district; and

20 E. Preparing and implementing a study report which shall pre-
21 sent a unified historic preservation and interpretive plan for the
22 District.

1 SECTION 3. MEMBERSHIP: The Commission shall consist
2 of 25 members (including ex officio members) appointed by the
3 Governor of the Commonwealth of Massachusetts as follows:

4 A. Five members to represent the interests of the
5 Commonwealth of which one shall represent the interests of the
6 Massachusetts Historical Commission, one shall represent the

7 interests of the Department of Environmental Management, one
8 shall represent the interests of Executive Office of Transportation
9 and Highways, one shall represent the interests of the Executive
10 Office of Administration and Finance and one shall represent the
11 interests of the Executive Office of Communities and
12 Development;

13 B. Two members to represent the interests of the Essex County.
14 One shall be appointed from recommendations of the Essex
15 County Commissioners. One shall be appointed from recommen-
16 dations of the Essex County Advisory Board.

17 C. Three members to represent the interests of historic preser-
18 vation and Essex County history of which one shall be appointed
19 from recommendations submitted by the Society for the
20 Preservation of New England Antiquities and one shall be from
21 recommendations by the Peabody Essex Museum. The third
22 member shall be appointed from the recommendations provided
23 by other not-for-profit historical societies and museums of Essex
24 County;

25 D. Two members shall represent the interests of natural
26 resource groups and shall be appointed from recommendations of
27 the Essex County Green Belt Association, The Trustees of
28 Reservations and other not-for-profit environmental or natural
29 resource management entities;

30 E. One member shall represent the interests of the institutions
31 for higher educational in Essex County and shall be appointed
32 from recommendations submitted by Salem State College, North
33 Shore Community College, Merrimack College, Endicott College,
34 Northern Essex Community College, Gordon College, Monserrat,
35 and other community colleges, private universities and colleges
36 located within the county.

37 F. Four members shall represent the interests of local govern-
38 ment and shall be appointed from recommendations as follows:
39 one shall be appointed by the Mayor of Salem because the
40 National Park Service's Essex County Regional Visitor Center and
41 National Maritime Site are located in Salem, two shall be
42 appointed from recommendations submitted by the mayors of the
43 cities of Peabody, Lynn, Lawrence, Haverhill, Newburyport,
44 Beverly and Gloucester, and one shall be appointed from recom-
45 mendations made by the boards of selectmen of the towns of
46 Essex County;

47 G. Four members shall represent local businesses, nonprofit
48 organizations, and other non governmental groups and shall be
49 appointed from recommendations submitted as follows: one shall
50 be appointed from recommendations by the Salem Partnership and
51 three shall be appointed from the recommendations of the Lynn
52 Business Partnership, the Greater Haverhill Chamber of
53 Commerce, the Cape Ann Chamber of Commerce, the Merrimack
54 Valley Chamber of Commerce and the North Shore Chamber of
55 Commerce.

56 H. One member shall be appointed from recommendations sub-
57 mitted by the Representative in Congress from the Sixth
58 Congressional District.

59 I. Two members shall be citizens-at-large and shall be residents
60 of Essex County appointed from the recommendations of the
61 Chairperson of the Essex American Heritage Commission and the
62 Commissioner's Executive Committee.

63 J. The Superintendent of the Salem Maritime National Historic
64 Site, ex officio or the delegate of the superintendent.

1 SECTION 4. Terms and Duties

2 A. Terms: The term of appointed members of the Commission
3 shall be three years.

4 B. Chairperson: The Chairperson shall be appointed by the
5 Representative in Congress from the Sixth Congressional District
6 and shall be selected from among the Commission members. The
7 term of Chairperson shall be 3 years.

8 C. Vacancy: Any member of the Commission appointed for a
9 definite term may serve after the expiration of his/her term until
10 the successor is appointed. Any vacancy in the Commission shall
11 be filled in the same manner in which the original appointment
12 was made. Any member appointed to fill a vacancy shall serve for
13 the remainder of the term for which the member's predecessor
14 was appointed.

15 D. Quorum: A simple majority of Commission members shall
16 constitute a quorum.

17 F. Meetings: The Commission shall meet at least quarterly or at
18 the call of the Chairperson or a majority of its members.

19 G. Compensation: Members of the Commission shall serve
20 without compensation as such although members shall be entitled
21 to travel expenses when engaged in Commission business.

1 SECTION 5. Staff of the Commission

2 A. Staff: The Commission shall have the power to appoint and
3 fix the compensation of such staff as may be necessary to carry
4 out its duties.

5 B. Experts and Consultants: Subject to such rules as may be
6 adopted by the Commission, the Commission may procure serv-
7 ices of experts and consultants.

8 C. Staff and Other Agencies: (1) Upon request of the
9 Commission, the head of any Federal agency may detail, on a
10 reimbursable basis, any of the personnel of such agency to the
11 Commission to assist the Commission in carrying out the
12 Commission's duties.

13 (2) The Commission may accept the services of personnel
14 detailed from the Commonwealth of Massachusetts (and any
15 political subdivision thereof) and may reimburse the
16 Commonwealth or political subdivision for those services.

1 SECTION 6. Powers of the Commission

2 A. In General: The Commission may for the purpose of car-
3 rying out this title hold such hearings, sit and act at such times
4 and places, take such testimony, and receive such evidence, as the
5 Commission may deem advisable.

6 B. Bylaws: The Commission may make such bylaws, rules and
7 regulations, consistent with this Act, as it considers necessary to
8 carry out its functions under this title.

9 C. Delegation: When so authorized by the Commission, any
10 member or agent of the Commission may take action which the
11 Commission is authorized to take by the section.

12 D. Technical Advisory Groups: The Commission may establish
13 and appoint one or more technical advisory groups and subcom-
14 mittees to provide technical advice in financing, historic preserva-
15 tion, natural resource preservation, recreation, tourism, and
16 intergovernmental coordination.

17 E. Gifts: Notwithstanding any other provision of law, the
18 Commission may seek and accept, and dispose of donation of
19 funds, property, or services from individuals, foundations, corpo-
20 rations, and other private entities and from public entities, for the
21 purpose of carrying out its duties.

22 F. Funds from other Services: The Commission may use its

23 funds to obtain money from any source under any program or law
24 requiring the recipient of such money to make a contribution in
25 order to receive such money.

26 G. Obtaining Property, Facilities and Services: The
27 Commission may obtain by purchase, rental, donation or other-
28 wise, such property, facilities, and services as may be needed to
29 carry out its duties. The Commission may acquire real property, or
30 interests in real property in the District by gift, by rental or by
31 purchase from a willing seller with money which was given,
32 bequeathed or appropriated to the Commission on the condition
33 that such money would be used to purchase real property, or inter-
34 ests in real property in the District.

35 H. Advisory Groups: The Commission may establish such advi-
36 sory groups as the Commission deems necessary to ensure open
37 communication with, and assistance from, the Secretary of the
38 United States Department of the Interior, the Commonwealth of
39 Massachusetts, political subdivisions of the Commonwealth of
40 Massachusetts, and interested persons.

41 I. Cooperative Agreements: The Commission may enter into
42 cooperative agreements with the Secretary of the United States
43 Department of the Interior, the Commonwealth of Massachusetts,
44 with any political subdivision of the Commonwealth or with any
45 person.

1 SECTION 7. Functions of the Commission: The Commission is
2 authorized to:

3 A. Coordinate activities of and establish cooperative agree-
4 ments with Federal, State, and local governments and private
5 businesses and organizations in order to further historic preserva-
6 tion, cultural conservation, natural area protection and compatible
7 revitalization.

8 B. Establish guidelines and standards for projects and prepare
9 programs and exhibits, consistent with standards established by
10 the National Park Service for preservation of historic properties
11 including interpretive methods, that will further the recognition,
12 preservation, promotion, interpretation and economic revitaliza-
13 tion of the historic and natural resources in the District.

14 C. Provide advice and assistance in preparation of loan or grant
15 applications to the Commission and applications for loan or grants

16 from Federal or non-Federal sources in furtherance of the pur-
17 poses of this title.

18 D. Make loans and grants, from funds appropriated for that pur-
19 pose from funds donated or otherwise made available to the
20 Commission, for the purpose of conserving and protecting sites,
21 buildings, resources and objects which are included or eligible for
22 inclusion on the National Register of Historic Places or for the
23 purposes of providing educational and cultural programs which
24 encourage appreciation of the resources of the District.

25 E. Prepare and implement a study report which shall incorpo-
26 rate in whole or in part the plan prepared by the Essex Heritage
27 Ad Hoc Commission and shall present a unified historic preserva-
28 tion and interpretive plan for the District. The report shall include
29 an analysis of the methods and means of inventorying, preserving,
30 and interpreting the historical, cultural and natural resources of
31 the District along with recommendations concerning utilization of
32 these resources and coordination of activities within the District.

The first of these is the fact that the data are not normally distributed. This is evident from the fact that the distribution is highly skewed to the right, with a long tail extending to the right. This is a common feature of many biological and physical data sets, and it is important to recognize this fact when choosing statistical methods for analysis. The second feature is the presence of outliers, which are data points that are significantly different from the rest of the data. These outliers can have a significant effect on the results of many statistical tests, and it is important to identify and deal with them appropriately. The third feature is the presence of a clear trend or pattern in the data, which suggests that there may be a relationship between the variables being studied. This trend can be identified by plotting the data and looking for a clear upward or downward slope. Finally, the data appear to be collected over a period of time, which suggests that there may be a time series component to the data. This is an important consideration when choosing statistical methods, as time series data often require special techniques for analysis.

In order to analyze this data, it is necessary to use statistical methods that are robust to non-normality and outliers. One such method is the use of the median, which is less sensitive to outliers than the mean. Another method is the use of the interquartile range (IQR), which is also less sensitive to outliers. Finally, it is important to use methods that can handle time series data, such as autocorrelation analysis or time series regression. By using these methods, it is possible to gain a better understanding of the data and to identify any underlying trends or patterns.

The results of the analysis show that there is a clear upward trend in the data, with the values increasing over time. This trend is supported by the positive autocorrelation coefficient, which indicates that the data points are positively correlated with each other. Additionally, the time series regression analysis shows a significant positive slope, further confirming the upward trend. The presence of outliers is also evident from the data, with several points that are significantly higher than the rest of the data. These outliers are likely due to measurement errors or other factors, and they should be carefully examined and dealt with appropriately. Finally, the use of the median and IQR as measures of central tendency and spread, respectively, provides a more accurate picture of the data than the mean and standard deviation, which are more sensitive to outliers. Overall, the analysis suggests that the data are non-normal, skewed to the right, and contain outliers, and that there is a clear upward trend over time.

The following table provides a summary of the key findings of the analysis: