

By Messrs. Lane of Essex and Natsios of Holliston, petition of David J. Lane, other members of the House and another for legislation to provide that certain county appropriations be made by a county budget board. Counties.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT CERTAIN COUNTY APPROPRIATIONS BE MADE BY A COUNTY BUDGET BOARD

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 14 of chapter 34 of the General Laws, as
2 appearing in the Tercentenary Edition, is hereby amended by
3 striking out, in line 6, the words "the general court" and inserting
4 in place thereof the words:— their county budget board.

1 SECTION 2. Section 28 of chapter 35 of the General Laws, as
2 so appearing, is hereby amended by striking out, in line 20, the
3 words "the general court" and inserting in place thereof the
4 words:— their county budget board.

1 SECTION 3. Section 28A of said chapter 35, as appearing in
2 section 3 of chapter 398 of the acts of 1945, is hereby amended by
3 striking out, in lines 16 and 17, the words "the general court" and
4 inserting in place thereof the words:— their county budget board.

1 SECTION 4. Said chapter 35 is hereby further amended by
2 striking out section 28B, inserted by section 1 of chapter 1166 of
3 the acts of 1973, and inserting in place thereof the following
4 section: —

5 *Section 28B.* In every county other than Suffolk and Nan-
6 tucket, there shall be a county budget board, consisting of the city
7 manager, or his designee, in the case of a Plan D or Plan E city, or

8 the mayor of each other city, or the chairman of the board of
9 selectmen of each town, and the town manager or administrator
10 in a town which does not have selectmen. Each chairman may, by
11 writing filed with the county commissioners, from time to time
12 appoint another member of the board of selectmen as his designee
13 on the budget board.

14 Each city and town shall have votes and fractions thereof, to
15 the nearest one tenth of one percent, determined from the
16 population of each city and town from the latest census. The total
17 vote of each city or town shall be determined by the Secretary of
18 the Commonwealth according to the following procedure: for
19 each county, each city or town's proportion of the county
20 population, determined by dividing the city or town's population
21 by the total county population, shall be multiplied by a factor to
22 be determined by said Secretary such that the smallest city or
23 town in the county shall have not less than one vote. Said
24 Secretary shall revise these computations, as necessary, after
25 every state census, to be effective January 1 of the following year.
26 Notice of the total vote of each city or town and any revision of
27 such total, shall be sent by said Secretary to the clerk of each city
28 or town.

29 Each county budget board shall hold at least one public
30 hearing on the estimates of receipts and expenditures as reported
31 by the director of accounts to said board. Said board shall cause
32 notice of said hearing or hearings to be posted in each city and
33 town hall within the county at least fourteen days prior to the
34 hearing and shall cause notice thereof to be published in a
35 newspaper of general circulation in the county at least fourteen
36 days prior to said hearing.

37 After such hearing or hearings, and in no case later than May
38 15, each county budget board shall make appropriations. A
39 majority vote of the entire county budget board shall be required
40 for the approval of such budget which shall then be submitted to
41 the county commissioners for their approval. Said county
42 commissioners may make changes in said budget which shall be
43 submitted to the budget board. Said board may restore all or a
44 portion of the cuts made by its county commissioners or delete all
45 or a portion of the additions made by its county commissioners
46 by a two-thirds vote of said budget board. Each county's
47 appropriation shall be reported to the director and county
48 treasurer by said board.

1 SECTION 5. Section 28 of said chapter 35, as appearing in
2 section 2 of chapter 158 of the acts of 1945, is hereby amended by
3 striking out, in lines 2 and 3, the words "the general court" and
4 inserting in place thereof the words: — each county budget board.

1 SECTION 6. Section 30 of said chapter 35, as appearing in
2 section 3 of said chapter 158, is hereby amended by striking out,
3 in line 4, the words "the general court" and inserting in place
4 thereof the words:— each county budget board.

1 SECTION 7. Section 32 of said chapter 35, as most recently
2 amended by section 1 of chapter 147 of the acts of 1970, is hereby
3 further amended by striking out, in line 1 and in line 2, the words
4 "acts", and inserting in place thereof the word:— budgets, by
5 striking out, in lines 3 and 4, the words "the joint committee on
6 counties" and inserting in place thereof the words:— each county
7 budget board, by striking out, in line 8, the word "acts" and
8 inserting in place thereof the word:— budgets, by striking out, in
9 line 29, the words "the joint committee on counties" and inserting
10 in place thereof the words:— each county budget board, by
11 striking out, in line 30, the word "committee" and inserting in
12 place thereof the word:— board, by striking out, in line 41, the
13 word "acts" and inserting in place thereof the word:— budgets, by
14 striking out, in line 43, the words "joint committee on counties"
15 and inserting in place thereof the words:— said county budget
16 board, and by striking out, in lines 63, 66 and 68, the word "acts"
17 and inserting in place thereof, in each instance, the word:—
18 budgets.

1 SECTION 8. The second last sentence of section 34 of said
2 chapter 35, as appearing in chapter 227 of the acts of 1965, is
3 hereby amended by striking out, in line 3, the words "general
4 court" and inserting in place thereof the words:— said county
5 budget board.

1 SECTION 9. Section 34A of said chapter 35, as most recently
2 amended by section 4 of chapter 766 of the acts of 1971, is hereby
3 further amended by striking out, in line 8, the word "act" and
4 inserting in place thereof the word:— budget.

1 SECTION 10. Section 39B of said chapter 35, as most recently
2 amended by chapter 37 of the acts of 1963, is hereby further
3 amended by striking out, in line 25, the words “the general court”
4 and inserting in place thereof the words:— a county budget
5 board.

1 SECTION 11. Section 46 of said chapter 35 is hereby
2 amended by striking out, in lines 3 and 4, as appearing in section
3 2 of chapter 654 of the acts of 1953, the words “the general court”
4 and inserting in place thereof the words:— each county budget
5 board.