

HOUSE No. 5807

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 10, 1998.

The committee on Ways and Means, to whom was referred the Bill relative to the reorganization of Franklin County (House, No. 4657), reports that the same ought to pass, with an amendment substituting therefor the accompanying bill (House, No. 5807).

For the committee,

HARRIETTE L. STANLEY.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE REORGANIZATION OF FRANKLIN COUNTY.

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 (j) of section 567 of chapter 151 of the
2 acts of 1996 is hereby amended by striking out said subsection (j)
3 and inserting in place thereof the following:—

4 Notwithstanding the provisions of any general or special law to
5 the contrary, the sheriff of Franklin county shall become an
6 employee of the commonwealth. Said sheriff shall remain an
7 elected official under the provisions of section 159 of chapter 54
8 of the General Laws and shall be known as the Franklin sheriff.
9 Said sheriff shall operate pursuant to the provisions of chapter 37
10 of the General Laws. Said sheriff shall retain administrative and
11 operational control over the office of the sheriff, the jail and house
12 of correction.

1 SECTION 2. Subsection (f) of said section 567 of said chap-
2 ter 151 is hereby amended by adding the following:— All land,
3 equipment and licenses held by Franklin county for the purpose of
4 radio communications shall become the property of the Franklin
5 council of governments.

1 SECTION 3. Subsection (k) of said section 567 of said chap-
2 ter 151 is hereby amended by striking out the fifth sentence and
3 inserting in place thereof the following:— Such temporary debt
4 shall not exceed one-half of the amount of the council of govern-
5 ments most recent year's audited total revenues, except that, for
6 the purpose of such borrowing in the year following the transfer
7 of functions cited in subsection (a), revenues associated with such
8 functions may not be included to establish such total base.

1 SECTION 4. Said subsection (k) of said section 567 of said
2 chapter 151 is hereby amended by adding the following:—
3 Notwithstanding the provisions of any general or special law to
4 the contrary, the Franklin council of governments committee shall
5 assess the Franklin county retirement system for the services of
6 the director of finance in administering the retirement system;
7 provided, however, that said assessment is based upon the hours
8 devoted by the director of finance to such administration.

1 SECTION 5. Subsection (u) of said section 567 of said
2 chapter 151 is hereby amended by adding the following:—

3 Municipalities entering into joint service agreements with the
4 council of governments may do so on the authorization of the
5 chief elected official or executive officer of the municipality.

1 SECTION 6. Subsection (w) of said section 567 of said
2 chapter 151, as amended by section 124 of chapter 204 of the
3 acts of 1996, is hereby further amended by striking out the sixth
4 and seventh sentences and inserting in place the following four
5 sentences:— Such proposal shall be voted upon by the legislative
6 bodies of each town in the Franklin county region not later than
7 June 30, 1998. Adoption of such charter proposal shall require a
8 majority vote of the legislative bodies in a majority of the towns
9 or a majority vote in a county-wide election. Pursuant to chap-
10 ter 53, 54, 55 and 55B, of the General Laws, the secretary of state
11 shall place on the biennial election ballot the names of candidates
12 for any generally elected positions created by any charter proposal
13 established under this section. The nomination papers of candi-
14 dates for any generally elected positions created by said charter
15 proposal to be filled at state election shall be signed by 500
16 voters. Candidates for election for any generally elected positions
17 created by any charter proposal established under this section and
18 the non-elected political committees organized on behalf of such
19 candidates, if any, shall file reports of contributions received or
20 expenditures made in accordance with section 18 of said chap-
21 ter 55 of the General Laws on or before: (1) the eighth day
22 preceding a biennial state election, and, as a final report, the twen-
23 tieth day of January in the following year complete as to the
24 thirty-first day of December of the prior year; and (2) the eighth

25 day preceding a special election, the thirtieth day following a spe-
26 cial election, and, as a final report, the twentieth day of January in
27 the following year complete as to the thirty-first day of December
28 of the prior year.