

The Commonwealth of Massachusetts



THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE DEPARTMENT

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ARGEO PAUL CELLUCCI  
GOVERNOR

August 13, 1998

To the Honorable Senate and House of Representatives:

Pursuant to Section 5 of Article 63 of the Amendments to the Constitution of the Commonwealth, I am today signing House Bill No. 5780, "An Act Abolishing the County Governments of Hampshire, Essex, and Berkshire Counties, and Transferring Essential County Functions to the Commonwealth."

This bill takes another step toward the abolition of county government in the Commonwealth, a goal that this administration has been consistently pursuing for years. I am particularly pleased to sign section 11 of this bill, which sets firm abolition dates of January 1, 1999; July 1, 1999; and July 1, 2000, for the governments of Hampshire, Essex, and Berkshire counties, respectively. As with the counties abolished last year under chapter 48 of the Acts of 1997, county assets and liabilities will be transferred to the Commonwealth upon the county's abolition, and county employees engaged in essential county functions will become employees of the Commonwealth.

I feel strongly, however, that any move to abolish counties must not unfairly saddle cities and towns with the debts accrued by counties over the years. This is particularly true with respect to unfunded pension liabilities, which if left at the local level could result in the imposition of punishing taxes on cities and towns for decades to come. I have therefore determined to disapprove those sections of this bill that would require cities and towns to shoulder the burden of the unfunded pension liability of their county retirement systems.

I am vetoing sections 1, 14, 24, 26, 27, and 45. The reasons for these vetoes are set out in Attachment A, included with this message.

I hereby approve the remainder of this act.

Respectfully submitted,

Argeo Paul Cellucci  
Governor

Atty

## Attachment A

County Abolition Bill (House 5780) Veto Explanations**First members of regional retirement boards****Section 1**

This section permits the "first members" of regional retirement boards, who under this bill are generally the treasurers of abolished counties, to receive payment for their service to such boards even if they are already receiving a public pension. I believe that this is an unwarranted benefit for elected officials of abolished counties, and I therefore am vetoing it. This administration has already filed legislation to eliminate the position of county treasurer one year after the county's abolition.

**Salary increases for elected county officials****Section 14**

This section permits elected county officials who retain their office following the county's abolition to receive salary increases. I believe that abolishing counties as quickly and cheaply as possible is essential to a successful county abolition effort, and allowing county officials to receive salary increases after their county's abolition is not consistent with that goal.

**Amendment to St. 1997, c. 48, § 9****Section 24**

This section attempts to amend the second paragraph of St. 1997, c. 48, § 9, as it presently appears. However, section 23 of this bill strikes the present § 9 and replaces it with a new section in which this amendment does not make sense. Because this section appears to contain a drafting error, I am vetoing it.

**Transfer of engineering personnel****Section 26**

This section and section 27 would transfer engineering personnel of an abolished county to the Secretary of State's office. I do not believe that these personnel perform a county function that is so essential that transfer to the Commonwealth is necessary, and accordingly I am vetoing this section.

**Transfer of engineering personnel****Section 27**

This section and section 26 would transfer engineering personnel of an abolished county to the Secretary of State's office. I do not believe that these personnel perform a county function that is so essential that transfer to the Commonwealth is necessary, and accordingly I am vetoing this section.

**Pension liability****Section 45**

This section adds eight new sections to St. 1997, c. 48. Although some of these sections accomplish worthy goals, new section 29 would require local retirement systems to retain responsibility for the unfunded pension liability of the abolished county's retirees, and would charge each city and town a new annual assessment to pay off that liability. I believe that it is fundamentally unfair to impose this financial burden on cities and towns, and accordingly I am vetoing this section. This administration has already filed legislation that would transfer the liabilities associated with county retirees and transferred employees to the state system.