

By Mr. Moore of Uxbridge, petition of Richard T. Moore and Salvatore P. Cimino that legislation requiring municipalities or counties to administer programs or services include economic impact statements estimating total costs and providing a method of financing such programs or services. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT RELATING TO THE FINANCING OF NEW LOCAL GOVERNMENT DUTIES; PROVIDING THAT ANY GENERAL LAW REQUIRING MUNICIPALITIES OR COUNTIES TO ADMINISTER ANY PROGRAM OR PROVIDE ANY SERVICE OR FACILITY SHALL INCLUDE AN ECONOMIC IMPACT STATEMENT ESTIMATING TOTAL COSTS, AND SHALL PROVIDE A METHOD OF FINANCING SUCH PROGRAM OR SERVICE; PROVIDING AN EFFECTIVE DATE.

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. Any general law, enacted after July 1, 1981, which
2 requires counties, cities, towns, school districts or special districts
3 to perform an activity or to provide a service or facility, which
4 activity, service, or facility will require the expenditure of addi-
5 tional funds, must include a fiscal note as defined in section 2 of this
6 act, estimating the amount sufficient to cover the total cost to
7 counties, cities, towns, school districts or special districts to imple-
8 ment such activity, service, or facility and must provide a means to
9 finance such activity, service, or facility. Additionally, any general
10 law which grants an exemption or changes the manner by which
11 property is assessed or changes the authorization to levy local taxes
12 must provide a means to finance such exemptions or changes. Such
13 general law shall provide a means to finance the ongoing cost for
14 those municipalities and counties which are providing the activi-
15 ty, service or facility on the effective date of such law. The means of

16 financing such activity, service, or facility may be through remis-
17 sion of additional funds of the state to said municipality or county,
18 through specific authority granted the municipality or county to
19 levy a special tax therefor, or through other sources provided by
20 such law. If financing is provided by means other than the levy of a
21 special tax, the method of financing shall bear a reasonable rela-
22 tionship to the actual costs of performing the activity or providing
23 the service or facility, and shall not reduce, supplement, or adverse-
24 ly affect other state or federal revenues shared with or granted to
25 municipalities or counties. No subsequent legislation shall be
26 deemed to supersede or modify any provision of this act, whether
27 by implication or otherwise, except to the extent that such legisla-
28 tion shall do so expressly; reasons for legislative deviation from
29 this section shall be stated with particularity in the preamble of the
30 act.

1 SECTION 2. *Content of Fiscal Notes.* Fiscal notes shall
2 wherever possible, cite effect in dollar amounts for the current
3 fiscal year and estimates for the next two (2) succeeding fiscal
4 years. No comment or opinion relative to the merits of the bill shall
5 be included, excepting however, that technical or mechanical
6 defects may be noted. Fiscal notes for bills affecting cities and
7 towns shall cite the effect by city and town.

1 SECTION 3. This act shall not apply to any general law under
2 which the required expenditure of additional local funds is inciden-
3 tal to the main purpose of the law.

1 SECTION 4. This act shall take effect upon its passage.