HOUSE DOCKET, NO. 3305 FILED ON: 1/21/2011

HOUSE . . . . . No. 3098

The Commonwealth of Massachusetts

PRESENTED BY:

Steven M. Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act making certain changes in the law relating to billboards.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Steven M. Walsh	*11th Essex*

HOUSE DOCKET, NO. 3305 FILED ON: 1/21/2011

HOUSE . . . . . No. 3098

By Mr. Walsh of Lynn, a petition (accompanied by bill, House, No. 3098) of Walsh for legislation to make certain changes in the law relating to billboards Joint Committee on Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3366* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act making certain changes in the law relating to billboards.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 14 of Chapter 16 of the General Laws, as appearing in the 2008 Official Edition, is hereby further amended by striking said section and inserting in place thereof the following:

Section 14. There shall be in the outdoor advertising division a board to be known as the outdoor advertising board, consisting of three members, one to be appointed by the governor, with the advice and consent of the council, one to be a member of organized labor in the outdoor advertising industry to be recommended by the Greater Boston Central Labor Council, and the third member to be the commissioner of highways, or an employee of the department of highways to be designated by him from time to time as his representative on the board. It shall be the duty of the commissioner of highways, or the employee of the department of highways designated by him as his representative on the board, in addition to his other duties as member of the board, to arrange for the co-operation of district engineers and other field employees of the department of highways in reporting the location of billboards, signs or other advertising devices along state highways, and in enforcing the rules and regulations of the board. The member of the board to be appointed by the governor shall be designated to serve for two years from June first, in the year of appointment. The member of organized labor shall be designated to serve for three years from June first, in the year of appointment. Upon expiration of the term of such a member, his successor shall be appointed in the manner aforesaid, for four years. The governor shall from time to time designate one of the members as chairman of the board, and, with the advice and

consent of the council, may remove any appointed member for cause, and, with like advice and consent, shall fill any appointive vacancy for the unexpired term, subject to the recommendation process described in this section. Each member shall hold office until the appointment and qualification of his successor. Whenever any action by the board is required to be in writing, such writing shall be sufficient when signed by any two of the members. The board shall make an annual report for the preceding calendar year, setting forth the number of permits granted, the number of permits refused, the number of hearings held, the number of illegal signs removed, and other relevant matters, to the general court and to the commissioner of highways in January of each year. The chairman of the board shall receive from the commonwealth as compensation the sum of sixty-two dollars and fifty cents for each day spent in the performance of his official duties, but not exceeding forty-three hundred and seventy-five dollars in any one year, and the other member recommended by the Greater Boston Central Labor Council shall receive the sum of fifty dollars for each such day, but not exceeding thirty-five hundred dollars in any one year. Each member of the board shall be reimbursed for necessary expenses incurred by him in the performance of his official duties. No member who is regularly employed by the commonwealth shall receive compensation for his services as member of the board, but may be reimbursed for necessary expenses incurred by him in the performance of his official duties as member of the board as aforesaid. The board shall appoint, subject to chapter thirty-one, an officer, to be known as the executive director, who shall be the administrative and executive officer in charge of all administrative and executive details.

Section 2. Section 29 of Chapter 93 of the General Laws as most recently amended is hereby further amended by inserting at the end thereof the following:

Notwithstanding any requirement of any ordinance or by-law restricting billboards, signs, or other devices adopted by any city or town, no new permit, no renewal of any permit, and no transfer of any permit for such billboard, sign, or device shall be approved unless a public hearing is held by the appropriate local officials in the city or town. Said public hearing shall occur only after notice has been given and advertised by the applicant for at least seven days in a local newspaper of general circulation, in a form to be prescribed by the city or town.