

SENATE No. 1001

The Commonwealth of Massachusetts

PRESENTED BY:

Steven A. Baddour, (BY REQUEST)

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 relative to streamlining local government and finances..

PETITION OF:

NAME:

James Thivierge

DISTRICT/ADDRESS:

PO Box 422

Amesbury, MA 01913

SENATE No. 1001

By Mr. Baddour, petition (accompanied by bill, Senate, No. 1001) of James Thivierge for legislation to streamline local government and finance. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE

□ □ SENATE
□ , NO. 760 OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to streamlining local government and finances..

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. Notwithstanding any general or special law to the contrary, a Council of
2 Governments/Municipal Corporations shall be established in the county of Essex comprised of
3 representatives appointed by the Boards of Selectman/Mayor and/or whatever Issuing Authority
4 exists under any Special Act of the Commonwealth and/or Home Rule amendment allow under
5 Article 89 of Massachusetts Constitution. A council that would not exceed in membership the
6 number of communities in said county and would organize in the following manner and be in
7 existence for the purpose of collectively discussing from time to time the issues of the day and
8 taking positions on said issues.

9 (A) The member representing the community/municipal corporation with the largest
10 population shall bring the council to order and conduct an organization meeting acting as
11 chairperson pro-tem or what ever appellation of the chief officer desired subsequent to this
12 meeting; the officers shall consist of a chairperson, vice-chairperson, clerk, and whatever officers
13 deemed necessary by the council subsequent to organization; each member
14 corporation/government shall have one vote and all votes shall be decided by a majority vote of
15 the member communities regardless of the quorum present. As an advisory body, the majority
16 rule of member corporations shall be inviolate to issue an advisory opinion as a body.

17 (B) Council of Governments/Municipal Corporations shall go into effect once accepted
18 by a majority of town meeting and/or city (municipal) councils in the county of Essex. After
19 which, the issuing authorities, Boards of Selectmen/Mayors shall appoint representatives to

20 attend meetings on their behalf. Once all communities have chosen members, the chairperson
21 pro-tem shall call a meeting to organize. All expenses shall be borne by the host community and
22 all meetings shall be subject to the appropriate Massachusetts General Laws concerning records
23 and recording an account of the proceeding. The Essex Council of Governments (Municipal
24 Corporations) shall meet as deemed fit and necessary by the will of the majority and/or
25 leadership.

26 SECTION 2. A financially secure municipal corporations shall enter into negotiations
27 with other municipal corporations for the purpose of consolidation for the financial or fiduciary
28 benefit of the taxpayers and resident within the following considerations; that the surviving
29 corporations satisfy the regulatory authorities with a demonstrated positive free cash history and
30 annual tax collection of 85% or better and with a low rate of tax titles; that the same corporation
31 maintain a :A: bond rating or better for general obligations, a stable management and the
32 recommendation of the appropriate regulatory agencies, I.e.revenue; and that the annexable
33 corporations satisfy the regulatory authorities with a demonstrated history of negative free cash
34 history and annual tax collection history of less than 95% per annum and with a high rate; that
35 the same corporation “general obligation: status is not better that a “junk bond” rating; and that
36 the appropriate state regulatory agency, department of revenue, recommend such action to
37 maintain financial viability, service level and adequate education, health and safety for all
38 residents; and that the question of annexation be put to the townspeople of both corporations by
39 vote of the appropriate legislative body and the appropriate question be approved by the majority
40 vote of no less than fifty percent plus one of the registered voters in both corporations the
41 annexed and the surviving or receiving corporation. Adjacency or contiguousness need not
42 apply to the surviving corporation or corporation annexed.

43 SECTION 3. Upon the approval of two-thirds of the city or municipal corporation to
44 issue stock (similar to preferred stock) in the municipal corporation up to 50% of the total
45 valuation of the community or municipal entity to create a capital reserve account or municipal
46 stock fund or whatever name is appropriate in accordance with generally accepted accounting
47 principles the proceeds, not the principal, of which can be used to augment but not totally
48 appropriate or fund the principal and interest payments for communities or municipal
49 corporations expenditures for the following purposes: to augment the municipalities. School and
50 municipal building and repair programs (not annual maintenance) including libraries, city or
51 town halls, police and fire stations, water and sewer plants, stadiums, and swimming, health,
52 athletic facilities or whatever can be categorized as a long term capital improvement that further
53 the public good and health of the municipal corporation and the Commonwealth and their
54 residents; the stock price shall be determined by the total valuation as of January 1 of the
55 calendar year divided by the population as of the most recent decennial census (stock price may
56 fluctuate from year to year); the proceeds may also be used to reduce short or long term debt at
57 higher rates; no proceeds from the issue shall be used for administrative personnel salaries nor
58 expense but rather all annual expenses other than those related to the initial issue must be borne

59 by the municipal entity in the chief financial officer's or treasurer's office and or municipal
60 budget; stock may be purchased by residents, business owners, land owners, and employees of
61 the municipal entity or corporation in suggested share denominations of no less than 100; the
62 amount of debt liability must not exceed the total of combined inside and outside debt allowed to
63 the community under statute and can be exceeded only exceptional purposes deemed acceptable
64 and only with approval by the department of revenue, division of local services and only to a
65 level not to exceed 10% of the total valuation or whichever is greater; dividend/proceeds/interest
66 shall be paid at a rate of 1/2 % less than the discount rate annually or at a regularity allowed by
67 statutes and shall be exempt from federal and state taxes and the applicable local tax
68 commitment; the Commonwealth must take the necessary steps state and or federal legislation be
69 introduced or whatever the case may be to make the dividends or proceeds or interest exempt
70 from federal, state and local taxes; all issued municipal stock must be held for at least one year of
71 purchase and then may be redeemed with the appropriate applicable interest accrued to the
72 purchaser; with the principal, municipalities or municipal corporations may or can purchase or
73 invest securities and can invest in financial instruments and conduct financial transactions within
74 the confines of federal and state financial statutes and the legal list promulgated by the division
75 of banks and securities division of the secretary of state, preferably nine-tenths of issue or
76 portfolio in government bills, notes and bonds; capital reserve account will be the responsibility
77 of the chief financial officer and or treasurer of the municipal entity; this account shall be subject
78 to regular audit by the department of revenue, state auditor, secretary of state securities division,
79 and division of banks or specific agency deemed appropriate by the General Court and any
80 expenses incurred by the agencies shall be paid by the proceeds of the principal of the capital
81 reserve account; the expense of the initial municipal stock issuer or municipal corporation as
82 well as any expenses incurred by the municipal corporation throughout the subscription process
83 including bond counsel, underwriters, insurers, brokers, investment banks, rating agencies and
84 other relevant agencies not mentioned; private auditing of the municipal stock fund must be
85 performed on a biennial basis and may be performed annually and expensed by the proceeds; any
86 ongoing protection of stock fund requiring insurance may be expensed by the proceeds provided
87 it is required by the statute and or recommended by the division of insurance and or the
88 appropriate auditing entity private and or public or both.

89 SECTION 4. Upon the acceptance of the city/municipal council or town meeting, the
90 legislative branch of the municipal corporation, the municipality with the coordination of the
91 board of assessors and treasurer shall have the authority to issue tax bills on a pro-rated monthly
92 basis and taxpayers may pay real estate taxes early on a voluntary basis.

93 SECTION 5. Municipal corporations of the Commonwealth shall do the following:

94 (A) Preliminary Tax Rate

95 that the cities and towns of the Commonwealth declare preliminary tax rates by august 15
96 of each year based of the following: January 1 total real property; state local aid, charges and

97 receipts as of June 30 and/or the finalization of the state budget; the completed and voted local
98 budget and “growth” as of June 30;

99 free cash and overlay stated at the previous year’s level; an the outcome of the
100 classification hearing overlaying the result; and any other factors that must be factored into the
101 tax rate equation.

102 (1) that the annual budget compilation and submission by the executive reflect the
103 following: that previous year’s intra-budget transfers from line-items; that one of the components
104 of free cash unexpended expense those affected line items be scrutinized and adjusted;

105 and amend c. 44, s. 32.

106 (2) and that the overlay the monies raised for abatements and exemptions be
107 computed by adding the required amount for abatements and exemptions plus any monies
108 required to be set aside for appellate tax board cases by multiplying last years loss/success ratio
109 and substituting that figure in lieu of the traditional procedure used to produce the previous years
110 actual tax rate amending c. 59, s. 23 & 25;

111 (3) that the unexpended portion of free cash be returned in the form of a credit to
112 the taxpayer’s account; revenue overestimates greater than school fees cause a refund of these
113 fees amending c. 59, s. 29D;

114 (4) that school fees for athletics and transportation be abolished amending c. 71, s.
115 16C & 47;

116 (5) that the annual report be made available to the taxpayers by august 31 of each
117 year and a copy be sent to the state library each year by all cities and towns amending c. 40, s.
118 21;

119 (B) Classification by amending c. 59, s2c. & 2cA

120 (1) To allow cities and towns and within the utilization of Proposition 2 ½ as part
121 of the classification process to factor three levels of burden shift: one, residential; two,
122 commercial; three, industrial; and a combination thereof. In order to not adversely affect
123 negatively one or another class but rather to accommodate all classes of property owners in the
124 best interests and needs of the people of the community at the time and for the present and future
125 fiscal situations as the need of the community exists through the appropriate governmental body
126 politics notwithstanding.

127 (2) In addition, to allow cities and towns to vote abatements up to the state limit
128 up to three years to encourage new commercial and industrial activity for landlords/owners who
129 will pass the saving on to their lessee’s as to not negatively affect the new occupant/owner as a

130 matter of the appropriate board, and legislative and/or executive and be made as part of the fiscal
131 annual appropriation requirement plus not within the levy limit but apart from the 2 ½ levy limit;

132 (3) And as part of this legislation that no person(s) entitled to an exemption allow
133 by the board of assessors and treasurer/tax collectors under the current statutes be affected
134 negatively by a vote of the appropriate board to shift onto commercial, industrial in addition to
135 residential in a two or three tiered fashion, the appropriate statutes be amended accordingly as to
136 not negatively affect those families adversely affected by the split tax vote in whatever fashion
137 they choose so that they will benefit by the action and not be negatively affected in any fashion
138 negating the effect of the exemption(s), and may it be considered that these special exemptions
139 be made apart from the levy limit prescribed by proposition 2 ½ and the statute given their
140 special exempted status;

141 (4) And that the executive branch of the city or town bring to the appropriate
142 decision making body, the rationale to support a shift of any kind and any group that will be
143 affected by the action of the appropriate body and that in addition to the single factor that
144 combinations be allowed as well giving communities that maximum flexibility to deal with
145 current and impeding future economic and financial climates to promote their capacities be they
146 residential, commercial, and or industrial or a combination thereof;

147 (5) To allow by vote of the appropriate governmental body commercial as well
148 industrial exemptions for up to three years in addition to the residential exemptions currently
149 allowed by vote under law to promote whatever part of the tax base may be emphasized by the
150 policy makers of the municipal corporation;

151 (6) In sum, the passage of this Act will reflect favorably in the performance of tax
152 distribution of the tax burden of property owners enhancing the community's ability with
153 flexibility to deal with the changing economic and financial climates that affect the entity itself
154 and the ultimate end of their endeavors the people of their municipal corporation and its
155 Common Good for which government itself exist be it remembered;

156 (7) With the concurrence and acceptance of two thirds of the members of the
157 appropriate board such as the board of selectman in a town or the city/municipal council in a city
158 or whatever entity allowed by statute to accept and execute this Act, let it be, the options be
159 available during the classification process and discussion to shift or not shift the tax burden
160 within the municipal corporation for the ensuing period for the Common Good of the
161 community's people by its policy makers.

162 (C) Budgeting by amending c. 44 s. 56A;

163 (1) To promote better fiscal management and administration in the three hundred
164 and fifty one municipal corporations of the Commonwealth of Massachusetts and that all said
165 communities be compliant with the following language so that public activity, commercial and

166 industrial activity be encouraged with the maintenance and reduction of the property tax burden
167 to the public:

168 (2) And that all communities budget a reserve fund equal to one-quarter to one-
169 half of one percent of total valuation equal to one dollar on the tax rate; and that the
170 Commonwealth's three hundred and fifty one communities adjust their annual budget
171 submissions to reflect end-of-years transfers within funds and line-items and likewise reflect
172 overages used and certified as "free cash" within the expense portion of the various funds and
173 overall city/town budget; that all programs and request for early retirement be quantitatively and
174 qualitatively justified before submittal to the legislative body for funding and the municipal
175 corporation realize a net gain as a result of the program; that request s for overlay monies to fund
176 abatement and exemptions be well within historical ranges before submission for funding; that
177 overlay surplus be not counted upon to act as a reserve fund; that all new proposed development
178 within the/a community be accompanies with the "proposed new tax revenue" as well as
179 "proposed new expense" to provide a full picture of the developments benefits and liabilities
180 including basic assumptions underlying the projects; and that all negotiations concerning health
181 care insurance be to the benefit of both management and labor and that leads towards a healthier
182 workforce be explored with expense reduction in mind not to detriment of the employee nor the
183 people; that all municipal budget and the accounting be closed by the statutory date and that all
184 subsequent activity be noted in manual and electronic files so as to act as a transition and
185 documentation provided communities do not close by the statutory deadline as a matter of
186 course; that all proposed land takings and gifts to the municipal corporation notably land that
187 generate and involve state and/or local tax generation be cause to alert the department of revenue
188 of said action and that the amount of state and local taxes identified to document the impact to
189 the taxpayers; that the establishment of fees be discourage and substantiated through the hearing
190 process to determine regressively to the individual, the family and local municipal corporation;
191 that the use of short term notes be discouraged; and that purchasing be done collectively in
192 concert with neighboring communities and the state bid laws; and that the position of inside
193 counsel be established in communities with no solicitor to reduce legal expense; inside counsel;
194 that all communities use relational database software and learn to customize to their needs
195 through personnel and training; that all finance committees, advisory boards to councils and
196 town meeting be encourage to use technology and audit software to facilitate their reviews; that
197 all communities be cognizant of the program budgeting process as well line-item, performance
198 base, and zero-base approaches to budget generation and oversight; and that all surpluses
199 reversion, tailing be returned to the body politic; that the policy makers of the municipal
200 corporation use all available resources to assist in budget generation, maintenance, oversight and
201 review with special attention the real property and population;

202 (2) that the public be alerted of the certification of total value, new growth, state
203 revenues, free cash as certified and announce thru the state budget or department action of the
204 executive branch;

205 (3) and these procedures be examined and audited by the department of revenue,
206 and/or and any appropriate agencies directed by Laws of this Commonwealth of Massachusetts
207 and/or the General Court; and that the Joint Committee on Post Audit conduct a study on the
208 appropriate use of these processes/procedures and every five to ten years thereafter to determine
209 the usefulness of these procedures and the performance of management relative to its imposition
210 within any fund of the municipal corporation and on behalf of the body politic; and that all
211 positive practices not identified be incorporated into this Act and the representatives of the
212 people, the General Court, so deem; and that the Commonwealth thru the political subdivisions
213 develop pro-active strategies and tactics to minimize cost encourage non regressing revenue to
214 the benefit of the property owner, and the public;

215 (4) To allow the Commonwealth's 351 cities and towns otherwise known as
216 municipal corporations, the ability to use an overlay reserve for the purpose of storing/holding
217 the balance of overlay surplus declared by the board of assessors not used to offset the annual
218 overlay appropriation for abatements and exemptions during the fiscal year; and any balance of
219 the overlay reserve after its application as an offset to the annual overlay appropriation be
220 available for appropriation only subsequent to the exhaustion of the annually appropriated
221 reserve fund and its use for the exclusive application toward unforeseen and emergency expenses
222 and any other allowing uses of the reserve fund to meet the needs of the community with
223 available raised resources; and to commit this action(s) only with a two-thirds vote of the
224 legislative body, the municipal council of a city and/or town meeting/board of selectmen of a
225 town.

226 (D) Energy

227 To encourage cities and towns to create energy policy by accepting MGL c. 40 s. 8i;

228 (E) Economic Development

229 (1) by amending c. 59, s. 59 & 60 and c. 40Q to create and/or amend other
230 Massachusetts General Laws in order to promote economic development by allowing the
231 Commonwealth's cities and towns, the municipal corporations, the power to grant abatements to
232 business owner, owners of rental property, and home owners provided they qualify within the
233 following criteria:

234 (2) That they promote the research and development of new ideas that promote the
235 furtherance of concepts that realize savings with innovation within areas such as energy
236 conservation in particular that the appropriate federal and state agencies, industry appropriate
237 grantor programs, foundations and academic institutions provide funding, and/or technical
238 assistance to establish new business directions;

239 (3) and the cities and towns through their legislative bodies, municipal councils
240 and town meetings, establish ordinances and by-laws that reflect the substance of this act

241 allowing for the application properly documented with above references, an abatement from real
242 property taxes realizing the aforementioned purpose;

243 the realization of new economic development opportunities and its promotion and growth
244 aided by the municipality in which it resides through research and development and that they
245 owner/proprietor pass on the savings accrued by the abatement to the research and developer
246 engaged in the utilization and payment of any space, rental and/or lease, used for such purpose,
247 and that it continue for the life of their association and expire at conclusion and non-renewal of
248 any contractual association and that the aforementioned criteria of associations promoting the
249 economic development of the renter/lease be maintained through the life of the rental/lease
250 agreement.

251 (F) Financing

252 In sections one thru five by amending c. 59, s. 58, and/o to create and/or amend other
253 Massachusetts General Laws, & c. 44, be it understood all proceeds and discounts be eligible for
254 state income tax deductions.

255 (1) And to allow the voluntary payment of pro-rated discounted monthly real
256 estate tax bills, sewer bills, water bills at ninety-nine and one half percent, the discounted portion
257 exempted from taxation by the state by amending MGL c. 59 s. 58 and applicable accepting c.
258 59, s. 58;

259 (2) This act will amend and/or create new Massachusetts General Law(s) relative
260 to Municipal Finance upon the two thirds vote of the legislative body of the municipal
261 corporation to accept this Act:

262 (3) To allow cities and towns in an effort reduce expense and increase cash flow
263 and avert the need to purchase short term notes be allowed to issue discounted municipal
264 corporation bills for 3 months, 6 months, 9 months and 12 months funded to the extent of ninety
265 percent of the interest expense budget of the community to its residents and owners of
266 commercial and industrial entity taxed by the municipal corporation;

267 (4) That the cities and towns of the commonwealth of Massachusetts be granted
268 the authority to issue discounted short term securities called municipal corporation
269 bills (munibills) that are tax exempt not subject to state taxes to reduce the need for the municipal
270 corporations to seek the use of short term notes to offset expense under the advisory guise of the
271 department of revenue, the state treasurer, and audited by the state auditor's office or any other
272 agency prescribed by law;

273 (5) And that the treasurer of the municipal corporation acting on behalf of the
274 executive of the municipal corporation its chief financial officer or chief operating officer
275 facilitate the implementation of this Act in a timely manner and be required to file within the

276 annual report and with the department of revenue, state treasurer, state auditor and annual
277 summary of activity of the munibill activity and its benefit to the community or lack thereof at
278 the end of the fiscal year and cutoff date;

279 (6) And that the citizens and people doing business as part of the municipal
280 corporation be allowed to invest in these short term securities to reduce the need to borrow from
281 outside, increase the cash flow of the municipal corporation, and to accrue the benefit of a short
282 term tax exempt investment to the betterment f the community and its residents up to a limit of
283 5000 or the total real estate bill whichever is greater, pay the less than the face amount and at
284 maturity be paid/receive the full face amount;

285 (7)And upon maturity of the municipal corporation’s munibills the holder be
286 allowed to rollover the bill for the next three month period and up to 12 months and or apply the
287 matured value of the munibills face amount towards their annual total real and personal property
288 tax liability and/or receive the full face value in cash or other options acceptable to the municipal
289 corporation, its agents, and the state regulatory agencies;

290 (8)And that the municipal corporation keep the balance of the munibill receipts in
291 local banks doing business within the community and pay operating expenses from within its
292 interest expense budget to maintain this process and that it be audited annually and its expense be
293 taken out of existing appropriations related in use;

294 (9)And this Act be reviewed annually for the effective life of the municipal
295 corporation’s munibill program and its positive effect on cash flow, interest expense reduction
296 and the ability of its residents to accrue tax exempt interest and the ability to defray total real and
297 property tax payment otherwise the “sunset” of the this process shall be voted by the legislative
298 body after study in ten years subsequent to implementation with review by the appropriate state
299 agencies.

300 In sum, the passage of this Act will reflect favorably in the performance of tax burden
301 distribution, cash flow, expense reduction of the tax burden of property owners enhancing the
302 community’s ability with flexibility to deal with the changing economic and financial climates
303 that affect the entity itself and the ultimate end of their endeavors the people of their municipal
304 corporation and its Common Good for which government itself exist be it remembered;

305 (10) With the concurrence and acceptance of two thirds of the members of the
306 appropriate legislative branch such as the town meeting in a town or the city/municipal council
307 in a city or whatever entity allowed by statute to accept and execute this Act, let these options be
308 available to members of the body politic of every community in the commonwealth for the
309 Common Good of the community’s people by its policy makers.

310 (G) Notes and Bonds

311 And that members and property owners of the municipal corporation be allowed to invest
312 in short term municipal notes under the same terms given financial institutions for 2 to 10 years
313 on a discounted basis where the tax exempt proceed shall be paid on a calendar convenient to the
314 issuer and resident investor for denomination 10,000 and under by 1000; the same shall apply for
315 bonded indebtedness from 10 to 40 years, local investors shall have and be given the opportunity
316 to invest and accrue the benefits, tax exemption and reduce debt service costs to the community;

317 (H) Municipal stock

318 To amend or create Massachusetts General Law upon the approval of two-thirds of the
319 city/municipal council and/or town meeting to authorize the treasurer of the municipal
320 corporation to issue stock (similar to preferred stock) in the municipal corporation up to 50% of
321 the total valuation of the community/municipal entity to create a capital reserve
322 account/municipal stock fund or whatever name is appropriate in accordance with generally
323 accepted accounting principles the proceeds, not the principal, of which can be used to augment
324 but not totally appropriate/fund the principal and interest payments for communities/municipal
325 corporations expenditures for the following purposes: to augment the municipalities, school and
326 municipal building and repair programs (not annual maintenance) including libraries, city/town
327 halls, police and fire stations, water and sewer plants, stadia, and swimming, health, athletic
328 facilities or whatever can be categorized as a legitimate long term capital improvement that
329 further the public good and health of the municipal corporation and the Commonwealth and their
330 residents; the stock price shall be determined by the total valuation as of January 1 of the
331 calendar year divided by the population as of the most recent decennial census (stock price may
332 fluctuate from year to year); he proceeds may also be used to reduce short or long term debt at
333 higher rates; no proceeds from the issue shall be used for administrative personnel salaries nor
334 expense but rather all annual expenses other than those related to the initial issue must be borne
335 by the municipal entity in the chief financial officers/treasurer's office and/or municipal budget;
336 stock may be purchased by residents, business owners, land owners, and employees of the
337 municipal entity/corporation in suggested share denominations of no less than 100; the amount
338 of debt liability must not exceed the total of combined inside and outside debt allowed to the
339 community under statute and can be exceeded only exceptional purposes deemed acceptable and
340 only with approval by the department of revenue, division of local services and only to a level
341 not to exceed 10% of the total valuation whichever is greater; dividend/proceeds/interest shall be
342 paid at a rate of ½ percent less than the discount rate annually or at a regularity allowed by
343 statutes and shall be exempt from federal and state taxes and the applicable local tax
344 commitment; the Commonwealth must take the necessary steps state and/or federal legislation be
345 introduced or whatever the case may be to make the dividends/proceeds/interest exempt from
346 federal, state, and local taxes; all issued municipal stock must be held for at least one year of
347 purchase and then may be redeemed with the appropriate applicable interest accrued to the
348 purchaser; with the principal, municipalities/municipal corporations may/can purchase/invest
349 securities and can invest in financial instruments and conduct financial transactions within the

350 confines of federal and state financial statutes and the legal list promulgated by the division of
351 banks and securities division of the secretary of state, preferably nine-tenths of issue/portfolio in
352 government bills, notes, and bonds; capital reserve account will be the responsibility of the chief
353 financial officer and/or treasurer of the municipal entity; this account shall be subject to regular
354 audit by the department of revenue, state auditor, secretary of state securities division, and
355 division of banks or specific agency deemed appropriate by the General Court and any expenses
356 incurred by the agencies shall be paid by the proceeds of the principal of the capital reserve
357 account; the expense of the initial municipal stock issue/offering shall be borne by the issuing
358 municipal corporation and may be recovered after the first full year of operation/investment to
359 the issuer/municipal corporation as well as any expenses incurred by the municipal corporation
360 throughout the subscription process including bond counsel, underwriters, insurers, brokers,
361 investment banks, rating agencies and other relevant entities not mentioned; private auditing of
362 the municipal stock fund must be performed on a biennial basis and may be performed annually
363 ad expensed by the proceeds; any ongoing protection of stock fund requiring insurance may be
364 expensed by the proceeds provided it is required by statute and or recommend by the division of
365 insurance and/or the appropriate auditing entity private and/or public or both.

366 And that the retirement boards of each municipality invest in their community;

367 (I) Charter Review

368 By amending c. 43C in order to conserve and maximize valuable local resources in bad
369 and good times, and to allow the creation of the following new forms of municipal and regional
370 governments with a study assigned to appropriate committee:

371 Apart from the current forms already offered, and those that can be modified by “home
372 Rule” amendment to the Constitution of Massachusetts thru article 89, these new forms of
373 municipal corporate governance be forged around the current representational and senatorial
374 districts already in place and that a formal county governmental structure and structure be
375 considered to offer a more expanded regional form as well be studied to enhance non-
376 redundancy of non-essential and essential services wherever practicable for the benefit of the
377 body politic and the conservation and efficient use of services during these times of rising
378 interest rates, potential population migration, erosion of real property values, the rising cost of
379 health care and retirements, oil related expense, and other increasing expense and the
380 maximization of local and state revenues; but that the current forms of government within these
381 representational administrative alternative formats be preserved.

382 The Form of Representational District Government a Study for example

383 It shall be comprised of representative of the executive branch to form an executive
384 commission the weight of which shall be proportioned by population in relation to the whole of
385 the district; the legislative branch shall be comprised of representative of the local legislative,
386 meeting and/or council, and be chosen by the membership of each respective house of the

387 people; executive branch to form a legislative branch unitary in initial composition the weight of
388 which shall be proportioned by population in relation to the whole of the district and the total
389 real value of each community within the district's area; and that a charter be drawn by a
390 committee of not more than two one persons of each community who shall serve with chosen
391 members of the executive and legislative branch to create a basic working document for the
392 districts form and operation apart from the constraints of the signatories to such a charter
393 commission and subject to calendrial constraints to deliberate and form a representational
394 government of form and funding to be determined by the committee and ratified by a vote of the
395 district, representational at first;

396 The same process shall apply for the senatorial district as well as the county district and
397 regional districts; all funds needed shall be apportioned proportionately to the member
398 communities with assistance monetary at the sum suggested by the appropriate legislative
399 committee and appropriated in the annual budget;

400 The efficacy of such forms viably taking form and operations in light of the times and in
401 anticipation of the future exigencies shall take the format of similar studies conducted on
402 taxation where the history an performance of the current forms are reviewed in terms of
403 redundancy and to identify areas where the taxpayer can be best served in the future; the
404 initiation of which shall be at the sole pleasure of the legislative representatives of the people in
405 the General Court and in the event of favorable passage as an Act incorporated into General
406 Law(s), be put before the districts voters for ratification of the forms of alternate governance
407 with the appropriate and necessary explanation of its/their merits towards the public good and
408 further to the public purpose to anticipate and prepare for more severe times scarce resources or
409 for simple to pare the redundancy at reasonable costs.

410 And finally, that the study be conducted under the guise of our state's preamble and with
411 "with the end of the institution" in mind and new "social, and administration compacts be created
412 to cope with the changes in our region and demands of a global marketplace to stay competitive,
413 safe and happy.

414 To this end I offer this section within this section of this Act;

415 Article LXXXIX

416 And that regular periodic review of the performance and practices of local government be
417 instituted;

418 (J) Cable Television

419 And that pay-/per-/view programming at event prices be instituted on a pilot basis and
420 proceeds be set aside in a separate fund;

421 (K) Public Education

422 And that school calendar changes investigated to reduce costs;

423 (L) Health Care

424 And that the municipal corporations, cities and towns, be allowed grant abatement and
425 exemptions to senior citizens,55 and older and/or an age group deemed appropriate to the
426 General Court, for the purpose of promoting and acquiring for each individual, senior and
427 elderly, the health care benefit of exercise; and that each municipal corporation, city and town,
428 be allowed to purchase basic health care equipment for senior centers and/or building for the like
429 the purpose of promoting health care amongst seniors and the elderly on a daily basis and receive
430 some reimbursement for equipment expenditures to a maximum of one half up to \$5000.00, in
431 order to promote health care daily and the expense reduction of local cities and towns expense
432 and Medicaid, and Medicare toward creating a more fit population within the Commonwealth of
433 Massachusetts.

434 (M) Amending c. 40A, 40R, 40S, and other relevant statutes;

435 Section one

436 And that to allow the establishment of a “healthy homes” category within the zoning by-
437 law to promote healthy lifestyles within the community;

438 Amending c. 59, s. 59-60, and other relevant statutes;

439 Section two

440 And that to allow municipal corporations, cities and towns, to grant abatement to
441 homeowners for the establishment and maintenance of home exercise rooms. Home exercise
442 rooms comprised of basic exercise machines such as treadmills, stairmasters, , stationery
443 bicycles and the like, anything type of exercise machine that promotes good health through
444 exercise and found in major gymnasiums. A standard abatement of whatever amount the
445 General Court so deems by the assessors, the board, of the municipal corporations, the cities and
446 towns of the Commonwealth for the promotion of good health and reduction of health related
447 expense.

448 Section Three

449 This act will amend and/or create new Massachusetts General Law relative to Revenue
450 and Income Tax, and Healthcare/Financing to allow the Commonwealth of the Massachusetts to
451 grant income tax deductions on the annual income tax filing to individuals who itemize and
452 purchase exercise equipment or the purpose of establishing home exercise rooms/areas and/or for
453 personal health where there is no home health room and the criteria not met to establish a home
454 exercise area/room one within one’s residence. Upon the approval of the General Court this
455 deduction can be applied to dba. filings,, small business, and the various type of corporate

456 filings for state income tax for the purpose of furthering health care amongst its
457 membership/employees and ultimate purpose of reducing the incidence of disease, improving the
458 general health of the body politick and reducing health care and health care related expense to
459 the citizens of the Commonwealth of Massachusetts;

460 Section four,

461 Amending c. 40A, 40R, 40S, 40Q and other relevant statutes;

462 That all local projects approved under the state's zoning statute, the local government
463 community shall estimate the infrastructure cost to the community in dollars;

464 (N) Section One

465 And that to allow ten taxpayers to petition the board of bank incorporation to allow the
466 division of banks and/or department of revenue and state auditor to audit and examine the
467 municipality in question for unusual circumstances for the protection, well being and to
468 satisfaction of the members of the body politick initiating the ten taxpayer inquiry. The purpose
469 is to insure the inhabitants of said municipality of the integrity of the financial process and to put
470 their agents on notice of their concern of the performance rendered to date. This ten taxpayer
471 group action shall be acted upon by the board of incorporation and in a meeting review the
472 request as to whether action by the division of banks and auditor shall be commenced. The ten
473 taxpayers shall be notified by the board of incorporation in thirty days or less, Saturdays and
474 Sundays counted, by certified mail to the town/city clerk of the municipality. The ten taxpayer
475 action being acknowledged positively by the board of bank incorporation the full examination
476 and full audit shall commence cooperatively at the earliest possible date by either agency or both
477 as allowed under c.