

**SENATE . . . . . No. 1046**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Richard T. Moore***

*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 to promote municipal collaboration and regionalization throughout the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Richard T. Moore</i>	<input type="checkbox"/> [District] <input type="checkbox"/>
<i>Bruce E. Tarr</i>	<input type="checkbox"/> [District] <input type="checkbox"/>
<i>Geraldo Alicea</i>	<i>6th Worcester</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>Karen E. Spilka</i>	<input type="checkbox"/> [District] <input type="checkbox"/>
<i>James E. Timilty</i>	<input type="checkbox"/> [District] <input type="checkbox"/>

**SENATE . . . . . No. 1046**

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By Mr. Moore, a petition (accompanied by bill, Senate, No. 1046) of Richard T. Moore, Geraldo Alicea, Carolyn C. Dykema, Jason M. Lewis and other members of the General Court for legislation to promote municipal efficiency and innovation through regional collaboration. Municipalities and Regional Government.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ SENATE  
□ , NO. 779 OF 2009-2010.]

**The Commonwealth of Massachusetts**

An Act to promote municipal collaboration and regionalization throughout the Commonwealth.

*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. The following terms shall have the following meanings:  
2 “Regional Planning Agencies”, all planning commissions in the commonwealth,  
3 specifically: “Berkshire Regional Planning Commission”, established under Section 3 of chapter  
4 40B of the General Laws; “Cape Cod Commission”, established under chapter 716 of the Acts of  
5 1989; “Central Massachusetts Regional Planning Commission”, established under Section 3 of  
6 said chapter 40B; “Franklin Regional Council of Governments”, established under Section 567  
7 of chapter 151 of the Acts of 1996, and as amended by chapter 344 of the Acts of 1998;  
8 “Martha’s Vineyard Commission”, established under chapter 831 of the Acts of 1977, and as  
9 amended by chapter 317 of the Acts of 1979; “Merrimack Valley Planning Commission”,  
10 established under Section 3 of said chapter 40B; “Metropolitan Area Planning Council”,  
11 established under Section 26 of said chapter 40B; “Montachusett Regional Planning  
12 Commission”, established under Section 3 of said chapter 40B; “Nantucket Planning and  
13 Economic Development Commission”, established under chapter 561 of the Acts of 1973, and as  
14 amended by chapter 98 of the Acts of 1981 and chapter 458 of the Acts of 1991; “Northern  
15 Middlesex Council of Governments”, established under Section 3 of said chapter 40B, and as  
16 amended by chapter 357 of the Acts of 1972, chapter 14 of the Acts of 1974 and chapter 420 of  
17 the Acts of 1989; “Old Colony Planning Council”, established under chapter 332 of the Acts of

18 1967, and as amended by chapter 663 of the Acts of 1973; “Pioneer Valley Planning  
19 Commission”, established under Section 3 of said chapter 40B, and “Southeastern Regional  
20 Planning and Economic Development District”, established under Section 9 of said chapter 40B.

21 SECTION 2. The Governor shall direct all executive branch agencies,  
22 commissions and departments to evaluate all grant, loan, and technical assistance programs  
23 administered by such for opportunities to promote, facilitate and implement inter-municipal  
24 cooperation, collaboration, and regional service delivery at the local level.

25 Each department, agency, and commission within the executive branch shall provide  
26 evaluation results to the Governor within ninety (90) days, with the goal to identify opportunities  
27 to leverage state resources to promote regional, efficient solutions to common problems.  
28 Independent agencies and commissions are encouraged to undertake similar evaluations of any  
29 grant, loan, or technical assistance program administered by them.

30 SECTION 3. The Governor shall direct the chairman of the Municipal Affairs  
31 Coordinating Cabinet to evaluate departmental programs for opportunities to increase  
32 collaboration between communities, and make recommendations to the Governor on the most  
33 promising opportunities that would achieve the aforementioned aims of efficient and enhanced  
34 local government service delivery.

35 SECTION 4. Notwithstanding any general or special law to the contrary, any  
36 executive agency which administers a program through which funding may be provided to a  
37 municipality, shall encourage municipal efficiencies by prioritizing those applications for funds  
38 which come from cities or towns that have developed a method by which to jointly and more  
39 efficiently utilize such funding.

40 SECTION 5. Section 22A of chapter 7 of the General Laws is hereby amended  
41 by striking the words “the state purchasing agent subject to such rules, regulations and  
42 procedures as may be established from time to time by the purchasing agent” and inserting in  
43 place thereof the following words:-

44 the state purchasing agent or a regional planning agency established pursuant to chapter  
45 40B of the General Laws or special act, subject to such rules, regulations and procedures as may  
46 be established from time to time by said purchasing agent or regional planning agency.

47 SECTION 6. The Governor shall direct the executive office of administration  
48 and finance to amend 801 C.M.R. 21.00 to state that contracts between regional planning  
49 agencies and any Executive Office, Department, Agency, Office, Division, Board, Commission  
50 or Institution within the Executive Branch to provide or to receive services, facilities, staff  
51 assistance or money payments shall be the equivalent of interdepartmental service agreements  
52 and exempt from the provisions of 801 C.M.R. 21.00.

53 SECTION 7. The General Laws are hereby amended by inserting after the  
54 second paragraph of Section 5 of chapter 40B the following paragraphs:-

55 Notwithstanding the provisions of any other section in this chapter, planning  
56 commissions established hereunder may administer and provide regional services to member  
57 cities and towns and may delegate such authority to subregional groups of such cities and towns.  
58 Planning commissions may enter into cooperative agreements with other planning commissions  
59 or regional councils of government to provide such regional services.

60 Regional services provided to member municipalities shall be determined by each  
61 planning commission's executive committee, and may include any service which may be  
62 provided by the municipality or any other public entity in the commonwealth. In the event that  
63 an executive committee has not been established, such services shall be determined by the  
64 district planning commission.

65 Notwithstanding the provisions of any other section in this chapter, any city or town  
66 which is a member of the planning commission may enter into a cooperative agreement with said  
67 commission to perform jointly or for the other or in cooperation with other member cities and  
68 towns, any service, activity or undertaking which such city or town is authorized by law to  
69 perform.

70 All cooperative agreements entered into pursuant to this section by member cities and  
71 towns are voluntary, and notwithstanding any other law, require authorization by the relevant  
72 Board of Selectmen or City Council, with the approval of the mayor.

73 Notwithstanding the provisions of any other section in this chapter, planning  
74 commissions are authorized to enter into contracts and agreements with any department, agency  
75 or subdivision of the federal or state government and any individual, corporation, association or  
76 public authority to provide or receive services, facilities, staff assistance or money payments in  
77 connection with the work of planning commissions, and planning commissions may contribute  
78 or receive services, facilities, staff assistance or money payments as consideration such contracts  
79 and agreements.

80 SECTION 8. Section 14 of said chapter 40B, as so appearing, is hereby  
81 amended by inserting after subsection (o) the following subsections:-

82 (p) notwithstanding the provisions of any other section in this chapter, to  
83 administer and provide regional services to member cities and towns and may delegate such  
84 authority to subregional groups of such cities and towns. The commission may enter into  
85 cooperative agreements with other planning commissions or regional councils of government to  
86 provide such regional services. Regional services provided to member municipalities shall be  
87 determined by the executive committee and may include any service which may be provided by  
88 the municipality or any other public entity in the commonwealth.

89 (q) notwithstanding the provisions of any other section in this chapter, any city  
90 or town which is a member of the district may enter into a cooperative agreement with the  
91 commission to perform jointly or for the other or in cooperation with other member cities and  
92 towns, any service, activity or undertaking which such city or town is authorized by law to  
93 perform.

94 (r) all cooperative agreements entered into pursuant to subsection (p) or (q) of  
95 this section by member cities and towns are voluntary, and notwithstanding any other law,  
96 require authorization by the relevant Board of Selectmen or City Council, with the approval of  
97 the mayor.

98 SECTION 9. Said chapter 40B is hereby further amended by inserting after the  
99 final paragraph of Section 29 the following sections:-

100 Section 29A. Notwithstanding the provisions of any other section in this  
101 chapter, the council is authorized to administer and provide regional services to member cities  
102 and towns and may delegate such authority to subregional groups of such cities and towns. The  
103 council may enter into cooperative agreements with other planning commissions or regional  
104 councils of government to provide such regional services.

105 Regional services provided to member municipalities shall be determined by  
106 the executive committee and may include any service which may be provided by the  
107 municipality or any other public entity in the commonwealth.

108 Section 29B. Notwithstanding the provisions of any other section in this  
109 chapter, any city or town which is a member of the council may enter into a cooperative  
110 agreement with said council to perform jointly or for the other or in cooperation with other  
111 member cities and towns, any service, activity or undertaking which such city or town is  
112 authorized by law to perform.

113 Section 29C. All cooperative agreements entered into by member cities and  
114 towns pursuant to Section 29A or Section 29B are voluntary, and notwithstanding any other law,  
115 require authorization by the relevant Board of Selectmen or City Council, with the approval of  
116 the mayor.

117 SECTION 10. Section 4 of chapter 716 of the Acts of 1989 is hereby amended  
118 by inserting after subsection (a)(27) the following subsections:-

119 (28) notwithstanding the provisions of any other section of this chapter, to  
120 administer and provide regional services to member cities and towns and may delegate such  
121 authority to subregional groups of such cities and towns. The commission may enter into  
122 cooperative agreements with other planning commissions or regional councils of government to  
123 provide such regional services. Regional services provided to member municipalities shall be

124 determined by the commission and may include any service which may be provided by the  
125 municipality or any other public entity in the commonwealth.

126 (29) notwithstanding the provisions of any other section in this chapter, any  
127 city or town which is a member of the commission may enter into a cooperative agreement with  
128 said commission to perform jointly or for the other or in cooperation with other member cities  
129 and towns, any service, activity or undertaking which such city or town is authorized by law to  
130 perform.

131 (30) all cooperative agreements entered into by member cities and towns  
132 pursuant to subsections (28) and (29) of this section are voluntary, and notwithstanding any other  
133 law, require authorization by the relevant Board of Selectmen or City Council, with the approval  
134 of the mayor.

135 (31) notwithstanding the provisions of any other section in this chapter, the  
136 commission is authorized to

137 enter into contracts and agreements with any department, agency or subdivision of the  
138 federal or state government and any individual, corporation, association or public authority to  
139 provide or receive services, facilities, staff assistance or money payments in connection with the  
140 work of the commission, and the commission may contribute or receive services, facilities, staff  
141 assistance or money payments as consideration such contracts and agreements.

142 SECTION 11. Section 3 of chapter 831 of the Acts of 1977 is hereby amended  
143 by inserting after the fourth paragraph the following section:-

144 Section 3A. Notwithstanding the provisions of any other section of this chapter,  
145 the commission may administer and provide regional services to member cities and towns and  
146 may delegate such authority to subregional groups of such cities and towns. The commission  
147 may enter into cooperative agreements with other planning commissions or regional councils of  
148 government to provide such regional services.

149 Regional services provided to member municipalities shall be determined by  
150 the commission and may include any service which may be provided by the municipality or any  
151 other public entity in the commonwealth.

152 Notwithstanding the provisions of any other section in this chapter, any city or  
153 town which is a member of the commission may enter into a cooperative agreement with said  
154 commission to perform jointly or for the other or in cooperation with other member cities and  
155 towns, any service, activity or undertaking which such city or town is authorized by law to  
156 perform.

157 All cooperative agreements entered into by member cities and towns pursuant  
158 to Section 3A are voluntary, and notwithstanding any other law, require authorization by the  
159 relevant Board of Selectmen or City Council, with the approval of the mayor.

160 Notwithstanding the provisions of any other section in this chapter, the  
161 commission is authorized to enter into contracts and agreements with any department, agency or  
162 subdivision of the federal or state government and any individual, corporation, association or  
163 public authority to provide or receive services, facilities, staff assistance or money payments in  
164 connection with the work of the commission, and the commission may contribute or receive  
165 services, facilities, staff assistance or money payments as consideration such contracts and  
166 agreements.

167 SECTION 12. Section 2 of chapter 561 of the Acts of 1973 is hereby amended  
168 by inserting after the first paragraph the following paragraphs:-

169 Notwithstanding the provisions of any other section in this chapter, the  
170 Commission may administer and provide regional services to the county and town. The  
171 Commission may enter into cooperative agreements with other planning commissions or regional  
172 councils of government to provide such regional services.

173 Regional services provided to the county and town shall be determined by the  
174 Commission and may include any service which may be provided by the municipality or any  
175 other public entity in the commonwealth.

176 Notwithstanding the provisions of any other section in this chapter, the county and town  
177 which is a member of the Commission may enter into a cooperative agreement with said  
178 Commission to perform jointly any service, activity or undertaking which such county or town is  
179 authorized by law to perform.

180 All agreements entered into by the county or town pursuant to this section are  
181 voluntary, and notwithstanding any other law, require authorization by the Board of Selectmen.

182 Notwithstanding the provisions of any other section in this chapter, the  
183 Commission is authorized to enter into contracts and agreements with any department, agency or  
184 subdivision of the federal or state government and any individual, corporation, association or  
185 public authority to provide or receive services, facilities, staff assistance or money payments in  
186 connection with the work of the Commission, and the Commission may contribute or receive  
187 services, facilities, staff assistance or money payments as consideration such contracts and  
188 agreements.

189 SECTION 13. Section 2 of chapter 332 of the Acts of 1967 is hereby amended  
190 by inserting after the seventh paragraph the following section:-

191 Section 2A. Notwithstanding the provisions of any other section in this chapter,  
192 the Council may administer and provide regional services to member cities and towns and may  
193 delegate such authority to subregional groups of such cities and towns. The Council may enter  
194 into cooperative agreements with other planning commissions or regional councils of  
195 government to provide such regional services.

196 Regional services provided to member municipalities shall be determined by  
197 the Council and may include any service which may be provided by the municipality or any  
198 other public entity in the commonwealth.

199 Notwithstanding the provisions of any other section in this chapter, any city or  
200 town which is a member of the Council may enter into a cooperative agreement with said  
201 Council to perform jointly or for the other or in cooperation with other member cities and towns,  
202 any service, activity or undertaking which such city or town is authorized by law to perform.

203 All agreements entered into by member cities and towns pursuant to this  
204 section are voluntary, and notwithstanding any other law, require authorization by the relevant  
205 Board of Selectmen or City Council, with the approval of the mayor.

206 SECTION 14. Subsection (U) of Section 567 of chapter 151 of the Acts of  
207 1996 is hereby amended by inserting after the first paragraph the following paragraphs:-

208 Notwithstanding the provisions of this chapter, the Franklin Council of  
209 Governments may administer and provide regional services to member cities and towns and may  
210 delegate such authority to subregional groups of such cities and towns. The Council of  
211 Governments may enter into cooperative agreements with other planning commissions or  
212 regional councils of government to provide such regional services.

213 Regional services provided to member municipalities shall be determined by  
214 the Council of Governments Committee and may include any service which may be provided by  
215 the municipality or any other public entity in the commonwealth.

216 All agreements entered into by member cities and towns pursuant to this  
217 section are voluntary, and notwithstanding any other law, require authorization by the relevant  
218 Board of Selectmen or City Council, with the approval of the mayor.

219 Notwithstanding the provisions of any other section in this chapter, the Franklin  
220 Council of Governments is authorized to enter into contracts and agreements with any  
221 department, agency or subdivision of the federal or state government and any individual,  
222 corporation, association or public authority to provide or receive services, facilities, staff  
223 assistance or money payments in connection with the work of the commission, and the  
224 commission may contribute or receive services, facilities, staff assistance or money payments as  
225 consideration such contracts and agreements.

226 SECTION 15. Section 2 of chapter 40D of the General Laws is hereby  
227 amended by striking out, in the first paragraph, the words “a town at an annual meeting or a  
228 special meeting called for the purpose” and inserting in place thereof the following words:- by  
229 the board of selectmen, in a town.

230 SECTION 16. Said section 2 of said chapter 40D is hereby amended by striking  
231 out, in the third paragraph, the words “at an annual or special town meeting” and inserting in  
232 place thereof the following words:- its board of selectmen.

233 SECTION 17. Section 3 of chapter 121C of the General Laws is hereby  
234 amended by striking out the words “a town at an annual town meeting or a special town meeting  
235 called for the purpose” and inserting in place thereof the following words:- by the board of  
236 selectmen in a town.

237 SECTION 18. Section 30B of chapter 41, as amended by section 26 of Chapter  
238 188 of the Acts of 2010, is hereby amended by striking out the words “by vote of their legislative  
239 bodies” and inserting in place thereof the following words:- by vote of the city council with the  
240 approval of the mayor, in a city, and by vote of the board of selectmen, in a town.

241 SECTION 19. Section 27B of chapter 111, is hereby amended by striking out  
242 the words “and by vote of a town at a regular annual town meeting” and inserting in place  
243 thereof the following words:- and by a vote of the board of selectmen.

244 SECTION 20. Said section 27B of said chapter 111 is hereby amended by  
245 striking the words “at a town meeting” and inserting in place thereof the following:- by vote of  
246 the board of selectmen.

247 SECTION 21. Section 44A of chapter 40, is hereby amended by striking out  
248 the words “a town meeting” and inserting thereof the following words:- the board of selectmen.

249 SECTION 22. Said section 44A of said chapter 40, is hereby amended by  
250 striking the word “moderator” and inserting in place thereof the following words:- board of  
251 selectmen.

252 SECTION 23. Said section 44A of said chapter 40, is hereby amended by  
253 striking Section 44E and inserting in place thereof the following section:-

254 Section 44E. The selectmen of each of the several towns, upon receipt of a  
255 recommendation that a regional refuse disposal district be established, shall vote on accepting  
256 such plan. The mayors of the several cities, upon receipt of a recommendation that a regional  
257 refuse disposal district be established, shall submit the question of accepting such plan to the city  
258 council within sixty days after receipt of the recommendation.

259                   If a majority of the members of each city council voting on the question and the  
260 board of selectmen in each town shall vote in the affirmative, the proposed regional refuse  
261 disposal district shall be deemed to be established forthwith in accordance with the terms of the  
262 proposed agreement.”

263                   SECTION 24. Subsection subsection (f) of said section 44 of said chapter is  
264 hereby amended by striking the words “a majority of the voters present and voting on the matter  
265 at a town meeting called for the purpose of expressing such disapproval” and inserting in place  
266 thereof the following words:- the board of selectmen.

267                   SECTION 25. Section 3 of chapter 115, is hereby amended by striking out the  
268 last sentence in the first paragraph and inserting in place thereof the following sentence:-

269                   Two or more municipalities may, by approval of the mayor or manager in a city  
270 or by vote of the board of selectmen in a town, appoint one person to serve as veterans’ agent for  
271 such municipalities and may apportion the payment of compensation among such municipalities.

272                   SECTION 26. Section 10 of said chapter 115, is hereby amended by striking  
273 out the first sentence of the second paragraph and inserting in place thereof the following  
274 sentence:-

275                   Two or more municipalities may, in a city by vote of the city council thereof,  
276 and in a town by vote of the selectmen thereof, form a district for the purposes set forth in the  
277 first paragraph of this section, including the appointment and compensation of a director of  
278 veterans’ services, for the enforcement therein of such purposes and of such other provisions of  
279 law as it may be his duty to enforce.

280                   SECTION 27. The General Laws are hereby amended by inserting after section  
281 4A of chapter 40 the following section:-

282                   Section 4A½. (a) For purposes of this section, the following words shall have the  
283 following meanings:-

284                   “Governmental unit”, a city, town or a regional school district, a district as defined in  
285 section 1A, a regional planning commission, however constituted, a regional transit authority  
286 established under chapter 161B, a water and sewer commission established under chapter 40N or  
287 by special law, a county, or a state agency as defined in section 1 of chapter 6A.

288                   “Joint powers agreement”, a contract specifying the terms and conditions of the joint  
289 exercise of powers and duties entered into by participating governmental units pursuant to the  
290 laws governing any such unit and the provisions of this section.

291                   “Region”, any geographically-designated area within which the powers and duties  
292 provided in a joint powers agreement shall be exercised.

293 (b) Notwithstanding any general law or special act to the contrary, the chief  
294 executive officer of a city or town, or a board, committee or officer authorized by law to execute  
295 a contract in the name of a governmental unit may, on behalf of the unit, enter into a joint powers  
296 agreement with another governmental unit for the joint exercise of any of their common powers  
297 and duties within a designated region. The joint powers agreement shall be authorized by the  
298 parties thereto in the following manner: in a city by the city council with the approval of the  
299 mayor, in a town by the board of selectmen and in a district by the prudential committee. A  
300 decision to enter into a joint powers agreement under this section, or to join an existing region,  
301 shall not be subject to bargaining under chapter 150E.

302 (c) The joint powers agreement shall specify:

303 (1) its purpose and the method by which the purpose sought shall be  
304 accomplished;

305 (2) the services, activities or undertakings to be jointly performed  
306 within the region;

307 (3) the specific organization, composition and nature of any separate  
308 legal or administrative entity created thereby to perform the services, activities or undertakings  
309 within the region, and the specific powers and duties delegated thereto, provided such entity may  
310 be legally created. Such entity may include an independent entity created pursuant to subsection  
311 (d), a nonprofit corporation organized pursuant to chapter 180 whose membership is limited  
312 solely to the participating governmental units, a limited partnership organized pursuant to  
313 chapter 109 whose membership is limited solely to the participating governmental units, or a  
314 limited liability company organized under chapter 156C whose membership is limited solely to  
315 the participating governmental units. The funds of any such entity, corporation, limited  
316 partnership, or limited liability company shall be subject to audit in the manner provided by law  
317 for the auditing of public funds.

318 (4) the manner of financing the joint services, activities or  
319 undertakings within the region and of establishing and maintaining a budget therefore;

320 (5) any procedures related to the termination of the joint powers  
321 agreement, the withdrawal of any participating governmental unit and the addition of any new  
322 governmental units.

323 (6) its duration.

324 (d) A joint powers agreement may create a new independent entity for the  
325 purposes of carrying out the powers and duties of a region. The powers of an entity established  
326 pursuant to this subsection shall include, but not be limited to, the power to: (1) sue and be sued;  
327 (2) make and execute contracts and other instruments necessary for the exercise of the powers of

328 the region; (3) make and from time to time amend and repeal policies and procedures relative to  
329 the operation of the region; (4) receive and expend funds; (5) apply for and receive grants from  
330 the commonwealth, the federal government and from other grantors; and (6) any such other  
331 powers as are necessary to properly carry out its powers as an independent entity.

332 Such entity shall be governed by a board of directors comprised of at least one member  
333 representing each participating governmental unit. The board of directors shall coordinate the  
334 activities of the region and may establish any policies and procedures necessary to do so.

335 The board of directors shall establish and manage a fund to which all monies  
336 contributed by the participating governmental units, and all grants and gifts from the federal or  
337 state government or any other source shall be deposited. The board of directors shall appoint a  
338 treasurer who may be a treasurer of one of the participating governmental units. The treasurer,  
339 subject to the direction and approval of the board of directors, shall be authorized to receive,  
340 invest and disburse all funds of the region without further appropriation. The treasurer shall give  
341 bond for the faithful performance of his duties in a form and amount as fixed by the board of  
342 directors.

343 The board of directors may borrow money, enter into long or short-term loan  
344 agreements or mortgages and apply for state, federal or corporate grants or contracts to obtain  
345 funds necessary to carry out the purposes of the region. The board of directors may enter into  
346 contracts for the purchase of supplies, materials and services and for the purchase or lease of  
347 land, buildings and equipment as deemed necessary.

348 The entity shall be deemed to be a public employer and the board of directors  
349 may employ personnel to carry out the purposes of the joint powers agreement and establish the  
350 duties, compensation and other terms and conditions of employment of personnel.

351 (e) A participating governmental unit shall not liable for the acts or omission of  
352 another participating government unit or the region or any entity created by the joint powers  
353 agreement, unless the participating governmental unit has agreed otherwise in the joint powers  
354 agreement.

355 SECTION 28. There shall be established and set upon the books of the  
356 commonwealth a separate fund to be known as the Regionalization Incentive and  
357 Implementation Fund. Amounts credited to the fund shall be administered by the division of  
358 local services within the department of revenue which shall determine that the funds are used for  
359 activities consistent with the purpose of this act and the Massachusetts management and  
360 accounting report system. The amounts shall be used, without further appropriation, solely for  
361 the administration and implementation of this section.

362 The fund shall be a separate and expendable trust fund administered by the  
363 division of local services within the department of revenue. There shall be credited to the fund,

364 revenue from appropriations or other monies authorized by the general court and specifically  
365 designated to be credited to the fund and investment income earned on the fund's assets, and all  
366 other sources. Money remaining in the fund at the end of a fiscal year shall not revert to the  
367 General Fund, and shall be allocated to the fund the following fiscal year.

368                   One hundred percent of the monies deposited in the Regional Incentive and  
369 Implementation Fund, but not more than \$4,000,000.00 in the aggregate in any fiscal year, shall  
370 be used by the department of housing and community development within the executive office of  
371 housing and economic development to provide grants on a competitive basis to districts and  
372 municipalities, including councils of government and regional planning agencies that are  
373 applying on behalf of two or more municipal entities, to fund the regionalization of municipal  
374 services including, but not limited to, the areas of planning, implementation, transitional costs,  
375 staff, operations, equipment, hardware, facilities, the subsidization of salaries for positions to  
376 perform municipal functions jointly and projects to implement joint services, and related subject  
377 areas.

378                   Grant applications shall be reviewed by a panel including the department of  
379 housing and community development, executive office of administration and finance and  
380 department of revenue division of local services.

381                   The department of housing and community development shall promulgate rules  
382 and regulations for the administration of the Regionalization Incentive and Implementation Fund.