

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bruce E. Tarr***

*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 adoption of the accompanying bill:

An Act relative to employment contracts for town accountants and city auditors.

PETITION OF:

NAME:

*Bruce E. Tarr*

DISTRICT/ADDRESS:

*First Essex and Middlesex*

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

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By Mr. Tarr, a petition (accompanied by bill, Senate, No. ) of Bruce E. Tarr relative to employment contracts for town accountants and city auditors. Public Service.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1611 OF 2011-2012.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act relative to employment contracts for town accountants and city auditors.

*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. Delete from the first and third paragraphs of General Laws Chapter 41,  
2 section 108N the terms “town accountants” and “city auditor.”

3 SECTION 2. Amend Chapter 41 by adding a new section, Section 108Q, that reads:  
4 Section 108Q. Notwithstanding the provision of any general or special law to the contrary, any  
5 city or town acting through the Appointing Authority for its town accountant or city auditor,  
6 may establish an employment contract for a period of time to provide for the salary, fringe  
7 benefits, and other conditions of employment, including but not limited to, severance pay,  
8 relocation expenses, reimbursement for expenses incurred in the performances of duties or  
9 office, liability insurance, leave for its town accountant or city auditor or the person performing  
10 such duties having a different title and educational incentives, including but not limited to,

11 designation as a Certified Governmental Accountant by the Massachusetts Municipal  
12 Accountants' Association which may be established by the appropriating authority with or  
13 without a contract, funding subject to the local appropriating authority. Said contract shall be in  
14 accordance with and subject to the provisions of the city or town charter and shall prevail over  
15 any conflicting provision of any local personnel by-law, ordinance, rule, or regulation. In  
16 addition to the benefits provided municipal employees under chapters thirty-two and thirty-two  
17 B, said contract may provide for supplemental retirement and insurance benefits. Nothing  
18 contained in this section shall affect the appointment or removal powers of any city or town over  
19 its town accountant or city auditor, or such person performing such duties with a different title,  
20 nor shall it grant tenure to such officer, nor shall it abridge the provisions of section sixty-seven  
21 of chapter forty-four.