

HOUSE No. 2465

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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.