

HOUSE No. 3366

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

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:

1 SECTION 1. Section 14 of Chapter 16 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby further amended by striking said section and inserting in place thereof
3 the following:

4 Section 14. There shall be in the outdoor advertising division a board to be known as the
5 outdoor advertising board, consisting of three members, one to be appointed by the governor,
6 with the advice and consent of the council, one to be a member of organized labor in the outdoor
7 advertising industry to be recommended by the Greater Boston Central Labor Council, and the
8 third member to be the commissioner of highways, or an employee of the department of
9 highways to be designated by him from time to time as his representative on the board. It shall be
10 the duty of the commissioner of highways, or the employee of the department of highways
11 designated by him as his representative on the board, in addition to his other duties as member of
12 the board, to arrange for the co-operation of district engineers and other field employees of the
13 department of highways in reporting the location of billboards, signs or other advertising devices
14 along state highways, and in enforcing the rules and regulations of the board. The member of the

15 board to be appointed by the governor shall be designated to serve for two years from June first,
16 in the year of appointment. The member of organized labor shall be designated to serve for three
17 years from June first, in the year of appointment. Upon expiration of the term of such a member,
18 his successor shall be appointed in the manner aforesaid, for four years. The governor shall from
19 time to time designate one of the members as chairman of the board, and, with the advice and
20 consent of the council, may remove any appointed member for cause, and, with like advice and
21 consent, shall fill any appointive vacancy for the unexpired term, subject to the recommendation
22 process described in this section. Each member shall hold office until the appointment and
23 qualification of his successor. Whenever any action by the board is required to be in writing,
24 such writing shall be sufficient when signed by any two of the members. The board shall make
25 an annual report for the preceding calendar year, setting forth the number of permits granted, the
26 number of permits refused, the number of hearings held, the number of illegal signs removed,
27 and other relevant matters, to the general court and to the commissioner of highways in January
28 of each year. The chairman of the board shall receive from the commonwealth as compensation
29 the sum of sixty-two dollars and fifty cents for each day spent in the performance of his official
30 duties, but not exceeding forty-three hundred and seventy-five dollars in any one year, and the
31 other member recommended by the Greater Boston Central Labor Council shall receive the sum
32 of fifty dollars for each such day, but not exceeding thirty-five hundred dollars in any one year.
33 Each member of the board shall be reimbursed for necessary expenses incurred by him in the
34 performance of his official duties. No member who is regularly employed by the commonwealth
35 shall receive compensation for his services as member of the board, but may be reimbursed for
36 necessary expenses incurred by him in the performance of his official duties as member of the
37 board as aforesaid. The board shall appoint, subject to chapter thirty-one, an officer, to be known

38 as the executive director, who shall be the administrative and executive officer in charge of all
39 administrative and executive details.

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

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