

# SENATE . . . . . No. 1051

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Michael J. Rodrigues***

*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 to clarify the meeting requirements for municipal boards ..

PETITION OF:

NAME:

*Michael J. Rodrigues*

DISTRICT/ADDRESS:

# SENATE . . . . . No. 1051

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By Mr. Rodrigues, petition (accompanied by bill, Senate, No. 1051) of Rodrigues for legislation to clarify the meeting requirements for municipal boards [Joint Committee on Municipalities and Regional Government].

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2004 OF 2009-2010.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act to clarify the meeting requirements for municipal boards ..

*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. Chapter 39 of the General Laws is hereby amended by striking out Section  
2   23D(a) and replacing it with the following:

3           Notwithstanding any general or special law to the contrary, a member of any municipal  
4   board, committee or commission when holding a public hearing shall not be disqualified from  
5   voting in the matter solely due to that member's absence from a session of the hearing at which  
6   testimony or other evidence is received, provided that, in a hearing extending over multiple  
7   sessions, a member may miss up to, but no more than, one quarter of the total number of sessions  
8   at which testimony or other evidence is received. Before any such vote, the member shall certify  
9   in writing that he or she has examined all evidence received at the missed session or sessions,  
10   which evidence shall include an audio or video recording of the missed session or a transcript

- 11    thereof. The written certification shall be part of the record of the hearing. Nothing in this
- 12    section shall change, replace, negate, or otherwise supersede applicable quorum requirements