

HOUSE No. 3936

The Commonwealth of Massachusetts

PRESENTED BY:

Robert A. DeLeo

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 establishing a district to operate a regional public safety communications and dispatch center for the city known as the city of Revere and the town of Winthrop.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------|---------------------|-----------------|
| <i>Robert A. DeLeo</i> | <i>19th Suffolk</i> | <i>2/6/2014</i> |

HOUSE No. 3936

By Mr. DeLeo of Winthrop, a petition (subject to Joint Rule 12) of Robert A. DeLeo (by vote of the town) that the town of Winthrop be authorized to enter into an agreement with the city of Revere to operate a regional public safety communications and dispatch center. Public Safety and Homeland Security. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act establishing a district to operate a regional public safety communications and dispatch center for the city known as the city of Revere and the town of Winthrop.

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. (a) The city known as the City of Revere and the town of Winthrop may,
2 through their respective city council and town council, enter into a written agreement for the
3 purpose of establishing a district to construct, equip, operate and maintain a consolidated
4 regional public safety communications and dispatch center. The written agreement shall provide
5 for the management of the district by a board of directors to be comprised of the chief
6 administrative officer of each member city or town. The agreement shall set forth the financial
7 terms and conditions of membership of the district and the powers and duties of the board of
8 directors and shall provide for the operation of a regional public safety communications and
9 dispatch center and any other matters not incompatible with law.

10 (b) The district shall be deemed to be a public entity and shall have the power to sue and
11 be sued, but only to the same extent and upon the same conditions that a city or town may be
12 sued.

13 (c) The district shall be a public employer and may employ personnel to carry out the
14 purposes of the district and may establish the duties, compensation and other terms and
15 conditions of employment of personnel.

16 (d) The district may borrow money, enter into long-term or short-term loan agreements or
17 mortgages and apply for state, federal or corporate grants or contracts to obtain funds necessary
18 to carry out the purposes of the center.

19 (e) The district may enter into contracts to provide services to non-member municipalities
20 and private parties.

21 (f) The board of directors may enter into contracts for the purchase of supplies, materials
22 and services and for the purchase or lease of land, buildings and equipment as deemed necessary.

23 (g) The board of directors shall adopt an annual operating budget and shall have the
24 authority to assess member municipalities for their share thereof and to employ all available legal
25 remedies and other lawful means to collect said assessments.

26 (h) The board of directors shall establish and manage a fund to which all monies
27 contributed by the city and town, and all grants and gifts from the federal or state government or
28 any other shall be deposited. The board of directors shall appoint a treasurer who may be a
29 treasurer of 1 of the city or town. The treasurer, subject to the direction and approval of the board
30 of directors, may receive, invest and disburse all funds of the district without further
31 appropriation. The treasurer shall give bond for the faithful performance of the treasurer's duties
32 in a form and amount as fixed by the board of directors.

33 (i) Notwithstanding section 16 of chapter 30B of the General Laws, section 3 of chapter
34 40 of the General Laws or any other general or special law to the contrary, any member city or
35 town may sell, lease or license to the district any emergency communication center facility or
36 building and any land appurtenant thereto or used in connection therewith or any other land or
37 other property useful for the purposes of the district and any such city or town may authorize
38 such sale, lease or license. In case of a sale, the price and times of payment and the method by
39 which the cities and towns, other than the selling city or town, shall be assessed for such
40 payment shall be set forth in the written agreement establishing the district or an amendment
41 thereto; provided, however, that no payments shall be made which shall extend over a period in
42 excess of 25 years. In the case of a lease or license, the rental or license may be for a term not in
43 excess of 25 years, and may contain provisions for the extension of the lease or license for an
44 additional term or terms not in excess of 25 years, at the option of the board of directors.

45 (j) The written agreement establishing the district may make provision for the method of
46 termination of the district and may also provide procedures for the addition of new member cities
47 or towns or for the withdrawal of cities or towns.

48 SECTION 2. This act shall take effect upon its passage.