

**HOUSE . . . . . No. 3635**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Timothy R. Whelan and Julian Cyr*

*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 department of municipal finance in the town of Dennis.

PETITION OF:

| NAME:                    | DISTRICT/ADDRESS:       | DATE ADDED:      |
|--------------------------|-------------------------|------------------|
| <i>Timothy R. Whelan</i> | <i>1st Barnstable</i>   | <i>1/16/2019</i> |
| <i>Julian Cyr</i>        | <i>Cape and Islands</i> | <i>1/23/2019</i> |

**HOUSE . . . . . No. 3635**

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By Representative Whelan of Brewster and Senator Cyr, a joint petition (accompanied by bill, House, No. 3635) of Timothy R. Whelan and Julian Cyr (by vote of the town) that the town of Dennis be authorized to establish a department of municipal finance. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

An Act establishing a department of municipal finance in the town of Dennis.

*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. There shall be a department of municipal finance in the town of Dennis,  
2           which shall be responsible for the performance of all fiscal and financial activities of the town,  
3           including those duties and responsibilities related to municipal finance activities which prior to  
4           the effective date of this act were performed by or under the authority of the town accountant and  
5           the town treasurer-collector. The board of assessors and director of assessing shall be part of the  
6           department of municipal finance, however, the board of assessors shall continue to exercise all of  
7           the duties and responsibilities of a board of assessors under the General Laws, except as  
8           otherwise provided in section 3 of this act. The department of municipal finance shall have such  
9           additional powers, duties and responsibilities with respect to municipal finance-related functions  
10          and activities as the town may from time to time provide by by-law.

11           SECTION 2. The department of municipal finance shall be under the direct control and  
12          supervision of a director of municipal finance who shall be appointed by and be responsible to

13 the board of selectmen. The director of municipal finance shall be a person especially fitted by  
14 education, experience and training to perform the duties of the office. The educational  
15 qualifications shall consist of a Master's degree, preferably in accounting or business  
16 administration, granted by an accredited degree-granting college or university. The professional  
17 experience shall include at least 3 years of prior full-time compensated service in accounting or  
18 business administration. Alternatively, 5 years or more of such professional experience and a  
19 Bachelor's degree in an appropriate discipline shall qualify an applicant. Seven years or more of  
20 prior full-time compensated experience in accounting or business administration shall also  
21 qualify any applicant. The salary, fringe benefits and other conditions of employment of the  
22 director of municipal finance, including but not limited to, severance pay, relocation expenses,  
23 reimbursement for expenses incurred in the performance of their duties or office, liability  
24 insurance, conditions of discipline, termination, dismissal, reappointment, performance standards  
25 and leave may be established by contract.

26 SECTION 3. The director of municipal finance shall be responsible for the supervision  
27 and coordination of all activities of the department in accordance with the General Laws, town  
28 by-laws, administrative codes and rules and regulations. The director of municipal finance may  
29 serve as the town accountant and have all the powers, duties and responsibilities of, and be  
30 subject to the liabilities and penalties conferred and imposed by law on the office of town  
31 accountant, and shall be responsible for coordinating the fiscal management procedures of the  
32 offices of the town treasurer-collector, board of assessors and town accountant, and shall be the  
33 administrator of budgeting, including financial reporting, accountability and control, as well as  
34 an advisor on financial and programmatic implications of current and future policies to all town  
35 departments, the town administrator and the board of selectmen. The director of municipal

36 finance shall be responsible for coordinating all financial tasks required by the General Laws,  
37 and shall accomplish such tasks in accordance with the dates specified in the department of  
38 revenue municipal calendar, as it may be amended from time to time.

39 SECTION 4. Notwithstanding any general or special law to the contrary, and except as  
40 provided in this act, there shall be a treasurer-collector in the town of Dennis who shall have the  
41 powers, duties and responsibilities of, and be subject to the liabilities and penalties conferred and  
42 imposed by law on the office of treasurer and collector under the General Laws. The board of  
43 selectmen shall appoint the treasurer-collector. The treasurer-collector shall be a person  
44 especially fitted by education, experience and training to perform the duties of the office.

45 SECTION 5. Upon the effective date of this act, the appointed town accountant holding  
46 office shall become the director of municipal finance in the town of Dennis. The appointed  
47 incumbent holding the office of treasurer-collector for the town of Dennis, as of the effective  
48 date of this act, shall continue to hold said office and to perform the duties thereof; provided,  
49 this act shall have no effect on the incumbent's salary or benefits. Thereafter, appointments to  
50 the position of treasurer-collector shall be made in accordance with section 4 of this act. The  
51 treasurer-collector and director of assessing shall be employees of the department of municipal  
52 finance under the direction and supervision of the director of municipal finance.

53 SECTION 6. Contracts or liabilities in force on the effective date of this act shall not be  
54 affected by consolidation of certain financial functions of the town of Dennis as provided in this  
55 act.

56 SECTION 7. Chapter 11 of the acts of 1996 is hereby repealed.

57 SECTION 8. This act shall take effect upon its passage.