

SENATE No. 2457

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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 creating a Municipal and Public Safety Building Authority.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/17/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/24/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/26/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>4/5/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>4/5/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>4/6/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>4/6/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>4/7/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>4/12/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/9/2022</i>

SENATE No. 2457

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 2457) (subject to Joint Rule 9) of Joanne M. Comerford, Michael D. Brady, Lindsay N. Sabadosa, Michael O. Moore and other members of the General Court for legislation to create a Municipal and Public Safety Building Authority. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act creating a Municipal and Public Safety Building Authority.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 The General Laws are hereby amended by inserting after chapter 40W the following
2 chapter:-

3 CHAPTER 40X.

4 Section 1. (a) There is hereby created a body politic and corporate and a public
5 instrumentality to be known as the Massachusetts municipal and public safety building authority,
6 which shall be an independent public authority not subject to the supervision and control of any
7 other executive office, department, commission, board, bureau, agency or political subdivision of
8 the commonwealth except as specifically provided in any general or special law. The exercise by
9 the authority of the powers conferred by this chapter shall be considered to be the performance of
10 an essential public function.

11 (b) The authority shall consist of the state treasurer, who shall serve as chairperson, the
12 secretary of administration and finance, the secretary of the executive office of public safety and
13 security, and 5 additional members appointed by the state treasurer, 2 of whom shall have
14 practical experience in public safety and municipal facilities planning, public safety construction,
15 or architecture and public safety facility design, and 1 of whom shall be a serving or former
16 municipal official, 1 of whom shall be a person in the field of law enforcement, and 1 of whom
17 shall be in the field of firefighting or emergency medical services, each of whom shall serve a
18 term of 2 years; but, a person appointed to fill a vacancy shall serve only for the unexpired term.
19 An appointed member of the authority shall be eligible for reappointment. The authority shall
20 annually elect 1 of its members to serve as vice-chairperson. Each member of the authority
21 serving ex officio may appoint a designee pursuant to section 6A of chapter 30.

22 (c) Five members of the authority shall constitute a quorum, and the affirmative vote of 5
23 members of the authority shall be necessary and sufficient for any action taken by the authority.
24 No vacancy in the membership of the authority shall impair the right of a quorum to exercise all
25 the rights and duties of the authority. Members shall serve without pay but shall be reimbursed
26 for actual expenses necessarily incurred in the performance of their duties. The chairperson of
27 the authority shall report to the governor and to the general court no less than annually, to assist
28 the executive and legislative branches in coordinating public safety and fiscal policies of the
29 commonwealth.

30 (d) Any action of the authority may take effect immediately and need not be published or
31 posted unless otherwise provided by law. The authority shall be subject to all provisions of
32 chapter 30A, and records pertaining to the administration of the authority shall be subject to
33 section 42 of chapter 30 and section 10 of chapter 66. All moneys of the authority shall be

34 considered to be public funds for purposes of chapter 12A. The operations of the authority shall
35 be subject to chapter 268A and chapter 268B and all other operational or administrative
36 standards or requirements to the same extent as the office of the state treasurer.

37 Section 2. (a) There is hereby established a separate fund to be known as the municipal
38 and public safety building fund. The authority shall administer the fund for the purpose of
39 assisting municipalities with the construction of or improvements to public safety or municipal
40 office buildings, including, but not limited to, police stations and fire stations.

41 (b) There shall be credited to the fund revenue from appropriations or other monies
42 authorized by the general court and specifically designated for the fund and any gifts, grants,
43 private contributions, repayment of loans, fees and charges imposed relative to the making of
44 loans, grants, subsidies, credit enhancements and other financial assistance, investment income
45 earned on the fund's assets and any other sources. Money remaining in the fund at the end of a
46 fiscal year shall not revert to the General Fund. The fund shall be an expendable trust fund and
47 shall not be subject to appropriation.

48 (c) The authority shall administer assistance from the fund using the criteria set forth
49 under this section. Assistance shall be provided to municipalities for the construction of new
50 municipal public safety or municipal office buildings or for the remediation or improvement of
51 such existing public safety or municipal buildings. Municipalities may receive up to \$1,000,000
52 of assistance for each project and shall be required to contribute no less than 50 per cent of the
53 costs of any funded project. The authority may develop additional criteria for providing
54 assistance from the fund.