

# HOUSE . . . . . No. 5131

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, February 19, 2026.

The committee on Municipalities and Regional Government, to whom was referred so much of the message from Her Excellency the Governor recommending legislation empowering municipalities and local governments, bill, (House, No. 56) (sections 1-17 inclusive, 20-44 inclusive, 73-82 inclusive, and 87), reports recommending that the accompanying bill (House, No. 5131) ought to pass.

For the committee,

JACK PATRICK LEWIS.

## The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

## An Act empowering municipalities and local governments.

*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 7 of chapter 4 of the General Laws, as appearing in the 2024  
2 Official Edition, is hereby amended by striking out clause Third A.

3 SECTION 2. Said section 7 of said chapter 4, as so appearing, is hereby further amended  
4 by inserting, after clause Twenty-sixth, the following clause:-

5           Twenty-sixth A, “Remote participation”, shall mean participation in a meeting of a public  
6   body by technological means other than physical presence at the meeting location, including, but  
7   not limited to, video conferencing.

8 SECTION 3. Said section 7 of said chapter 4, as so appearing, is hereby further amended  
9 by inserting, after clause Twenty-eighth, the following clause:-

10 Twenty-ninth, "Select board", when used in connection with the operation of municipal  
11 governments, shall include the mayor of a city and the select board or board of selectmen of a

12 town unless some other local office is designated as the appointing authority under the provisions  
13 of a local charter.

14 SECTION 4. Section 3 of chapter 17 of the General Laws, as so appearing, is hereby  
15 amended by striking out subsection (d) and inserting in place thereof the following subsection:-

16 (d) Seven of the appointed members shall be non-providers: (i) 1 of whom shall be  
17 appointed by the secretary of aging and independence; (ii) 1 of whom shall be appointed by the  
18 secretary of veterans' services; (iii) 1 of whom shall be appointed by the governor from a list of 3  
19 nominated by Health Care For All, Inc.; (iv) 1 of whom shall be appointed by the governor from  
20 a list of 3 nominated by the Massachusetts Coalition for the Prevention of Medical Errors, Inc.;  
21 (v) 1 of whom shall be appointed by the governor from a list of 3 nominated by The  
22 Massachusetts Public Health Association; (vi) 1 of whom shall be appointed by the governor  
23 from a list of 3 nominated by the Massachusetts Association of Community Health Worker  
24 Network; and (vii) 1 of whom shall be appointed by the governor from a list of 3 nominated by  
25 the Coalition for Local Public Health. Whenever an organization nominates a list of candidates  
26 for appointment by the governor pursuant to this subsection, the organization may nominate  
27 additional candidates if the governor declines to appoint any of those originally nominated.

28 SECTION 5. Chapter 29 of the General Laws is hereby amended by inserting after  
29 section 2NNNNNN, added by section 19 of chapter 73 of the acts of 2025, the following  
30 section:-

31 Section 2OOOOOO. There shall be established and set up on the books of the  
32 commonwealth a separate fund known as the Double Pole Municipal Fund. There shall be  
33 credited to the fund: (i) all amounts collected pursuant to section 34B of chapter 164; (ii) any

34 income derived from the investment of amounts credited to the fund; and (iii) other amounts  
35 credited or transferred to the fund from any other sources. All amounts credited to the fund shall  
36 be held in trust and shall be available for expenditure, without further appropriation, by the  
37 department of public utilities in a manner to be determined by said department that shall be  
38 equitable, timely and annually distributed to municipalities in compliance with said section 34B  
39 of said chapter 164. Any unexpended balance in the fund at the close of a fiscal year shall remain  
40 in the fund and shall be available for expenditure, without prior appropriation, in the following  
41 fiscal year. No expenditure may be made from the fund that shall cause the fund to be in deficit  
42 at any point. Annually, not later than March 30, the department shall submit a report describing  
43 the fund's activities during the previous calendar year to the chairs of the joint committee on  
44 municipalities and regional government, the chairs of the joint committee on  
45 telecommunications, utilities and energy, the house and senate committees on ways and means  
46 and the clerks of the house and senate. The department shall publish the report on its website.

47 SECTION 6. Section 20 of chapter 30A of the General Laws, as appearing in the 2024  
48 Official Edition, is hereby amended by striking out subsection (d).

49 SECTION 7. Said chapter 30A is hereby further amended by inserting after section 20  
50 the following section:-

51 Section 20A. (a) A public body may allow remote participation by any member for any  
52 meeting of the public body; provided, however, that if any member participates remotely, all  
53 votes taken shall be recorded as roll call votes; provided further, that in a meeting conducted  
54 with a quorum participating by physical presence and other members participation remotely,  
55 voice votes may be taken upon a motion of the chair and 2/3 of the members present voting in

56 the affirmative on a roll call vote; provided further, that all members of a public body, whether  
57 participating by physical presence or remote participation, shall be clearly audible to one  
58 another; and provided further, that for any meeting conducted with remote participation, the  
59 public body shall ensure that any party entitled or required to appear before it may do so through  
60 remote means, as if the party were a member of the public body participating remotely.

61 (b) Members remotely participating in a meeting may vote and shall be considered  
62 present and in attendance for all purposes, including for purposes of determining a quorum and  
63 for the purposes of section 23D of chapter 39.

64 (c) For any meeting conducted with remote participation, the public body shall make  
65 provisions to ensure public access to the deliberations of the public body for interested members  
66 of the public through adequate, alternative means. Adequate, alternative means of public access  
67 shall mean measures that provide transparency and permit timely and effective public access to  
68 the hybrid meeting. Such means may include, without limitation, providing public access  
69 through telephone, internet or satellite enabled audio or video conferencing or any other  
70 technology that enables the public to clearly follow the proceedings of the meeting while the  
71 proceedings are occurring. Documents used for any such meeting shall be made available to the  
72 public before or at the time of the meeting of the public body. Where allowance for active, real-  
73 time participation by members of the public is a specific requirement of a general or special law,  
74 regulation, charter, local ordinance or by-law, pursuant to which the proceeding is conducted,  
75 any alternative means of public access shall provide for such participation. A public body shall  
76 offer its selected alternative means of public access to meetings with remote participation  
77 without subscription, toll or similar charge to the public.

78 (d) The chief executive officer of a municipality shall develop, and the executive body of  
79 the municipality shall adopt and approve, standards and guidelines for remote participation prior  
80 to any meeting with remote participation held pursuant to this section. Public bodies that are not  
81 a department or subdivision of a city or town shall adopt standards and guidelines for remote  
82 participation prior to any meeting with remote participation held pursuant to this section.

83 SECTION 8. Subsection (c) of section 22 of said chapter 30A, as so appearing, is hereby  
84 amended by striking out the first sentence and inserting in place thereof the following sentence:-  
85 Minutes of all open and executive sessions shall be created and approved in a timely manner.

86 SECTION 9. Section 23 of said chapter 30A, as so appearing, is hereby amended by  
87 striking out subsection (b) and inserting in place thereof the following subsection:-

88 (b)(1) Any individual may file a complaint with a public body alleging violation of the  
89 open meeting law; provided, however, that the complaint:

90 (i) reasonably describes the circumstances constituting the alleged violation;

91 (ii) is filed with the public body within 20 business days of the date of the alleged  
92 violation;

93 (iii) includes electronic and postal mail contact information for the complainant; and

94 (iv) is signed by the complainant either in ink or in compliance with chapter 110G.

95 (2) Complaints shall be deemed received: (i) if filed by electronic mail, on the business  
96 day of submission if submitted by 4:00 p.m. and otherwise on the next business day; or (ii) 3  
97 days after mailing via first class postal mail.

98 (3) A public body must meet to review and respond to a complaint not later than 14  
99 business days after receipt thereof confirming receipt of the complaint and identifying any  
100 remedial actions taken or intended to be taken by the public body in response to the complaint;  
101 provided, however, that if a complainant files more than 12 complaints with the same public  
102 body within the same calendar year, or a complaint is otherwise unduly burdensome, the public  
103 body may file a petition with the attorney general seeking relief from the obligation to respond to  
104 the complaint. In determining whether to grant an order requiring the public body to respond to  
105 the complaint, the attorney general may consider, without limitation, (i) the previous record of  
106 compliance or non-compliance by the public body; (ii) the burden placed on the public body in  
107 responding to the complaint; (iii) any evidence of harassment or intimidation on the part of the  
108 complainant; (iv) the facts of the alleged violation; and (v) the number of complaints filed  
109 against the public body or other public bodies within the municipality. The attorney general may  
110 authorize an extension of time to the public body for the purpose of taking remedial action upon  
111 the written request of the public body and a showing of good cause to grant the extension.

112 (4) The public body shall, within 14 business days of receipt of a complaint unless  
113 granted an extension of time pursuant to paragraph (3), send a copy of the complaint to the  
114 attorney general and notify the attorney general of any remedial action.

115 (5) Any remedial action stated pursuant to paragraph (3) shall not be admissible as  
116 evidence against the public body in any subsequent administrative or judicial proceeding related  
117 to the alleged violation.

118                   SECTION 10. Said section 23 of said chapter 30A, as so appearing, is hereby further  
119                   amended by inserting after the word “a”, in line 19, the following words:- petition for review of  
120                   an open meeting law.

121                   SECTION 11. Section 1 of chapter 30B of the General Law, as so appearing, is hereby  
122                   amended by striking out, in lines 10 and 11 and 134 and 135, the words “thirty-eight A1/2 to  
123                   thirty-eight O, inclusive, of chapter seven” and inserting in place thereof, in each instance, the  
124                   following words:- 44 to 57, inclusive, of chapter 7C.

125                   SECTION 12. Subsection (b) of said section 1 of said chapter 30B, as so appearing, is  
126                   hereby amended by striking out clause (5) and inserting in place thereof the following clause:-

127                   (5) a contract for the purchase of materials pursuant to the specifications of the division  
128                   of highways in the Massachusetts Department of Transportation and at prices established by the  
129                   division, pursuant to advertising and bidding for such purpose, in connection with work to be  
130                   performed under chapter 81 or chapter 90.

131                   SECTION 13. Said section 1 of said chapter 30B, as so appearing, is hereby further  
132                   amended by inserting after the word “plowing”, in line 56, the following words:- , snow hauling  
133                   and snow removal.

134                   SECTION 14. Said section 1 of said chapter 30B, as so appearing, is hereby further  
135                   amended by striking out, in line 109, the words “subclause (r)” and inserting in place thereof the  
136                   following words:- subclause (s).

137           SECTION 15. Section 3 of said chapter 30B, as so appearing, is hereby amended by  
138   striking out, in line 2, the figure “\$10,000” and inserting in place thereof the following figure:-  
139   \$25,000.

140           SECTION 16. Section 4 of said chapter 30B, as so appearing, is hereby amended by  
141   striking out subsection (a) and inserting in place thereof the following subsection:-

142           (a) Except as permitted pursuant to this section and section 7, for the procurement of a  
143   supply or service for a governmental body in the amount of \$10,000 or greater, but not to exceed  
144   \$100,000, a procurement officer shall seek written quotations from not fewer than 3 persons  
145   customarily providing the supply or service. The procurement officer shall record the: (i) names  
146   and addresses of all persons from whom quotations were sought; (ii) purchase description used  
147   for the procurement; (iii) names of the persons submitting quotations; and (iv) date and amount  
148   of each quotation. Such information shall be retained in the file required pursuant to section 3. A  
149   governmental body may require that any procurement for the governmental body in an amount of  
150   not more than \$100,000 shall be subject to section 5 or section 6.

151           SECTION 17. Said section 4 of said chapter 30B, as so appearing, is hereby further  
152   amended by striking out, in line 21, the figure “\$10,000” and inserting in place thereof the  
153   following figure:- \$25,000.

154           SECTION 18. Section 5 of said chapter 30B, as so appearing, is hereby amended by  
155   striking out, in lines 2 to 4, inclusive, the words “\$50,000 or, in the case of a municipal or  
156   regional school district, award of procurement contracts in the amount of more than \$100,000,”  
157   and inserting in place thereof the following figure:- \$100,000.

158           SECTION 19. Said section 5 of said chapter 30B, as so appearing, is hereby further  
159   amended by striking out, in lines 37 to 39, inclusive, the words “on the COMMBUYS system  
160   administered by the operational services division” and inserting in place thereof the following  
161   words:- through additional means reasonably considered to notify the public of the opportunity.

162           SECTION 20. Said section 5 of said chapter 30B, as so appearing, is hereby further  
163   amended by striking out, in lines 40 and 41, the words “\$50,000, or, for a municipal or regional  
164   school district, more than”.

165           SECTION 21. Said section 5 of said chapter 30B, as so appearing, is hereby further  
166   amended by striking out, in lines 67 to 69, inclusive, the words “the provisions of section eleven  
167   A½ of chapter thirty A, section nine G of chapter thirty-four or section twenty-three B of chapter  
168   thirty-nine” and inserting in place thereof the following words:- sections 18 to 25, inclusive, of  
169   chapter 30A.

170           SECTION 22. Section 6 of said chapter 30B, as so appearing, is hereby amended by  
171   striking out, in lines 2 and 3, the words “\$50,000, or, a municipal or regional school district,  
172   more than”.

173           SECTION 23. Section 6A of said chapter 30B, as so appearing, is hereby amended by  
174   striking out, in lines 2 and 3, the words “\$50,000, or, a municipal or regional school district,  
175   more than”.

176           SECTION 24. Section 7 of said chapter 30B, as so appearing, is hereby amended by  
177   striking out, in lines 2 and 3, the words “\$50,000, or, a municipal or regional school district,  
178   more than”.

179           SECTION 25. Section 15 of said chapter 30B, as so appearing, is hereby amended by  
180           striking out, in line 21, the figure “\$10,000” and inserting in place thereof the following figure:-  
181           \$25,000.

182           SECTION 26. Section 16 of said chapter 30B, as so appearing, is hereby amended by  
183           striking out, in line 46, the words “forty J of chapter seven” and inserting in place thereof the  
184           following words:- 38 of chapter 7C.

185           SECTION 27. Section 17 of said chapter 30B, as so appearing, is hereby amended by  
186           striking out, in line 1, the figure “\$10,000” and inserting in place thereof the following figure:-  
187           \$25,000.

188           SECTION 28. Section 18 of said chapter 30B, as so appearing, is hereby amended by  
189           striking out the definition of “Disadvantaged vendor” and inserting in place thereof the following  
190           definition:-

191           “Disadvantaged vendor”, a business beneficially owned by at least 1 minority person as  
192           provided in the definition of “Minority-owned business” in subsection (b) of section 6 of chapter  
193           7C or any business beneficially owned by at least 1 woman as provided in the definition of  
194           “Women-owned business” in said subsection (b) of said section 6 of said chapter 7C.

195           SECTION 29. Said chapter 30B is hereby further amended by striking out section 22 and  
196           inserting in place thereof the following section:-

197           Section 22. A public procurement unit may participate in, sponsor, conduct or administer  
198           a cooperative purchasing agreement for the procurement of supplies or services with public  
199           procurement units or external procurement activities in accordance with an agreement entered

200 into between the participants. The public procurement unit conducting the procurement of  
201 supplies or services shall do so in a manner that constitutes a full and open competition.

202 Notwithstanding any general or special law to the contrary, a public procurement unit that  
203 conducts a cooperative purchasing agreement pursuant to this section in a manner that constitutes  
204 full and open competition may award contracts to multiple offerors through a single request for  
205 proposals if the chief procurement officer for the awarding public unit determines that doing so  
206 is in the best interests of the parties to the cooperative purchasing agreement.

207 SECTION 30. Chapter 39 of the General Laws is hereby amended by inserting after  
208 section 10A the following section:-

209 Section 10B. (a) In a town having a representative town meeting form of government, the  
210 town moderator may request that the select board authorize remote participation for a town  
211 meeting. Such a request by the moderator to the select board shall be in writing and shall include,  
212 but not be limited to: (i) the moderator's request to incorporate remote participation in 1 or more  
213 upcoming town meetings; (ii) the technology to be used to implement remote participation; and  
214 (iii) certification by the moderator that: (A) the local disability commission or coordinator has  
215 been consulted regarding the proposed remote participation method and reasonable concerns, if  
216 any, have been addressed; (B) the moderator has successfully tested the remote participation  
217 method; and (C) the remote participation method satisfactorily enables the town meeting to be  
218 conducted in substantially the same manner as if the meeting occurred in-person only and in  
219 accordance with the operational and functional requirements set forth in this section.

220 (b)(1) A decision to authorize remote participation for a town meeting shall be made by a  
221 select board not later than 10 business days prior to the town meeting or not later than 10  
222 business days following receipt of a written request by the moderator, whichever is earlier.

223 (2) Not later than 3 business days following a decision to authorize remote participation  
224 for a town meeting, the select board shall issue adequate notice of a remote participation option  
225 to all town meeting members and known interested parties with business before the town  
226 meeting, consistent with applicable local rules and practices governing such notice, and the  
227 public; provided, however, that the notice shall include, but not be limited to, the date and time  
228 of the meeting and information necessary to request remote participation access, consistent with  
229 subsection (d) of this section; and provided further, that the notice shall be accompanied by the  
230 written request of the moderator submitted under subsection (a) of this section and filed and  
231 posted in accordance with subsection (b) of section 10A of chapter 39.

232 (c) A remote participation method used by a town meeting for remote participation under  
233 this section shall: (i) strictly limit voting to only those confirmed by the town clerk to be eligible  
234 to vote at that meeting; provided, however, that each person deemed eligible to vote shall be  
235 provided with appropriate physical or technological participation credentials designed to allow  
236 remote participation of all eligible voters, establish regularity in administration and minimize  
237 inaccurate results or fraud; and (ii) enable:

238 (A) the moderator, town meeting members, town officials and any other interested parties  
239 to identify and hear the moderator and each speaker recognized by the moderator, whether  
240 participating remotely or in person;

241 (B) the moderator to determine whether a quorum is present;

242 (C) a town meeting member, town official or other individual authorized to participate in  
243 the meeting to request recognition by the moderator without prior authorization, consistent with  
244 applicable town meeting rules, bylaws, ordinances, charter provisions or special acts; provided,  
245 however, that to the extent technologically feasible, the request shall be visible or audible to the  
246 town meeting and the public in real time and upon review of the recording of the town meeting  
247 proceedings, consistent with clause (H) of this subsection;

248 (D) the moderator to determine when a town meeting member or other individual wishes  
249 to be recognized to speak, make a motion, raise a point of order or object to a request for  
250 unanimous consent, whether participating remotely or in person;

251 (E) the moderator to recognize a town meeting member, town official or other individual  
252 to speak and to enable that person to speak, whether participating remotely or in person;

253 (F) the moderator to conduct a recorded roll call vote; provided, however, that all roll call  
254 votes shall be kept with the minutes of the meeting and preserved in accordance with clause (H)  
255 of this subsection;

256 (G) any interested members of the public to access the meeting remotely for purposes of  
257 witnessing the deliberations and actions taken at the town meeting, consistent with applicable  
258 town meeting rules, bylaws, ordinances, charter provisions or special acts; and

259 (H) the town meeting to be recorded; provided, however, that the recording shall be  
260 preserved and made publicly available on the town's website for not less than 90 days after the  
261 dissolution of the town meeting and until the official minutes of the meeting have been prepared  
262 by the town clerk.

263 (d) An individual seeking to participate remotely in a town meeting shall submit a remote  
264 participation request to the town clerk not less than 48 hours in advance of the meeting. Upon  
265 receipt of the request and, in consultation with the town moderator as applicable, verification of  
266 the requester's eligibility to participate in the town meeting, the town clerk shall provide  
267 appropriate remote participation credentials, instructions and materials.

268 SECTION 31. Section 5B of chapter 40 of the General Laws, as appearing in the 2024  
269 Official Edition, is hereby amended by inserting after the words "chapter 44B", in line 42, the  
270 following words:- ; provided, however, that for purposes of this paragraph, a receipt shall include  
271 amounts assessed pursuant to section 10 of chapter 60A.

272 SECTION 32. Section 42A of said chapter 40, as so appearing, is hereby amended by  
273 inserting after the word "deeds", in line 5, the following words:- and files a copy of said  
274 certificate with the collector of taxes of the city or town in which the lien hereinafter mentioned  
275 is to take effect.

276 SECTION 33. Said chapter 40 is hereby further amended by adding the following  
277 section:-

278 Section 72. Cities, towns and districts shall report a known cybersecurity incident, as  
279 defined through regulation by the secretary of technology services and security, to the  
280 commonwealth security operations center, in a manner prescribed by the executive office of  
281 technology services and security. Reporting shall take place as soon as practicable, but no later  
282 than at the conclusion of the risk assessment process. Reports shall not include any information  
283 that would jeopardize attorney-client privilege nor any information that would have a  
284 demonstrated impact on the defense and management of any liability claims, including litigation

285 or demand for damages. Nothing in this section shall satisfy a city, town or district's reporting  
286 requirements under chapter 93H. The executive office of technology services and security shall  
287 promulgate regulations to implement this section.

288 SECTION 34. Chapter 40Q of the General Laws is hereby amended by striking out  
289 section 3 and inserting in place thereof the following section:-

290 Section 3. (a) The city or town may retain all or part of the tax increment of an invested  
291 revenue district for the purpose of financing the development program. When a development  
292 program for an invested revenue district is adopted, the city or town shall adopt a statement of  
293 the percentage of tax increment to be retained in accordance with the development program. The  
294 statement of percentage may establish a specific percentage or percentages or may describe a  
295 method or formula for determination of the percentage. The assessor shall certify the amount of  
296 the tax increment to the city or town each year.

297 (b) On or after the formation of an invested revenue district, the assessor of the city or  
298 town in which it is located shall, on request of the city or town, certify the original assessed value  
299 of the taxable property within the boundaries of the invested revenue district on the base date.

300 Each year, after the formation of an invested revenue district, the assessor of the city or town  
301 shall certify the amount of the new growth adjustment to the levy limit of the city or town, as  
302 certified by the commissioner of revenue, that is attributable to parcels within the district.

303 (c) If a city or town has elected to retain all or a percentage of the retained tax increment  
304 pursuant to subsection (a), the city or town shall:

305 (i) establish a development program fund that consists of: (A) a development debt service  
306 fund account that is pledged to and charged, without further appropriation, with the payment of

307 the interest and principal as the interest and principal fall due and the necessary charges of  
308 paying interest and principal on any notes, bonds or other evidences of indebtedness that were  
309 issued to fund or refund the costs of the development program fund; and (B) a project cost  
310 account that is pledged to and charged, without further appropriation, with the payment of  
311 project costs as outlined in the financial plan and paid in a manner other than as described in  
312 subclause (A);

313 (ii) set aside annually all tax increment revenues and deposit all such revenues in the  
314 appropriate development program fund account in the following priority: (A) to the development  
315 debt service fund account, an amount sufficient, together with estimated future revenues to be  
316 deposited to the account and earnings on the amount, to satisfy all annual debt service on bonds  
317 and notes issued pursuant to section 4 and the financial plan; and (B) to the project cost account,  
318 an amount sufficient, together with estimated future revenues to be deposited to the account and  
319 earnings on the amount, to satisfy all annual project costs to be paid from the account;

320 (iii) make any transfers between development program fund accounts as required;  
321 provided, however, that the transfers shall not result in a balance in the development debt service  
322 fund account that is insufficient to cover the annual obligations of that account; and

323 (iv) annually return to the general fund of the city or town any tax increment revenue in  
324 excess of those estimated to be required to satisfy the obligations of the development debt  
325 service fund account.

326 (d) Notwithstanding any provision of this chapter to the contrary, the requirement to  
327 reserve funds pursuant to subsection (c) shall terminate when sufficient monies have been set

328 aside to cover the full, anticipated liabilities of the development debt service fund account and  
329 the project cost account.

330 SECTION 35. Section 1B of chapter 41 of the General Laws, as appearing in 2024  
331 Official Edition, is hereby amended by adding the following paragraph:-

332 In any town that accepts this paragraph, the positions of appointed town treasurer and  
333 appointed collector of taxes shall be combined into 1 position and become an appointed position  
334 in the manner provided in this section. Any incumbent of such office serving at the time of  
335 acceptance shall continue to hold said office and to perform the duties thereof until the expiration  
336 of the term for which said individual was appointed or until said individual otherwise vacates  
337 such office.

338 SECTION 36. Section 23A of said chapter 41, as so appearing, is hereby amended by  
339 striking out, in line 3, the words “one or three” and inserting in place thereof the following  
340 words:- not less than 1 year but not more than 5.

341 SECTION 37. Section 30B of said chapter 41, as so appearing, is hereby amended by  
342 adding the following subsection:-

343 (e) The provisions of this section may be used by a city or town for any joint or  
344 cooperative services incumbent upon any local officer contained within section 1, excepting  
345 assessors and members of the select board and school committee.

346 SECTION 38. Said chapter 41 is hereby further amended by inserting after section 30B  
347 the following section:-

348                   Section 30C. (a) Notwithstanding any general or special law, charter provision, local by-  
349                   law, ordinance or vote to the contrary, in any municipality that accepts this section, the chief  
350                   executive officer of the municipality may, on behalf of the municipality, enter into an agreement  
351                   with 1 or more municipalities to form a regional board of assessors. The regional board of  
352                   assessors shall have all the powers and responsibilities outlined in the General Laws for local  
353                   boards of assessors and shall assume all the activities and undertakings of the local board of  
354                   assessors for each member municipality.

355                   (b) The agreement shall provide for:

356                   (i) the division, merger or consolidation of administrative functions between or among  
357                   the parties;

358                   (ii) the financing of the joint undertaking;

359                   (iii) the rights and responsibilities of the parties with respect to the direction and  
360                   supervision of the work to be performed and with respect to the administration of the regional  
361                   board of assessors office, including the receipt and disbursement of funds, the maintenance of  
362                   accounts and records and the auditing of accounts;

363                   (iv) annual reports of the regional board of assessors to the constituent parties;

364                   (v) the duration of the agreement and procedures for amendment, withdrawal or  
365                   termination thereof; and

366                   (vi) any other necessary or appropriate matter as agreed to by the chief executive officer  
367                   of the municipality.

368 (c) With the approval of the member municipalities, the regional board of assessors may  
369 appoint assistant assessors pursuant to section 25A. Member municipalities may, in their  
370 individual capacity, employ a local assessor and support staff who shall be responsible for  
371 estimating the value of the real and personal estate for such municipality and who shall report to  
372 the regional board of assessors. Otherwise, member municipalities may permit the regional board  
373 of assessors to hire a regional assessor or assessors and support staff who shall be responsible for  
374 estimating the value of the real and personal estate in each such municipality and who shall  
375 report to the regional board of assessors. A municipality may become a party to an existing  
376 agreement with the approval of a majority of the other member municipalities.

377 (d) An agreement pursuant to this section may also provide for the employment of  
378 necessary staff to perform administrative functions. Any joint costs associated with the regional  
379 board of assessors shall be identified in the agreement and subject to appropriation by each  
380 member municipality and accounted for in accordance with the procedures identified in section  
381 4A of chapter 40. Subject to the rules and regulations established by the commissioner of  
382 revenue pursuant to section 1 of chapter 58, the agreement shall provide for qualifications, terms  
383 and conditions of employment for the members of the regional board of assessors and employees  
384 of the office. The agreement may provide for inclusion of the regional board of assessors  
385 employees in insurance, retirement programs and other benefit programs of 1 of the member  
386 parties, but all parties to the agreement shall pay a proportionate share of the current and future  
387 costs of benefits associated with the appointment or employment of all persons performing  
388 services for them during the duration of the agreement. A municipality who is a party to such an  
389 agreement shall include employees under the agreement in such programs in accordance with the  
390 terms of the agreement.

391 (e) Unless otherwise agreed to by all member municipalities, the number of persons on  
392 the regional board of assessors shall be at least equal to the number of member municipalities.  
393 Unless otherwise agreed to by all member municipalities, each municipality shall have at least 1  
394 person appointed by the chief executive officer of that municipality to the regional board of  
395 assessors. The number of assessors on the regional board of assessors may exceed the number of  
396 member municipalities if so agreed and such an agreement shall provide for the appointment of  
397 such additional board members. Any vacancies shall be filled by the applicable member  
398 municipality forthwith, who may also appoint a temporary member to the regional board of  
399 assessors until such time that a permanent replacement is appointed unless a different process is  
400 agreed to by all member municipalities.

401 (f) Unless otherwise designated in the agreement, an agreement made pursuant to this  
402 section shall go into effect on the first day of the fiscal year after this section has been accepted  
403 and the agreement has been finalized by all member municipalities; provided, however, no  
404 agreement or amendment to an agreement made pursuant to this section shall take effect until it  
405 has been approved in writing by the commissioner of revenue.

406 (g) Notwithstanding any general or special law, charter provision, local by-law or  
407 ordinance to the contrary, once in effect, the local board of assessors of the member  
408 municipalities, whether elected or appointed, shall be considered abolished. Any incumbent of  
409 the local board of assessors serving at the time of acceptance shall continue to hold said office  
410 and to perform the duties thereof until the effective date as described in subsection (f).

411            SECTION 39. Section 7 of chapter 44 of the General Laws, as appearing in the 2024  
412        Official Edition, is hereby amended by inserting after the word “land”, in line 21, the following  
413        words:- , improvement to real estate or waterways.

414            SECTION 40. Said section 7 of said chapter 44, as so appearing, is hereby further  
415        amended by inserting after the word “years”, in line 22, the following words:- and be owned or  
416        leased by the city or town or on property owned or leased by the city or town.

417            SECTION 41. Said section 7 of said chapter 44, as so appearing, is hereby further  
418        amended by inserting after the word “land”, in line 23, the following words:- , improvement to  
419        real estate or waterways.

420            SECTION 42. Said section 7 of said chapter 44, as so appearing, is hereby further  
421        amended by adding the following paragraph:-

422            Notwithstanding the foregoing provisions of this section and section 16 of chapter 71,  
423        indebtedness for constructing and reconstructing a school facility for the education of school  
424        children, or any other building that is used for a municipal purpose, shall be payable not to  
425        exceed 40 years.

426            SECTION 43. Section 21A of said chapter 44, as so appearing, is hereby amended by  
427        inserting after the word “town”, in line 2, the following words:- , the school committee of a  
428        regional school district.

429            SECTION 44. Said section 21A of said chapter 44, as so appearing, is hereby further  
430        amended by inserting after the word “town”, in line 4, the following words:- , regional school  
431        district.

432                   SECTION 45. Said section 21A of said chapter 44, as so appearing, is hereby further  
433                   amended by inserting after the word “town”, in line 69, the following words:- , the school  
434                   committee of a regional school district.

435                   SECTION 46. Section 31 of said chapter 44, as so appearing, is hereby amended by  
436                   adding the following paragraph:-

437                   Notwithstanding the foregoing provisions of this section, section 23 of chapter 59 or any  
438                   other general or special law to the contrary, a city or town may amortize over the subsequent 3  
439                   fiscal years, in equal installments or more rapidly, the amount of its current fiscal year major  
440                   disaster related deficit. The local appropriating authority as defined in section 21C of said  
441                   chapter 59 shall adopt a deficit amortization schedule in accordance with the preceding sentence  
442                   before setting the municipality’s next fiscal year tax rate. The commissioner of revenue may  
443                   issue guidelines or instructions for reporting the amortization of deficits authorized by this  
444                   paragraph.

445                   SECTION 47. The sixth paragraph of section 32 of said chapter 44, as so appearing, is  
446                   hereby amended by adding the following sentence:- The amounts in the continuing appropriation  
447                   budget shall, without further action by the council, become an appropriation and be available for  
448                   the purposes specified; provided, however, that the purposes contained therein shall not include  
449                   any item or undertaking not considered in the prior fiscal year.

450                   SECTION 48. Said chapter 44, as so appearing, is hereby further amended by striking out  
451                   section 53A and inserting in place thereof the following section:-

452                   Section 53A. A city council, with the mayor’s approval, if a charter so provides, or a  
453                   select board, or prudential committee or town council may, in its sole discretion and authority,

454 accept grants or gifts of funds on behalf of the city, town or district from the federal government,  
455 a charitable foundation, private corporation, individual or from the commonwealth or any  
456 political subdivision thereof, and may, in its sole discretion and authority, expend the grants or  
457 gifts of fund, without specific appropriation thereof, for the purpose of such grant or gift or, if no  
458 restrictions are attached thereto, for such other purposes as it deems advisable. In the case of any  
459 grant or gift given for educational purposes, the school committee may accept grants or gifts of  
460 funds and expend the gifts or grants of funds, without specific appropriation thereof, for the  
461 purpose of such grant or gift or, if no restrictions are attached thereto, for such other purposes as  
462 it deems advisable.

463 Expenditure of grants or gifts of funds may be made by an appropriate officer or  
464 department, without specific appropriation thereof, as authorized by the acceptor of the grant or  
465 gift. In the case of grants from the federal government or from the commonwealth, a county or  
466 municipality or agency or instrumentality thereof, upon receipt of an agreement from the grantor  
467 to provide advance payment or reimbursement to the city, town or district, the officer or  
468 department may spend the amount of the advance payment, or the amount to be reimbursed, for  
469 the purposes of the grant, subject to the approvals required pursuant to this section. Any advance  
470 payment or reimbursement shall be applied to finance the grant expenditures; provided, however,  
471 that any expenditures outstanding at the close of the fiscal year after the fiscal year in which the  
472 grantor approved the agreement shall be reported by the auditor or accountant of the city, town  
473 or district, or other officer having similar duties, or by the treasurer if there be no such officer, to  
474 the assessors, who shall include the amount so reported in the determination of the next annual  
475 tax rate, unless the city, town or district has otherwise made provision therefor.

476                   Notwithstanding the provisions of section 53, any amounts so received shall be deposited  
477                   with the treasurer of such city, town or district and held as a separate account and may be  
478                   expended as aforesaid without further appropriation. If the express written terms or conditions of  
479                   the grant agreement so stipulate, interest on the grant funds may remain with and become a part  
480                   of the grant account and may be expended as part of the grant without further appropriation. Any  
481                   grant, subvention or subsidy for educational purposes received by a city, town or school district  
482                   from the federal government may be expended by the school committee of such city, town or  
483                   district without including the purpose of such expenditure in, or applying such amount to, the  
484                   annual budget or any supplemental budget or appropriation request of such committee; provided,  
485                   however, that this sentence shall not apply to amounts so received to which section 26C of  
486                   chapter 71, chapter 621 of the acts of 1953, as amended, and chapter 664 of the acts of 1958, as  
487                   amended, apply; and provided further, that notwithstanding the foregoing provision, this  
488                   sentence shall apply to amounts so received as grants under the Elementary and Secondary  
489                   Education Act of 1965, (Public Law 89-10).

490                   After receipt of a written commitment from the federal government approving a grant for  
491                   educational purposes and in anticipation of receipt of such funds from the federal government,  
492                   the treasurer, upon the request of the school committee, shall pay from the general fund of such  
493                   municipality compensation for services rendered and goods supplied to such federal grant  
494                   programs, such payments to be made no later than 10 days after the rendition of such services or  
495                   the supplying of such goods; provided, however, that the provisions of such federal grant would  
496                   allow the treasurer to reimburse the general fund for the amounts so advanced.

497                   SECTION 49. Section 53E½ of said chapter 44, as so appearing, is hereby amended by  
498                   striking out the second paragraph and inserting in place thereof the following paragraph:-

499                   Interest earned on any revolving fund balance shall be treated as general fund revenue of  
500   the city or town. No revolving fund may be established under this section for receipts of a  
501   municipal water or sewer department, municipal hospital, cable television access service or  
502   facility or for receipts reserved by law or as authorized by law for expenditure for a particular  
503   purpose.

504                   SECTION 50. The fourth paragraph of said section 53E½ of said chapter 44, as so  
505   appearing, is hereby amended in by striking out the first sentence and inserting in place thereof  
506   the following sentence:- The city or town shall, on or before July 1 of the fiscal year to which it  
507   shall first apply, vote on the total amount that may be expended from each revolving fund  
508   established under this section during any fiscal year.

509                   SECTION 51. Section 53F½ of said chapter 44, as so appearing, is hereby amended by  
510   inserting after the word “care”, in line 5, the following words:- , landfill, broadband-only  
511   municipal light plant.

512                   SECTION 52. Section 53F¾ of said chapter 44, as so appearing, is hereby amended by  
513   striking out, in lines 2 and 3, the word “section” and inserting in place thereof the following  
514   word:- paragraph.

515                   SECTION 53. Said section 53F¾ of said chapter 44, as so appearing, is hereby further  
516   amended by adding the following 2 paragraphs:-

517                   Notwithstanding section 53 or any other general or special law to the contrary, a  
518   municipality that accepts this paragraph may establish in the treasury a separate revenue account  
519   to be known as the PEG Access and Cable Related Fund, into which may be deposited funds  
520   received in connection with a franchise agreement between a cable operator and the

521 municipality. Monies in the fund shall only be expended by the board, commission, committee,  
522 department or officer designated by the issuing authority as defined in section 1 of chapter 166A,  
523 without further appropriation, for cable-related purposes consistent with the franchise agreement,  
524 including, but not limited to: (i) support of public, educational or governmental access cable  
525 television services; (ii) monitor compliance of the cable operator with the franchise agreement;  
526 or (iii) prepare for renewal of the franchise license.

527 Notwithstanding section 4B of chapter 4, section 53F1/2 or any other general or special  
528 law to the contrary, any municipality that has accepted section 53F1/2 and established an  
529 enterprise fund for PEG Access and Cable related receipts, and subsequently accepts the prior  
530 paragraph, may vote to revoke its acceptance of section 53F1/2 at any time.

531 SECTION 54. Said chapter 44, as so appearing, is hereby further amended by inserting  
532 after section 73 the following section:-

533 Section 74. Notwithstanding any general or special law to the contrary, any funds  
534 received by a city or town from the commonwealth for the construction and reconstruction of  
535 municipal ways, as described in clause (b) of the second paragraph of section 4 of chapter 6C,  
536 shall be spent without further appropriation for said purposes. With the approval of the chief  
537 executive officer, and not in excess of the amount contained within a preliminary notice provided  
538 to the city or town from the commonwealth concerning such funds, such amounts may be spent  
539 in anticipation of receiving such funds and spent only for qualifying purposes. Any such  
540 expenditures not reimbursed and outstanding at the close of the fiscal year in which expenditure  
541 was made shall be reported by the auditor or accountant of the city, town or district, or other  
542 officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who

543 shall include the amount so reported in the determination of the next annual tax rate, unless the  
544 city, town or district has otherwise made provision therefor.

545 SECTION 55. Section 5 of chapter 44B of the General Laws, as appearing in the 2024  
546 Official Edition, is hereby amended by inserting, in line 109, after the word “town” the following  
547 words:- without a two-thirds vote of the legislative body or.

548 SECTION 56. Chapter 66 of the General Laws, as appearing in the 2024 Official Edition,  
549 is hereby amended by inserting after section 8B the following section:-

550 Section 8C. (a) For the purposes of this section, the terms “information governance plan”  
551 or “IG plan” shall mean a comprehensive set of protocols for the efficient retention and routine  
552 disposal of documents and data existing in any format or medium, whether or not said documents  
553 and data are deemed public records as defined in clause twenty-sixth of section 7 of chapter 4.

554 (b) Each agency and municipality subject to the requirements of this chapter with regard  
555 to public records shall create, implement, maintain and enforce a comprehensive information  
556 governance plan, including, at minimum, protocols for: storage, naming, privacy, security,  
557 routine disposal and methods for halting that disposal when necessary, and appropriate sharing of  
558 documents and data existing in any format or medium.

559 (c) The IG plan shall comply with the state records retention schedule published and  
560 maintained by the secretary of the commonwealth.

561 (d) The IG plan shall itself be a public record; provided, however, that any portions  
562 thereof protected from disclosure by 1 of the exemptions set forth in clause twenty-sixth of  
563 section 7 of chapter 4 may be redacted prior to production.

564 (e) The attorney general shall enforce the provisions of this section.

565 SECTION 57. Section 10 of said chapter 66, as so appearing, is hereby amended by  
566 striking out, in lines 96-98, the words “, and the requests are not intended for the broad  
567 dissemination of information to the public about actual or alleged government activity”.

568 SECTION 58. Section 7C of chapter 71 of the General Laws, as appearing in the 2024  
569 Official Edition, is hereby repealed.

570 SECTION 59. Section 16B1/2 of said chapter 71 of the General Laws, as so appearing, is  
571 hereby amended by striking out the first paragraph and inserting in place thereof the following  
572 paragraph:-

573 If the unencumbered amount in the excess and deficiency fund, so called, of a regional  
574 school district at the end of a fiscal year exceeds 5 per cent of its operating budget and its  
575 budgeted capital costs for the succeeding fiscal year, the amount in excess of the said 5 per cent  
576 shall be applied by the regional school district committee to reduce the amount to be raised by  
577 assessment on the member cities and towns in accordance with the terms of the agreement for  
578 apportionment of costs. The commissioner of revenue shall certify the unencumbered amount in  
579 the excess and deficiency fund, so called, of a regional school district, and the amount, if any, by  
580 which it exceeds 5 per cent of the district's operating budget and its budgeted capital costs for  
581 the succeeding fiscal year, at the end of each fiscal year and shall report such amount to the  
582 regional district school committee, the board of selectmen in each member town and the city  
583 council in each member city by December 1 of each year. The regional district school committee  
584 shall submit all information necessary to perform said certification to the commissioner of  
585 revenue at the close of each fiscal year but no later than October 31. The regional school district

586 treasurer shall recertify the amounts reapportioned in the current fiscal year to the treasurers of  
587 the several towns within thirty days from the date on which the regional district school  
588 committee votes to reduce the amounts to be raised by assessment. If the recertification is made  
589 after the annual town meeting referred to in the first paragraph of section 16B, the amount  
590 recertified shall be considered an amendment to the amount required to have been appropriated  
591 at that meeting without the necessity for further action by the member city or town, and, if the  
592 annual assessment of taxes has not been made, the town assessors shall include only the amount  
593 so recertified in making the annual assessment of taxes under the provisions of section 23 of  
594 chapter 59. Otherwise, the regional district school committee shall include the amount in excess  
595 of the 5 per cent as a revenue source for the subsequent fiscal year and the amount shall be  
596 credited and apportioned to each member municipality in accordance with the terms of the  
597 agreement for apportionment of costs.

598 SECTION 60. Section 1 of chapter 94C of the General Laws, as so appearing, is hereby  
599 amended by inserting, in line 128, after the word “substances”, the following words:- ; provided,  
600 however, that said testing equipment shall not include fentanyl test strips or any testing  
601 equipment or device solely used, intended for use or designed to be used to determine whether a  
602 substance contains fentanyl or its analogues.

603 SECTION 61. Said chapter 94C, as so appearing, is hereby further amended by inserting  
604 after section 19F the following new section:-

605 Section 19G. Any person who, in good faith, provides, administers or utilizes a fentanyl  
606 test strip or any testing equipment or device solely used, intended for use or designed to be used  
607 to determine whether a substance contains fentanyl or its analogues shall not, as a result of the

608 person's acts or omissions, be subject to any criminal or civil liability or any professional  
609 disciplinary action; provided, however, that this section shall not apply to acts of gross  
610 negligence or willful or wanton misconduct.

611 SECTION 62. Section 33 of chapter 138 of the General Laws, as so appearing, is hereby  
612 amended by striking out, in line 13, the figure "10:00" and inserting in place thereof the  
613 following figure:- 8:00.

614 SECTION 63. Section 28A of chapter 151A of the General Laws, as so appearing, is  
615 hereby amended by adding the following subsection:-

616 (e) with respect to services described in subsections (a) and (b) that are provided to or on  
617 behalf of an educational institution, benefits shall not be paid to any individual under the same  
618 circumstances as described in subsections (a) through (c), inclusive.

619 SECTION 64. Subsection (d) of section 29 of said chapter 151A, as so appearing, is  
620 hereby amended by adding the following paragraph:-

621 (7) Notwithstanding any of the foregoing provisions of this subsection, the amount of  
622 benefits otherwise payable to an individual for any week that begins in a period with respect to  
623 which such individual is receiving governmental or other pension, retirement or retired pay,  
624 annuity, or any other similar periodic payment from a defined benefit plan that is based on the  
625 previous work of such individual for the separating employer or for a base period employer shall  
626 be reduced by an amount equal to 65 per cent of the amount of such payment that is reasonably  
627 attributable to such week; provided, however, that such reduction shall apply only when such  
628 separating or base period employer employed the individual for at least 75 per cent of the  
629 individual's total length of service on which the defined benefit plan is based; and, provided

630 further, that such reduction shall apply only if, and to the extent, the reduction is then consistent  
631 with section 3304(a)(15) of the Internal Revenue Code of 1954. Payments received under the  
632 Social Security Act shall not be subject to this paragraph.

633 SECTION 65. Chapter 164 of the General Laws is hereby amended by striking out  
634 section 34B and inserting in place thereof the following section:-

635 Section 34B. (a) As used in this section, the following terms shall, unless the context  
636 clearly requires otherwise, have the following meanings:

637 “Attacher”, any person, distribution company, telecommunications company, utility,  
638 municipality or any other entity that attaches any line, wire or equipment to any pole.

639 “Attachment”, a wire, cable or other utility equipment.

640 “Double pole”, the condition in which 2 poles stand in immediate proximity during pole  
641 replacement, consisting of: (i) a newly installed replacement pole; and (ii) an existing pole that  
642 remains to support attached wires, cables or equipment pending their transfer to the replacement  
643 pole by the stakeholders.

644 “Owner”, any distribution company, utility, or other entity that is legally responsible for  
645 the installation, maintenance, and removal of a pole.

646 “Pole”, a utility pole to which at least one attachment is affixed.

647 “Stakeholder”, an attacher or owner.

648        “Utility pole database”, NJUNS, the National Joint Utilities Notification System, its  
649        successor or another equivalent notification system and database agreed to by the double pole  
650        working group established in this section.

651        (b) A stakeholder shall have an active account with the utility pole database that is  
652        regularly monitored by a designated individual within the stakeholder’s organization; provided,  
653        however, that if the database designee’s affiliation with the organization substantially changes or  
654        terminates for any reason, the organization shall replace the designee not more than 3 business  
655        days after the previous designee’s departure.

656        (c) When the installation of a new pole creates a double pole, the new pole owner shall,  
657        not later than 7 days after the installation: (i) register the double pole in the utility pole database;  
658        (ii) notify all attachers of their obligations to transfer their respective attachments to the new  
659        pole; provided, however, that if the new pole owner does not own the existing pole, the new pole  
660        owner shall notify the existing pole owner of the transfer obligations; and provided further, that  
661        the existing pole owner shall notify the attachers on the existing pole of their transfer obligations  
662        not later than 7 days after receipt of notice from the new pole owner; and (iii) send copies of  
663        notices to the department not later than 7 days after issuance.

664        (d) Not later than 90 days after a double pole is registered in the utility pole database or a  
665        preceding stakeholder on an existing pole completes its obligation under this section, a  
666        stakeholder shall: (i) transfer their attachment to the new pole; (ii) remove the existing pole; or  
667        (iii) both, as applicable; provided, however, that if the stakeholder is responsible for the final  
668        attachment transfer and the physical removal of the old pole, the stakeholder shall have 150 days  
669        to complete both tasks. Not later than 7 days after a stakeholder completes their obligation under

670 this subsection, the stakeholder shall update the pole's respective ticket in the utility pole  
671 database with written and visual confirmations of the completion.

672 (e)(1) A stakeholder that fails to satisfy an obligation under this section shall be liable for  
673 a civil penalty of \$100, plus an additional civil penalty of \$100 for each 30-day period or portion  
674 thereof during which the obligation remains incomplete; provided, however, that the department  
675 may waive a penalty consistent with subsection (f).

676 (2) Civil penalties collected under this subsection shall be deposited in the Double Pole  
677 Municipal Fund established in section 2000000 of chapter 29. The attorney general may file a  
678 civil action in superior or district court in the name of the commonwealth to recover penalties  
679 owed pursuant to this subsection.

680 (3) A municipality shall not be subject to civil penalties for failure to satisfy an obligation  
681 under this section; provided, however, that a municipality that remains out of compliance with an  
682 obligation under this section for more than 120 days after a double pole is registered in the utility  
683 pole database shall be ineligible to receive funds from the Double Pole Municipal Fund  
684 established in section 2000000 of chapter 29 for 1 year following the expiration of the 120-  
685 day compliance period.

686 (f) The department shall:

687 (i) routinely monitor stakeholder compliance with this section;  
688 (ii) ensure stakeholders have sufficient and appropriate access to the utility pole database;  
689 provided, however, that stakeholders' confidential and proprietary information shall be

690 protected; and provided further, that the department shall explore potential enhancements to the  
691 database as needed to reduce delays in the transfer and removal of double poles;

692 (iii) offer independent problem-solving assistance to parties engaged in double pole  
693 removals;

694 (iv) resolve any disputes between stakeholders regarding stakeholder obligations under  
695 this section, as requested by 1 or more stakeholders through a conference among the involved  
696 parties; provided, however, that a stakeholder may initiate a conference request when it disputes  
697 information in the utility pole database indicating that the stakeholder is the next party required  
698 to complete a transfer; provided further, that a conference request shall be submitted in a form  
699 and manner designated by the department; provided further, that a stakeholder shall submit a  
700 conference request not later than 45 days after its double pole obligation arises under this  
701 section; provided further, that a stakeholder shall set forth in the conference request sufficient  
702 information to justify the need for a conference; provided further, that the department shall issue  
703 a conference determination in writing to the involved stakeholders; provided further, that the  
704 conference determination shall be the final decision of the department, made in the department's  
705 sole discretion; and provided further, that a stakeholder that does not request a conference under  
706 this clause shall not waive any defense to an enforcement action but shall be ineligible for relief  
707 under this subsection until the stakeholder completes the transfer or the dispute is otherwise  
708 resolved;

709 (v) timely issue a civil penalty notice to a noncompliant stakeholder; provided, however,  
710 that such notice shall include information about the specific pole or poles at issue and the appeal  
711 process available to the stakeholder, consistent with clause (vii);

(vi) collect assessed civil penalties from stakeholders; provided, however, that the

department shall refer stakeholder nonpayment to the attorney general for enforcement;

(vii) create and maintain a civil penalty appeal process; provided, however, that the

appeal process shall offer a stakeholder the opportunity to request, in writing and within 30 days

of the civil penalty notice issued under clause (iii), a hearing to contest the penalty; provided

further, that the department shall waive a civil penalty upon a showing by the stakeholder that

circumstances beyond the stakeholder's control rendered timely completion of its obligation

under this section infeasible; provided further, that such circumstances shall include, but shall

not be limited to, extreme weather events, municipal work projects and noncompliance by

another stakeholder; and provided further, that if noncompliance by another stakeholder is the

department's determination, the department shall assess the civil penalty against the responsible party.

party:

(viii) maintain open communication with stakeholders, including but not limited to

### education and outreach efforts:

(ix) manage public inquiries and complaints regarding double poles, including but not

limited to attachment transfers:

(x) annually, not later than March 30, prepare a report regarding double pole activity in

the commonwealth during the previous calendar year, including, but not limited to, the number

and status of double poles in each municipality, the length of time the double poles have existed,

and the stakeholders responsible for delays in double pole resolution; provided, however, that the

report shall be submitted to the chairs of the joint committee on municipalities and regional

government, the chairs of the joint committee on telecommunications, utilities and energy, the

734 house and senate committees on ways and means and the clerks of the house and senate; and  
735 provided further, that the department shall publish the report on its website; and

736 (xi) promulgate rules and regulations to implement this section.

737 (g) There shall be a permanent double pole working group consisting of the following  
738 members: (i) the commissioner of the department of public utilities or a designee, who shall  
739 serve as chair; (ii) the commissioner of the department of telecommunications and cable or a  
740 designee; (iii) the attorney general or a designee; (iv) the executive director of the Massachusetts  
741 Municipal Association, Inc. or a designee; (v) the executive director of the Massachusetts Public  
742 Interest Research Group, Inc. or a designee; (vi) 1 member appointed by the president of the  
743 senate, who shall represent a non-municipal electricity company operating in the commonwealth;  
744 (vii) 1 member appointed by the speaker of the house of representatives, who shall represent a  
745 non-municipal cable company operating in the commonwealth; (viii) 1 member appointed by the  
746 minority leader of the senate, who shall represent a municipal electricity company operating in  
747 the commonwealth; (ix) 1 member appointed by the minority leader of the house of  
748 representatives, who shall represent a local cable company; (x) 1 member appointed by the house  
749 chair of the joint committee on municipalities and regional government, who shall represent a  
750 labor organization supporting utility workers in the commonwealth; and (xi) 1 member appointed  
751 by the senate chair of the joint committee on municipalities and regional government, who shall  
752 have experience in local public safety or local public works. The working group shall promote  
753 collaboration between stakeholders involved in attachment transfers and serve as an  
754 informational resource for interested parties. The working group may make recommendations to  
755 the legislature about proposed changes to this section.

756                   SECTION 66. Section 17 of chapter 268A of the General Laws, as appearing in the 2024  
757                   Official Edition, is hereby amended by adding the following paragraph:-

758                   This section shall not prevent a municipal employee from receiving or requesting  
759                   compensation from, or acting as an agent or attorney for, the employee's municipality and 1 or  
760                   more other governmental units, as defined by section 4A of chapter 40, in connection with an  
761                   intermunicipal agreement under said section 4A of said chapter 40; provided, however, that the  
762                   employee is acting within the scope of the employee's duties under the intermunicipal  
763                   agreement.

764                   SECTION 67. Notwithstanding section 20 of chapter 44 of the General Laws or any other  
765                   general or special law to the contrary, a community who reserved or used a debt excluded  
766                   premium for capital shall account for said premium on the debt excluded borrowing without  
767                   adjustment to the debt exclusion.

768                   SECTION 68. Notwithstanding section 53 of chapter 44 of the General Laws or any other  
769                   general or special law to the contrary, any city or town may, upon the approval of the chief  
770                   executive officer, establish in the treasury a separate revenue account into which shall be  
771                   deposited the monies received pursuant to section 25B of chapter 54 of the General Laws and  
772                   chapter 111 of the acts of 2014. Said special account shall be established by the municipal  
773                   treasurer in the municipal treasury and shall be kept separate and apart from other monies.  
774                   Monies in any special account shall be expended at the direction of the chief executive officer  
775                   without further appropriation only for the purposes for which the monies were received.

776                   SECTION 69. Not later than 90 days after the effective date of this act, the attorney  
777 general shall develop and publish best practices for remote participation of public bodies  
778 consistent with this act.

779                   SECTION 70. Not later than 180 days after the effective date of this act, the department  
780 of public utilities shall promulgate rules and regulations to implement section 34B of chapter 164  
781 of the General Laws.

782                   SECTION 71. A stakeholder's transfer obligation for a double pole created prior to the  
783 effective date of section 65 shall be provided a 365-day extension to satisfy such transfer  
784 obligation.

785                   SECTION 72. Not later than January 31, 2028, the department of public utilities, in  
786 collaboration with the department of telecommunications and cable, shall establish a single visit  
787 transfer pilot program designed to expedite the removal of double poles by allowing a single  
788 qualified entity to move all participating stakeholder attachments during 1 visit rather than  
789 requiring separate visits from each attacher. The department may model the program after similar  
790 state initiatives. The department may invite, but shall not require, stakeholders to participate in  
791 the program; provided, however, that a civil penalty assessed to a stakeholder participating in the  
792 program under section 34B of chapter 164 of the General Laws shall be half the amount  
793 otherwise set forth in said section 34B of said chapter 164. Nothing in this subsection shall be  
794 construed to interfere with then-effective collective bargaining agreements governing the  
795 installation, transfer or removal of poles or attachments. Terms used in this section shall be  
796 defined as set forth in section 34B of chapter 164 of the General Laws.

797 SECTION 73. Sections 5 and 65 shall take effect 1 year after the effective date of this

798 act.