

HOUSE No. 3209

The Commonwealth of Massachusetts

PRESENTED BY:

Gailanne M. Cariddi

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 relative to the creation of regional disability commissions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>
<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>

HOUSE No. 3209

By Ms. Cariddi of North Adams, a petition (accompanied by bill, House, No. 3209) of Gailanne M. Cariddi and others for legislation to authorize two more municipalities to establish regional commissions on disabilities. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the creation of regional disability commissions.

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

1 Notwithstanding any general or special law to the contrary Chapter 40 of the
2 Massachusetts General Laws is hereby amended by inserting after section 8J the following
3 section:-

4 Section 8J ½. (a) Any group of 2 or more municipalities may, with the approval of the
5 director of the Massachusetts office on disability, and by vote of their respective legislative body,
6 establish a regional commission on disability, hereinafter called the regional commission, to
7 cause the full integration and participation of people with disabilities in such municipalities. The
8 regional commission shall (1) research local problems of people with disabilities; (2) advise and
9 assist officials and employees of all member municipalities in ensuring compliance with state
10 and federal laws and regulations that affect people with disabilities; (3) coordinate or carry out
11 programs designed to meet the problems of people with disabilities in coordination with
12 programs of the Massachusetts office on disability; (4) review and make recommendations about

13 policies, procedures, services, activities and facilities of departments, boards and agencies of the
14 member municipalities as they affect people with disabilities; (5) provide information, referrals,
15 guidance and technical assistance to individuals, public agencies, businesses and organizations in
16 all matters pertaining to disability; (6) coordinate activities of other local groups organized for
17 similar purposes. After a regional commission has been established and a regional agreement
18 has been entered into pursuant to subsection (d), any other municipality may by vote of its
19 legislative body apply for admission into the commission with the approval of the director of the
20 Massachusetts office on disability. Upon the affirmative vote of the town manager or
21 administrator of a majority of the existing member municipalities, the municipality applying for
22 membership shall become a member municipality of the regional commission. Any municipality
23 may petition the regional commission to leave the commission with a vote of the majority of the
24 members of the legislative body from the municipality seeking to leave the regional commission.
25 All rights, privileges and obligations applicable to the original member municipalities of the
26 regional commission shall be applicable to the new member municipalities.

27 (b) Only municipalities that are estimated to have less than 300 persons with disabilities,
28 as determined by the Massachusetts office on disability, shall be eligible to establish and become
29 a member municipality of a regional commission established pursuant to this section.

30 (c) The regional commission shall keep records of its meetings and actions and shall file
31 an annual report which shall be printed in each member municipality's annual report and shall
32 have at least 10 meetings annually.

33 (d) Within 30 days of establishing a regional commission the member municipalities
34 shall, through and by their chief executive officers, agree to and enter into a regional agreement,

35 which must be approved by the director of the Massachusetts office on disability. For purposes
36 of the section, “chief executive officer” shall mean the mayor in a city and the board of
37 selectmen in a town unless some other municipal office is designated to be the chief executive
38 officer under the provisions of a local charter.

39 The agreement shall contain provisions describing the method by which the agreement
40 may be amended and the number, method of selection and terms of office of the members of the
41 regional commission provided that:

42 (i) the regional commission shall consist of not less than 5 members;

43 (ii) appointments shall be reasonably proportioned amongst the municipalities;

44 (iii) a majority of the members shall be people with disabilities;

45 (iv) at least 1 member shall be a member of the immediate family of a person with a
46 disability;

47 (v) the chief executive officer for each member municipality shall appoint 1 elected or
48 appointed official from that municipality to serve as a member;

49 (vi) the terms of the first members shall be for 1, 2 or 3 years, and so arranged that the
50 term of at least one-fourth of the members expires each year, and their successor shall be
51 appointed for terms of 3 years each; and

52 (vii) the commission shall appoint a chairperson by a majority vote of the members and
53 may appoint other officers as it sees fit by a majority vote of the members.

54 The agreement may also contain provisions describing other matters, not inconsistent
55 with the terms of this section or any other law, including a process governing the control and
56 management of gifts of property, both real and personal, made to the regional commission.