

# Massachusetts Port Authority

## Community Advisory Committee Legislation

### Chapter 46 of the Acts of 2013

(MCAC applicable sections 54 and 55)

#### AN ACT RELATIVE TO TRANSPORTATION FINANCE.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to immediately make available monies for transportation financing in the fiscal year beginning July 1, 2013 and to make certain changes in law, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 54. The second paragraph of section 2 of chapter 465 of the acts of 1956 is hereby amended by striking out the first sentence and inserting in place thereof the following 2 sentences:-  
The Authority shall consist of 7 members; 6 of whom shall be appointed by the governor and 1 of whom shall be appointed by the Massachusetts Port Authority Community Advisory Committee in accordance with this act and according to the by-laws of said Committee. Members shall serve for a term of 7 years.

SECTION 55. Said chapter 465 is hereby further amended by striking out section 36, added by section 128 of chapter 25 of the acts of 2009, and inserting in place thereof the following section:-  
Section 36. (a) There shall be an advisory board to the authority which shall be named the Massachusetts Port Authority Community Advisory Committee. The Massachusetts Port Authority Community Advisory Committee shall consist of a voting member from each of the following cities and towns: Bedford, Beverly, Braintree, Brookline, Cambridge, Chelsea, Cohasset, Concord, Everett, Hingham, Hull, Lexington, Lincoln, Malden, Melrose, Medford, Milton, Nahant, Quincy, Revere, Scituate, Somerville, Weymouth, Worcester and Winthrop; provided, that the city of Boston shall have 6 voting members, 1 of whom shall be from the East Boston section of the city of Boston and 1 of whom shall be from the South Boston section of the city of Boston. The members of the Massachusetts Port Authority Community Advisory Committee shall be appointed by the chief executive officer of each community listed above; provided, that appointed members shall be versed in at least 1 of the following disciplines: airport operations; environmental affairs, labor relations, public health or port operations. For the purpose of this section, the term "chief executive officer" shall mean the person designated as the chief executive officer under the provisions of a local charter or laws having the force of a charter, or, in the absence of such local charter or laws having the force of a local charter the mayor in every city and the chairman of the board of selectmen or president of the town council, as the case may be, in every town.

(b) Each voting member shall cast 1 vote on the Massachusetts Port Authority Community Advisory Committee.

(c) The Massachusetts Port Authority Community Advisory Committee may act at a regular periodic meeting called in accordance with its by-laws, at a special meeting called by the Authority or if a majority of members choose to do so. Except as provided in (f), a quorum of the Massachusetts Port Authority Community Advisory Committee shall consist of a simple majority of voting members

present, and the Massachusetts Port Authority Community Advisory Committee may act, except as otherwise provided in paragraph (f), by affirmative casting of a majority of the votes represented in the quorum. The Massachusetts Port Authority Community Advisory Committee shall be deemed to be a governing body for the purposes of, and shall be subject to, sections 18 to 25, inclusive, of chapter 30A of the General Laws.

(d) The Massachusetts Port Authority Community Advisory Committee shall adopt and may revise and amend by-laws. The Massachusetts Port Authority Community Advisory Committee shall annually elect a chairperson, a vice-chairperson, a secretary and such officers as said Massachusetts Port Authority Community Advisory Committee might determine. Each member of said Massachusetts Port Authority Community Advisory Committee shall serve without compensation, except if a member provides specialized services, such as legal, accounting, record keeping, administration, or any other specialized services provided to the Massachusetts Port Authority Community Advisory Committee. Members may be reimbursed, as an expense of said Massachusetts Port Authority Community Advisory Committee, for all reasonable expenses incurred in the performance of their duties as approved by the Massachusetts Port Authority Community Advisory Committee.

(e) The purposes of the Massachusetts Port Authority Community Advisory Committee shall be as follows: (i) to appoint a member to the board of directors of the Massachusetts Port Authority, as provided for in section 2 of this chapter and in the manner prescribed in paragraph (f) of this section; (ii) to make recommendations to the authority on annual current expense expenditure budgets submitted to the Massachusetts Port Authority Community Advisory Committee under paragraph (g); (iii) to hold hearings, which may be held jointly with the authority at the discretion of the Massachusetts Port Authority Community Advisory Committee and said authority, on matters relating to said authority; (iv) to review the annual report of the authority and to prepare comments thereon to the authority and the governor, and to make such examinations of the reports on the authority's records and affairs as the Massachusetts Port Authority Community Advisory Committee deems appropriate; and (v) to make recommendations to the governor and the general court respecting the authority and its programs. The Massachusetts Port Authority Community Advisory Committee shall have all powers necessary or convenient to carry out and effectuate the foregoing purposes.

(f) With respect to appointment of any member of the board of directors, the Massachusetts Port Authority Community Advisory Committee shall act only if a special quorum is present consisting of 2/3 of voting members. The Massachusetts Port Authority Community Advisory Committee's appointment to the board of directors shall be a resident of 1 of the following communities: the East Boston or South Boston section of the city of Boston, or the town of Winthrop.

(g) The Massachusetts Port Authority Community Advisory Committee may hold a public hearing on matters relating to said budget to ascertain, for subsequent report to the authority if necessary, the views of the public thereon.

(h) The Massachusetts Port Authority Community Advisory Committee may provide for the appointment of staff to who shall serve at the pleasure of the committee.

(i) The Massachusetts Port Authority Community Advisory Committee may incur annual expenses, not to exceed \$250,000. Said annual expenses shall be paid by the authority.

(j) The authority shall provide any information including, but not limited to, annual current expense expenditure budgets and capital expenditure reports, requested by the Massachusetts Port Authority Community Advisory Committee which are necessary for the discharge of its duties; provided, however, that the Massachusetts Port Authority Community Advisory Committee shall not be granted access to any information if it be determined by the executive director of the authority and the director of security for the authority that the release of such information would be detrimental to public safety, or if providing such information would be in violation of any federal statute or regulation of the Federal Aviation Administration or other federal agency; provided, further, that said determination shall be made in writing which shall be delivered to the Massachusetts Port Authority Community Advisory Committee within 10 business days.

## Chapter 10 of the Acts of 2015

(MCAC applicable sections 47-50)

### AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2015 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to forthwith make supplemental appropriations for fiscal year 2015 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

SECTION 47. The second sentence of subsection (a) of section 36 of chapter 465 of the acts of 1956, as appearing in section 55 of chapter 46 of the acts of 2013, is hereby amended by striking out the word "Bedford" and inserting in place thereof the following words:- Arlington, Bedford, Belmont.

SECTION 48. Said second sentence of said subsection (a) of said section 36 of said chapter 465, as so appearing, is hereby further amended by inserting after the word "Cambridge" the following word:- , Canton.

SECTION 49. Said second sentence of said subsection (a) of said section 36 of said chapter 465, as so appearing, is hereby further amended by striking out the word "Malden" and inserting in place thereof the following words:- Lynn, Malden, Marblehead.

SECTION 50. Said second sentence of said subsection (a) of said section 36 of said chapter 465, as so appearing, is hereby further amended by striking out the words "Revere, Scituate, Somerville" and inserting in place thereof the following words:- Randolph, Revere, Salem, Scituate, Somerville, Swampscott, Watertown.