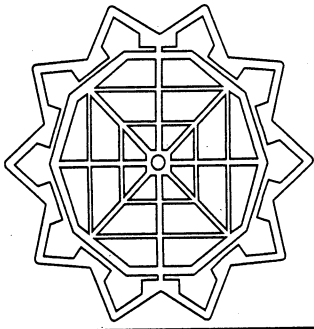




Massachusetts Municipal Association LEGISLATIVE BULLETIN

October 7, 1994

THE MUNICIPAL AGENDA AND THE NOVEMBER ELECTION

As the November election nears, the following are key items on the Municipal Agenda that local officials may want to discuss with legislative candidates.

Uncapping the Lottery

Last summer, local officials won a major victory when the Legislature passed and Gov. William Weld signed a five-year phase-out of the \$166 million lottery diversion. Cities and towns should receive between \$75 and \$80 million in new lottery funds in fiscal 1996. **The MMA is encouraging its members to ask legislative candidates in their communities for the Legislature's continued support in uncapping the lottery.**

Oppose Earmarking

When the lottery was established in 1972, its purpose was to provide cities and towns with additional unrestricted revenues. Any attempt by the Legislature or the Administration to earmark lottery funds for specific programs would be a violation of the historic intent of the lottery. **Please ask the legislative candidates in your community for their continued support for the original intent of the lottery, and ask for their pledge to oppose any attempt to earmark lottery funds.**

Support the MMA Local Aid Resolution

The 1995 MMA Legislative Package will include a local aid resolution. The resolution will call on the Legislature to support full funding of the education reform law, level funding of Additional Assistance, and a \$75 to \$80 million increase in lottery revenues. In order to be effective,

the local aid resolution must be passed by both branches of the Legislature in early February so that the Department of Revenue can send reliable Cherry Sheets no later than March 1. **Please ask your legislative candidates to support and co-sponsor the MMA Local Aid Resolution and urge support for a vote on the resolution no later than mid-February.**

School Finance Problems

The education reform law of 1993 continues to cause significant funding problems for municipalities. As communities begin to prepare for the third year under the education law, the MMA believes there must be substantive changes to the burdensome school finance rules. **Please share with candidates from your community any difficulties you have experienced in implementing the law. Ask them to work with the MMA in an effort to craft sensible solutions to developing school budgets while protecting municipal services.**

PILOT and Regional School Transportation

For the past two years, the Legislature has level funded the Payment In Lieu of Taxes program at \$6.5 million. In each of these years, the MMA has successfully fought to add the funding to the state budget.

Regional school transportation was underfunded in fiscal 1995 by about \$36 million. Since transportation costs are not calculated in a community's minimum required local contribution, this poses a significant problem for a number of communities. Cities and towns are required to make up the state's missing share of regional

school transportation costs from property tax dollars that would otherwise be used to support local services such as police, fire, roads, public works, and others. **Please ask your candidates to support the PILOT program and full funding of the regional school transportation program.**

Oppose Unfunded Mandates

Despite the strong anti-mandate provisions of Proposition 2 1/2, the Legislature has come under increasing pressure to enact legislation that would impose new costs on cities and towns. This is particularly true of many environmental and labor issues. Unfunded mandates force communities to shift scarce local revenues away from existing municipal services. **Please ask your candidates for their commitment to reject any bill that imposes new unfunded costs on cities and towns.**

The MMA Position on Ballet Questions:

MMA Board Endorses Question 8

The MMA Board of Directors voted unanimously at its September meeting to support Question 8, sponsored by the Coalition to Save Our Roads and Bridges. If passed by voters, Question 8 will prohibit Highway Fund transfers, prohibit the state from balancing the budget with Highway Fund monies, and require the state to develop and implement a seven-year comprehensive, statewide transportation needs plan.

The 1990 gas tax increase has not been spent on its intended purposes — namely the repair of roads and bridges. This ballot question is the result of the state's disregard for the voters' wishes in 1990. In 1991, \$235 million was transferred from the Highway Fund in order to balance the state's operating budget. The Highway Fund surplus has now reached \$518 million. Currently, four out of every five Massachusetts road miles continue to be rated as fair or poor, and one-half of the state's bridges are rated substandard.

Please ask your candidates to support the MMA's position on Question 8.

MMA Board Opposes Question 9

The MMA Board of Directors voted unanimously at its September meeting to oppose Question 9, the proposal to prohibit rent control, because the initiative violates home rule and threatens local autonomy. As a statewide referendum, Question 9 will have voters from one community overruling citizens in other communities that have exercised their home rule rights. If Question 9 passes, other narrow special interest groups may propose statewide ballot questions which undermine municipal powers, including local bylaws and regulations. **Please ask your candidates to support the MMA's position on Question 9.**

Hearings on Ethics Law Scheduled

A Special Commission on Ethics, created by the 1994 campaign finance reform law, is beginning the process of reviewing the commonwealth's ethics laws and regulations, and recommending amendments by March 1, 1995. The commission plans to gather information and examine the ethical standards contained in Chapters 268A and 268B and their application to state and local government officials. The commission will examine the differences between the operation of the ethics law at the municipal and state levels; the adjudicatory procedure of the current ethics commission; and enforcement and penalty provisions for violations of the law. The commission will also study issues surrounding gifts and gratuities, requirements for disclosure, ethics laws in other states, and any other issues that the commission deems relevant for further study. The commission intends to complete the research portion of its work by January, and make recommendations by the March deadline. Attleboro Mayor Judith Robbins is on the special commission.

The commission will hold a hearing Thursday, Oct. 20, at 7 p.m. at the State House in the Gardner Auditorium. Written testimony may be sent to: Special Commission on Ethics, c/o Committee on Election Laws, Room 26, State House, Boston, MA 02133.



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617-547-0271

MEMORANDUM

TO: D. Margaret Drury, City Clerk

FROM: Francis H. Duehay, City Councillor

DATE: October 13, 1994

SUBJECT: MMA Legislative Bulletin

Would you kindly place the attached MMA Legislative Bulletin on the communications from city officers for the City Council meeting of October 17, 1994.

attachment

3.

S-423

COMMUNICATIONS & REPORTS FROM
CITY OFFICERS

Communication from Councillor Duehay
transmitting a copy of the Massachusetts
Municipal Association Legislative Bulletin
dated October 7, 1994.

In City Council,

October 17, 1994

Placed on file