

**HOUSE . . . . . No. 01611**

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The Commonwealth of Massachusetts

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PRESENTED BY:

***Kevin G. Honan***

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*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 passage of the accompanying bill:

An Act relative to employment contracts for town accountants and city auditors..

\_\_\_\_\_  
PETITION OF:

NAME:

*Kevin G. Honan*

DISTRICT/ADDRESS:

*17th Suffolk*

# HOUSE . . . . . No. 01611

By Mr. Kevin G. Honan of Boston, petition (accompanied by bill, House, No. 01611) of Kevin G. Honan relative to employment contracts for town accountants and city auditors. Joint Committee on Public Service.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE  
□ HOUSE  
□ , NO. 2465 OF 2009-2010.]

## The Commonwealth of Massachusetts

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**In the Year Two Thousand Eleven**  
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An Act relative to employment contracts for town accountants and city auditors..

*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. Delete from the first and third paragraphs of General Laws Chapter 41, section
- 2 108N the terms “town accountants” and “city auditor.”
  
- 3 SECTION 2. Amend Chapter 41 by adding a new section, Section 108Q, that reads: Section
- 4 108Q. Notwithstanding the provision of any general or special law to the contrary, any city or
- 5 town acting through the Appointing Authority for its town accountant or city auditor, may
- 6 establish an employment contract for a period of time to provide for the salary, fringe benefits,
- 7 and other conditions of employment, including but not limited to, severance pay, relocation
- 8 expenses, reimbursement for expenses incurred in the performances of duties or office, liability
- 9 insurance, leave for its town accountant or city auditor or the person performing such duties

10 having a different title and educational incentives, including but not limited to, designation as a  
11 Certified Governmental Accountant by the Massachusetts Municipal Accountants' Association  
12 which may be established by the appropriating authority with or without a contract, funding  
13 subject to the local appropriating authority. Said contract shall be in accordance with and subject  
14 to the provisions of the city or town charter and shall prevail over any conflicting provision of  
15 any local personnel by-law, ordinance, rule, or regulation. In addition to the benefits provided  
16 municipal employees under chapters thirty-two and thirty-two B, said contract may provide for  
17 supplemental retirement and insurance benefits. Nothing contained in this section shall affect the  
18 appointment or removal powers of any city or town over its town accountant or city auditor, or  
19 such person performing such duties with a different title, nor shall it grant tenure to such officer,  
20 nor shall it abridge the provisions of section sixty-seven of chapter forty-four.