

HOUSE No. 4190

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

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 Provincetown public pier corporation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>7/8/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>7/15/2021</i>

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By Ms. Peake of Provincetown, a petition (subject to Joint Rule 9) of Sarah K. Peake and Julian Cyr relative to the Provincetown public pier corporation. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to the Provincetown public pier corporation.

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 2 of Chapter 13 of the Acts of 2000, as amended by Chapter 260 of
2 the Acts of 2002, is hereby amended by deleting the references to board of selectmen in the first
3 definition and replacing them with: - select board.

4 SECTION 2. Section 2 of Chapter 13 of the Acts of 2000 is hereby amended by deleting
5 the words chapter 7 and replacing them with: - chapter 4.

6 SECTION 3. Subsection (b) of section 3 of chapter 13 of the Acts of 2000 is hereby
7 amended by deleting the words board of selectmen everywhere they appear and replacing them
8 with: - select board.

9 SECTION 4. Section 4 of Chapter 13 of the Acts of 2000, as amended by Chapter 260 of
10 the Acts of 2002 is hereby furthered amended by deleting Subsection (a) in its entirety and
11 replacing it with the following: - The corporation shall be managed by a board of directors
12 consisting of five regular members and one alternate member, appointed by the select board.

13 There shall also be two non-voting members appointed by the select board, one of who shall
14 represent commercial fishermen and the other shall represent the charter boat industry or other
15 tenant of the pier. The two non-voting members shall serve in an advisory capacity to the board
16 of directors and shall be limited to making recommendations on matters of general policy
17 affecting commercial fishermen, charter boat operators or other tenants of the pier, subject to the
18 limitations set forth in Chapter 930 of the Code of Massachusetts Regulations, Section 6.23.
19 Members of the board of directors shall have education and experience in one or more of the
20 following fields: law, finance, marine operations and real estate and the board as a whole shall
21 include persons with education and experience in several of these fields. Each of the members
22 shall be sworn to the faithful performance of his or her official duties as a director of the
23 corporation. A majority of the five regular members shall constitute a quorum for the transaction
24 of any business, but any action of the board of directors shall require the affirmative vote of a
25 majority of the entire board. The board of directors shall elect from among its members a
26 chairman, vice-chairman, clerk, treasurer and other officers as it finds necessary and determine
27 their duties. Upon the expiration of the term of office of any member of the board of directors,
28 the successor of such member shall be appointed for a term of five years. Members of the board
29 of directors may only serve for two consecutive five-year terms. When a member is appointed to
30 complete the term of another, it shall count as a full term if it exceeds thirty months. Members of
31 the board of directors who have served two consecutive five-year terms may be re-appointed
32 after an absence of one year.

33 SECTION 5. Subsection (e) of section 4 of chapter 13 of the Acts of 2000 is hereby
34 amended by deleting the words board of selectmen everywhere they appear and replacing them
35 with: - select board.

SECTION 6. This act shall take effect upon passage.