

SENATE No. 1601

The Commonwealth of Massachusetts

PRESENTED BY:

Edward J. Kennedy

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 establishing a public safety building authority and assistance program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/25/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/26/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/11/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>4/7/2021</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>4/12/2021</i>

SENATE No. 1601

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 1601) of Edward J. Kennedy, Lindsay N. Sabadosa, Michelle L. Ciccolo, Michael O. Moore and other members of the General Court for legislation to establish a public safety building authority and assistance program. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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

An Act establishing a public safety building authority and assistance program.

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

1 The General Laws are hereby amended by inserting after chapter 22E the following
2 chapter:-

3 CHAPTER 22F.

4 PUBLIC SAFETY BUILDING ASSISTANCE PROGRAM.

5 Section 1. Whereas the costs of the building police stations, fire stations, and other public
6 safety facilities are increasing at an unsustainable rate and local governments need flexibility in
7 public safety building assistance to ensure that local needs for public safety facility space,
8 downtown development, open space and community space are met; and to promote the
9 thoughtful planning and construction of public safety facility space in order to insure safe and
10 adequate plant facilities for the public safety facilities, and to assist towns in meeting the cost
11 thereof, there is hereby established a public safety building assistance program. It is in the best

12 interests of the commonwealth and its citizens to create an authority to achieve the objectives of
13 effective management and planning of the commonwealth's investments in public safety building
14 assets, maintaining good repair, efficient and economical construction and maintenance,
15 financial sustainability of the public safety building assistance program, thoughtful community
16 development, and accessibility.

17 Section 2. (a) There is hereby created a body politic and corporate and a public
18 instrumentality to be known as the Massachusetts Public Safety Building Authority, which shall
19 be an independent public authority not subject to the supervision and control of any other
20 executive office, department, commission, board, bureau, agency or political subdivision of the
21 commonwealth except as specifically provided in any general or special law. The exercise by the
22 authority of the powers conferred by this chapter shall be considered to be the performance of an
23 essential public function.

24 (b) The purpose of this authority would be to oversee a public facilities building program
25 to provide state building assistance for the new construction, renovation, or remodeling of police
26 stations, fire stations, and other public safety facilities.

27 (c) The authority shall consist of the state treasurer, who shall serve as chairperson, the
28 secretary of administration and finance, the secretary of the executive office of public safety and
29 security, and 4 additional members appointed by the state treasurer, 2 of whom shall have
30 practical experience in public safety facilities planning, public safety facility construction, or
31 architecture and public safety facility design, and 2 of whom shall be persons in the field of law
32 enforcement or fire management, each of whom shall serve a term of 2 years; but, a person
33 appointed to fill a vacancy shall serve only for the unexpired term. An appointed member of the

34 authority shall be eligible for reappointment. The authority shall annually elect 1 of its members
35 to serve as vice-chairperson. Each member of the authority serving ex officio may appoint a
36 designee pursuant to section 6A of chapter 30.

37 (d) Four members of the authority shall constitute a quorum, and the affirmative vote of 4
38 members of the authority shall be necessary and sufficient for any action taken by the authority.
39 No vacancy in the membership of the authority shall impair the right of a quorum to exercise all
40 the rights and duties of the authority. Members shall serve without pay but shall be reimbursed
41 for actual expenses necessarily incurred in the performance of their duties. The chairperson of
42 the authority shall report to the governor and to the general court no less than annually, to assist
43 the executive and legislative branches in coordinating public safety and fiscal policies of the
44 commonwealth.

45 (e) Any action of the authority may take effect immediately and need not be published or
46 posted unless otherwise provided by law. The authority shall be subject to all provisions of
47 chapter 30A, and records pertaining to the administration of the authority shall be subject to
48 section 42 of chapter 30 and section 10 of chapter 66. All moneys of the authority shall be
49 considered to be public funds for purposes of chapter 12A. The operations of the authority shall
50 be subject to chapter 268A and chapter 268B and all other operational or administrative
51 standards or requirements to the same extent as the office of the state treasurer.