



Massachusetts Town Clerks' Association

The Public Recorder

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MAY 2012

Report of the President, Donna Hooper

Guiding the Way Through the 90 Years.....

As we prepare to gather at the Sea Crest Beach Resort Hotel for the 2012 summer conference and the 90th anniversary of the establishment of the Massachusetts Town Clerks' Association, I have been fortunate to review a collection of over 30 years of **The Public Recorder**, from the 1940's through the 1970's, for a glimpse of the life and times of the municipal clerk through the years.

Volume 3, Fall-Winter Issue, 1948 Number 1 edition of **The Public Recorder** [single copy one dollar] states 'For true and accurate public records,' – the official publication of the Massachusetts Town Clerks' Association is designed and dedicated to the service of the Town Clerks of Massachusetts, striving on a non-partisan basis to work always for the best interests and advancement of the Commonwealth of Massachusetts.'

The long published official means of communication to and among municipal clerks, the Commonwealth's legislative and executive branches, and businesses serving municipal governments, **The Public Recorder** continues to serve as a valuable source of information for municipal clerks to stay abreast of the issues and events impacting the role of municipal clerks.

The Public Recorder, published quarterly then monthly, with a period of time

during which publication ceased, has taken on many forms over the years – offset printing, stencil mimeograph, photocopies, and now desktop publishing of electronic copies. It's been an enjoyable trip down memory lane – the 'new' laws and procedures, the elections, the venues at which the clerks gathered, the advertisements, the who's who in Town Clerks, the state officials, and an occasional celebrity.

The 1948 Fall-Winter Issue featured a letter of regret from then President of Columbia University, Retired General Dwight D. Eisenhower. General Eisenhower was unable to accept the invitation from MTCA President Arthur J. Shinnors [Brookline], and endorsed by Senator Henry Cabot Lodge, Jr., to speak at the October 1948 meeting of the MTCA, writing ... *The endorsement is not needed to attract me, for your members are extremely close to the grass roots thinking of New England, and it would be both pleasant and profitable to meet them.....They are a great outfit!...A crowded calendar, however, will not permit me to add another engagement to my schedule; October will be, in fact, the busiest month of the past several years. Please explain to the members of the Association the circumstances which force me to decline the invitation to address them. Thank you for your letter and my best wishes to the Massachusetts Town Clerks' Association. Sincerely, Dwight D. Eisenhower (continued page 2).*

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MTCA LOBBYIST REPORT—MAY 2012

by Stephen Roche

ELECTION LAWS CHANGES ON THE WAY?

House 4022 continues to sit in the House Ways & Means Committee (HW&M). This was expected as HW&M was occupied the past few weeks with the FY2013 budget debate.

Now that the House has concluded its work on the budget, we expect the advocates for “elections reform” to press for action on the bill ASAP, bearing in mind the end of formal sessions arrives at midnight on July 31st.

It's my hope that all of you have contacted your state representatives by now to express clerks' concerns with House 4022.

If you have not called your state rep, please do it today!!!

We have contacted the HW&M chairman and other committee members to advise them of the MTCA's concerns. We have also reached out to various members of the House Leadership.

The Massachusetts City Clerks Association and State Secretary's Office have also joined the fight, calling for passage of our Elections Task Force bill, **House 3115**.

FY2013 STATE BUDGET

The House's budget debate went fairly quickly this year – started on Monday, April 23rd, and concluded at Midnight on April 25th. In terms of items of interest to town clerks, I offer the following:

- The State Secretary's “Information for Voters” account was increased by \$500,000
- The House approved changes to the Community Preservation Act (CPA) and increased funding for communities

As many of you know, the CPA's funding has been decreasing during the past several years. When first approved in 2000, the idea was that the state would make a 100% match of moneys raised by communities. Today the state matches just 22 cents of every dollar spent. The House approved an increase of \$25 million in CPA matching funds for FY2013.

The House also approved a number of changes in the CPA program:

- Communities can use hotel excise taxes, linkage fees, municipal revenues, parking fines, and private gifts to CPA projects. (*continued page 3*)

President's Report (cont.)

The MTCA continues to strive to provide current and informative material to serve the needs of its members in today's role as Town Clerk through *The Public Recorder* and other modes of communication, including electronic communication [email, internet, etc.], as tools to generate and receive information important to our success in the position of Town Clerk. We look forward to supporting and expanding communication opportunities.

Our special thanks to Athol Town Clerk Nancy Burnham for her great work as Editor, *The Public Recorder*, the newly formatted layout, and all who contribute!



MTCA Fall Conference



www.jiminypeak.com

Hancock, MA
September 26th – 28th

MTCA Lobbyist Report (cont.)

- CPA funds can be used on athletic fields, parks, and playgrounds.

Communities can create a small business property tax exemption of the first \$100,000 of property value.

A number of state senators are lining up to add the House's CPA changes and funding to the Senate budget. The Senate budget is expected to be released the week of May 14th; debate will begin on May 22nd.

The new bill number for the House budget – post debate – is **House 4101**.

NEW ISSUE OF NOTE – HOUSE 4053 – MUNICIPAL RECORDS MANAGEMENT

House 4053 is an interesting bill dealing with records management for cities and towns. Here's a summary for the bill:

Examines and assesses the current condition of essential municipal records; identifies strategies and possible solutions to ameliorate the organization, storage and preservation of municipal records; requires the Massachusetts Archives to provide any research, analysis or other staff support the commission may reasonably require.

If passed, House 4053 would establish a "special commission to examine the status, maintenance, preservation and storage of municipal records in the Commonwealth."

The Commission membership would include representatives of the MTCA as well as the city clerks' group, the MMA, the Supervisor of Public Records, and others. The Commission would issue a report with legislative recommendations.

2012 BALLOT QUESTIONS

As you may know, the General Court did not approve the following initiative petitions:

- Legalize medical marijuana
 - Allow doctor assisted suicide
 - Utilize teacher performance as main criteria for hiring or retaining teacher
- Automobile "Right To Repair"

The first three questions appear to be heading to the November ballot if the proponents can secure the additional 11,485 certified voter signatures by July 4th. The fourth initiative, however, may not appear on the ballot if "secret" talks between the proponents and the opponents can produce a compromise. This issue has been the object of heavy lobbying by the automobile industry and consumer groups on the other side; over 20 lobbyists and groups are battling on this initiative.

SULLIVAN REAPPOINTED AS OCPF CHIEF

Michael Sullivan was recently reappointed to another six-year term as the Director of the Office of Campaign & Political Finance; Mike has already served 18 years as this agency's head.

The process for selecting the OCPF Director is an unusual one; the decision rests with a special commission consisting of:

- The State Secretary
 - The Massachusetts Democratic Committee Chair
 - The Massachusetts Republican Committee Chair
- And, the Dean of a Massachusetts law school

Congratulations Mike. It's good to see that the two parties can agreed on some things.

THE ROAD AHEAD

We will see a lot of activity on Beacon Hill as the Legislature moves closer to the end of formal sessions at Midnight on July 31st.

As mentioned above, the Senate will be holding its budget debate the week before Memorial Day. The Senate will be tackling another big issue on May 15th when it debates a health care cost containment bill, **Senate 2260**. The House is also expected to have a debate on a cost containment proposal – **House 4070** - within the next few weeks.

We expect to see significant differences between the House and Senate cost containment bills. This means a good deal of legislative time and energy will be taken up on this issue as state legislators try to deal with controversial issues and matters requiring roll call votes before 7/31/2012.

It should be interesting!

**Business Meeting
Sturbridge host hotel
January 26, 2012**

- ◆ Donna Hooper, President of the Massachusetts Town Clerk's Association, called the meeting to order at 12:46 PM.
 - ◆ Anna Farrell, Fitchburg City Clerk and President of the Massachusetts City Clerk's Association, congratulated Cambridge City Clerk, Margaret Drury, on her many years of service and her upcoming retirement.
1. **SECRETARY'S REPORT**- Minutes of the October 13th business meeting were unanimously approved.
 2. **TREASURERS REPORT**- Treasurer Robert Cutler's report was unanimously approved.
 3. **FIRST VICE PRESIDENT'S REPORT**- Nancy Blackmer thanked all participating vendors. Her report was unanimously approved.
 4. **SECOND VICE PRESIDENT'S REPORT**- Andrew Dowd updated the Association as to a location for the Fall Conference. No Facility has been chosen at this time, if any member has an idea, Andy asked that they contact him.
 5. **LEGISLATIVE REPORT**: Larry Pizer, Legislative Committee Chairman, brought attention to two (2) bills of concern to the Association H4190 "The JP Bill", and S1033 "The Animal Control Bill". Joseph Powers, Legislative Committee member gave a brief outline of H4190. The Bill, categorized as reactive and punitive by the Legislative Committee, would prohibit City and Town Clerks who are also JP's from performing ceremonies on "municipal time" and also from keeping any fees for ceremonies performed during the workday. All such ceremony fees would be required to be given to the General Fund. Joe cautioned that we need to be smart about how we approach our opposition to this bill. We should not fight it in the media, but should reach out to legislators and make them aware of our concerns. Joe stressed this bill is wrong and needs to be defeated. Larry stressed that the membership should point out it will be the public that is inconvenienced by this bill, and that this is a matter for local control. Larry then spoke of the current status of the Animal Control Bill (S1033). He and our lobbyist have met with Senator Walz to reiterate that the Association feels that this bill is 99% good, but we will continue to oppose it for the 1% bad it contains, namely the surcharge Cities and Towns would be required to collect for the Commonwealth, and that persons over 70 would be granted free licenses. The Association has no objection if the "Free License" provision was included as a local option, and will oppose all attempts to include the surcharge. President Hooper then requested a motion to add both of these bills to the Association's Legislative Agenda. A motion was made and seconded, and the motion passed unanimously.
 6. **CLERK'S DAY ON THE HILL**: Larry Pizer gave a brief update on the next Clerk's Day on the Hill which will occur on March 19, 2012. The Legislative Committee and Legislative Agent are hard at work to ensure a great day for all. The Legislative Agent will have talking points for attending clerks when they meet with their legislators.
 7. **LEGISLATIVE AGENT UPDATE**: Steve Roche gave a brief update on matters on Beacon Hill. He will continue to monitor all Secretary Accounts. He assured the membership the date of the State Primary is set. He noted that FY13 revenues appear to be heading up. He is pleased that the new chair of Elections is open to ideas and will be meeting with them shortly. The cancellation Device and Check-out Table bills are again being proposed as part of a "municipal Relief Package. Steve stressed that the Association needs to stress the importance of forming an Election Task force at every available opportunity.
 8. **CERTIFICATION ADMINISTRATOR**: Barbara LaBombard was called upon to present CMMC awards.

The following Clerks were awarded new CMMC's:

Katherine Ingram	Longmeadow
Ellen Robertson	Plaineville
Mary Stokarski	Deerfield

Business Meeting (cont.)

First Re-certifications were awarded to the following Clerks:

Pamela Z. Carakatsane	Ipswich
Maddie Daoust	Southbridge
Jane Hibbert	Yarmouth
Linda Hunt	Stockbridge
Barbara Sullivan	Mattapoisett
Jane Wetson	Hamilton

Second Re-certification was granted to the following Clerks:

Nancy E. Burnham	Athol
Susan G. Hazen	Rowley
Carole B. Marple	Sherborn
Mary Ann Silva	Wareham

Fourth Re-Certification was granted to the following Clerk:

G. Louise Slys	Hatfield
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- ◆ President Hooper thanked everyone involved with the conference, and all the members of the MTCA and MCCA for attending. She called for a motion to adjourn. Motion made and seconded. Meeting adjourned at 1:16 PM.

OFFICE OF CAMPAIGN & POLITICAL FINANCE

OCPF's outreach tools are available to local candidates

Although election season is almost over in most towns, you may also want to let your candidates and committees know about OCPF's outreach tools.

Our most regular educational opportunity is our quarterly newsletter, which contains brief stories about campaign finance issues, recently resolved cases and other announcements that affect candidates and committees at all levels. Your candidates can subscribe by sending an e-mail to ocpf@cpf.state.ma.us.

We also host seminars each Wednesday at 2 p.m. in our Boston office, Room 411, One Ashburton Place, Boston.

Several local committees have already attended a Wednesday seminar and have said they found it helpful.

As always, committees on the municipal level can access our website, www.mass.gov/ocpf, for forms and guides. We also distribute information using Twitter at @OCPFReports.

We would appreciate it if you let your committees know about these opportunities.

Jason Tait, OCPF

OFFICE OF THE ATTORNEY GENERAL

REMINDER FROM THE MUNICIPAL LAW UNIT

Hello everyone and I hope your town meeting season is going well!

Please remember the following changes to our required filings:

- 1) We only need 1 (not 3) copies of all documents;
- 2) We do not need annotated copies;
- 3) Please feel free to submit only that portion of the existing bylaw which is being amended – or if it is available and up to date on the town website just direct us there.

We encourage bylaw filing via email at: by-laws@state.ma.us. If mailing please mail to our Worcester office, Ten Mechanic Street, Suite 301, Worcester, MA 0160

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MTCA CERTIFICATION EXAM (CMMC) IN JULY

The MTCA examination for Certified Massachusetts Municipal Clerk (CMMC) designation will be offered in July. Applications must be received by Administrator Barbara LaBombard by **JUNE 30th** for the July exam, which will be mailed between July 16th and 23rd.

Applicants must have at least **three years** experience as **Town Clerk** and must complete a minimum of six required courses sponsored by the MTCA.

The Administrator will verify the courses through the Education Committee. More information is available in the certification program brochure.

Completed exams must be postmarked no later than August 25th for the July exam. Applicants are strongly urged to return the completed answer sheets by certified mail, return receipt requested.

Applicants will be notified by mail of the results of their exams by September 15th. A copy of the notification must be submitted with the application for MTCA

certification. The notification of successful completion of the exam will be valid for one year and will have an expiration date printed on it. If an applicant is not certified within one year, the test must be repeated. The passing score for the exam is 80. Applicants are advised that they will need access to an updated copy of the Massachusetts General Laws to complete the exam successfully.

A non-refundable fee of \$50.00, made payable to the MTCA, must be submitted with the application. This examination is offered twice yearly – during the months of January and July. Application forms for the examination are available from the administrator, Barbara LaBombard. For more information or to receive the exam packet, please e-mail city-clerk@easthampton.org or call 413-529-1460.

LEGISLATIVE COMMITTEE

In response to late filed legislation, the Legislative Committee voted to add two items to the agenda of the Massachusetts Town Clerks' Association. It forwarded its vote to the Executive Board, and the EBoard agreed to add the items to the agenda. The bylaws include a provision under the legislative agenda section for 'time not permitting, the Legislative Committee and Executive Board shall, if then deem appropriate and necessary, take a position on other legislation and shall advise the MTCA by MTCA e-mail of their proposed position as well as in the Public Recorder of their combined action. Any position developed by the Legislative Committee and the Executive committee pursuant to this paragraph, shall be the binding position of the MTCA for the legislative session unless otherwise voted by a majority of the voting members attending a MTCA meeting.' This is the Public Recorder notice.

House Bill 4022, the Omnibus Election Laws Bill has four sections. MTCA accepts Training for the Local Election Official and Online Registration. It opposes

Preregistration and Audits.

House Docket 4190, deals with Local Officials who are also Justices of the Peace and prohibits them from receiving money for weddings conducted during normal business hours. MTCA opposes that bill.

The Legislative Committee has sent emails to all members on the Yahoo List Serve with considerably more information than is presented here. Should anyone like additional rationales for the MTCA position, please contact Laurence Pizer, Legislative Chair.

Revised Draft 4/30/2012

Changes are in **red**

BYLAWS OF THE MASSACHUSETTS TOWN CLERKS ASSOCIATION

ARTICLE I

Name

The name of this organization shall be "The Massachusetts Town Clerks' Association, Inc.", hereinafter referred to as the MTCA.

ARTICLE II

Mission

The MTCA shall be dedicated to the purposes of increasing the proficiency of Town Clerks and other local government officials, of strengthening the quality of local government through professionalism, and of promoting recognition of the importance of the office of the Town Clerk.

ARTICLE III

Membership and Dues

A. Membership

1. Active Members:

The Town Clerk of any town in the Commonwealth of Massachusetts shall be eligible for membership in the MTCA and shall have full voting privileges. By virtue of the membership of the Town Clerk in the MTCA, the Assistant Town Clerk and the Town Clerks' staff are members of the MTCA and are eligible to attend meetings and conferences, but shall not have voting privileges.

2. Retired Members

Upon retirement, active members may continue **as** non-voting **members** in the MTCA.

3. Affiliate Members:

Shall be available to City Clerks, Election Commissioners and Registrars of Vital Records for Cities, who are not eligible for active or retired membership.

(Revised 6-15-06)

4. Honorary Members:

All persons who have held any of the foregoing memberships, may be designated an "Honorary Member" by vote of the Executive Board.

B. Dues Structure (**All memberships include a subscription to the "Public**

Recorder")

1. Active Members: (Revised 6-2-10)

\$15.00 Towns under 1,000
\$35.00 Towns 1,001 to 5,000
\$75.00 Towns 5,001 to 10,000
\$100.00 Towns 10,001 to 25,000
\$150.00 Towns Over 25,000

2. Retired Members:

\$10.00

3. Affiliate Members:

\$100.00

4. Honorary Members

No Fee

C. Fiscal Year

The fiscal year of the MTCA shall **be July 1 through June 30**. The annual dues shall be due and payable on or before September 30.

ARTICLE IV

Meeting and Parliamentary Law

A. Meeting

1. The Annual Meeting of the MTCA shall be held in June on such date, time and place as the Executive Board may determine. Other MTCA meetings may be called with a fourteen (14) day written notice by the President, a majority vote of the Executive Board, or upon petition to the President by twenty-five (25) active members of the MTCA.

2. At all business meetings twenty-five (25) active members in good standing shall constitute a quorum.

B. Parliamentary Law

Whenever parliamentary rules or procedures are involved, "Roberts Rules of Order" shall prevail.

ARTICLE V

Officers

A. Officers

1. The officers of the MTCA shall be President, First Vice-President, Second Vice-President, Secretary and Treasurer. Each shall be elected at the Annual Meeting of the MTCA and shall hold office for one (1) year or until a successor is elected or appointed. Officers may serve no more than two (2) consecutive terms in office with the exception of Secretary and Treasurer, who may serve no more than five (5) consecutive terms in office.

2. Any active member of the association may serve as an officer; however, in order to be nominated for First Vice President, Second Vice President or President, the member must have served for at least one year on the Executive Board.

Duties of Officers

A. President

1. Shall serve as Chief Executive Officer of the MTCA.
2. Shall create the agendas for and preside at all meetings of the MTCA and of the Executive Board.
3. Shall appoint all committees except as otherwise provided by these bylaws, and present said appointments to the Executive Board for confirmation.
4. Shall appoint vacancies of the Executive Board with the approval of the Executive Board.
5. Shall serve as Chairman of the Conference Committee.
6. Shall perform such other duties as may be required for the **benefit** of the MTCA.

B. First Vice President

1. Shall, in the absence of the President, assume the duties of the President.
2. Shall be an alternate member of the Legislative Committee, a member of the Nomination Committee, a member of the Conference Committee in charge of vendor relations, and shall serve as chair of the Scholarship Committee. (Revised 10/9/03)
3. Shall perform such other duties as may be required for the **benefit** of the MTCA.

C. Second Vice President

1. Shall in the absence of the President and First Vice President, assume the duties of the President.
2. Shall be a member of the Conference Committee in charge of hotel relations and a member of the Education Committee. (Revised 10/9/03)
3. Shall perform such other duties as may be required for the **benefit** of the MTCA.

D. Secretary

1. Shall keep and maintain permanent minutes of all meetings of the MTCA and Executive Board.
2. Shall maintain the MTCA permanent records including, by-laws, and policies.
3. Shall give notice of all meetings of the MTCA and of Executive Board.
4. Shall distribute to the Executive Board, updated copies of bylaws, policies and officer listings as amended.

or the Executive Board.

6. *Shall serve on the Clerks' Manual Committee and maintain the current electronic copy of said manual.*

E. Treasurer

1. Shall serve as a member of Budget Committee.
2. Shall monitor the annual budget established by the Budget Committee.
3. Shall collect and disburse all funds of the MTCA and keep an account of the same.
4. Shall collect annual dues of all members and maintain the permanent membership list. *Said list shall be given to the educational database coordinator on a regular basis.*
5. Shall be bonded with sureties in such amount as the Executive Board may determine.
6. Shall keep all funds of the MTCA in a depository approved by the Executive Board and shall keep the funds deposited in the name of the MTCA.
7. Shall give a report at each meeting of the MTCA and Executive Board.
8. Shall obtain the signature of an Executive Officer on any check written for an amount greater than \$2,500.00.
9. Shall prepare and submit records to the auditor *in a timely manner following the close of the fiscal year, in preparation for the annual audit.*
10. Shall perform such other duties as may be assigned by the MTCA, the Executive Board or the President.

F. Compensation

1. The Executive Board shall set the compensation for any position deemed appropriate.

ARTICLE VI Executive Board

The Executive Board shall consist of elected members from the membership at large that reflect a statewide representation and shall manage the business of the MTCA as outlined in the MTCA By-laws.

A. Membership

1. There shall be an Executive Board consisting of the *five* officers of the MTCA, and nine additional members. The additional members shall be elected at the Annual Meeting.
2. No elected member of the Executive Board shall serve for more than three consecutive years, except a member elected to fill a vacancy of the board.
3. The Past President may serve *as an ex-officio member* for two years immediately

following the expiration of the term as President, but may not vote. (6/13/2007)

B. Responsibilities

1. The Executive Board shall have full power to carry out the mission of the MTCA and shall have general charge and control of its affairs, funds and property, but shall not have the right to amend its bylaws.
 2. The Executive Board shall assist the officers between meetings in carrying on the functions of the MTCA.
- Members of the Executive Board shall be assigned duties or be required to serve on one or more committees during their term.

C. Appointments

Appointments shall be made by the President and presented to the Executive Board for their vote at the Annual Meeting. All terms shall commence July 1 *and expire on June 30, with the exception of the Legislative Committee, which shall have terms beginning on January 1 and expiring on December 31, to coincide with the legislative calendar.*

OFFICE	TERM	# MEMBERS
Assistant Treasurer	1 year	1
Legislative Committee	3 years 1 year	7 2 alternates
Nomination Committee	1 year	5
Budget Committee	1 year	5
Education Committee	3 year	7
Education Database Coordinator	3 years	1
CMMC Certification Administrator	3 years	1
CMMC Certification/ Examination Board	3 years	5
Conference Registration Administrator	3 years	1

OFFICE	TERM	# MEMBERS
Conference Committee	2 years	8
Public Recorder Editor	3 years	1
Scholarship Committee	2 years	3
Clerks Manual Committee	3 years	3
<i>Communications Committee</i>	<i>3 years</i>	<i>5</i>
<i>Member Recognition Committee</i>	<i>3 years</i>	<i>5</i>

Members of each Committee shall serve a term as set forth in the bylaws. The President shall have full power to fill all vacancies in any committee until the next annual appointment.

D. Meetings

1. Meetings of the Executive Board may be called at any time by the President or by any three (3) of its members on written notice by the Secretary not less than five (5) days prior to the meeting.
2. A quorum shall consist of at least eight (8) members of the Executive Board.
3. Emergency meetings of the Executive Board of less than five (5) days notice, may be called at the discretion of the President.
4. Votes may be cast by e-mail, telephone or by mail. A definitive vote requires an agreement by eight (8) members of the Executive Board. A record of such votes shall be recorded by the Secretary.

E. Audit

There shall be an annual audit *of the financial records of the Association, including all cash receipts and disbursements made by the Treasurer during the preceding year; said audit to be completed by a certified public accountant within six months of the close of the fiscal year.*

F. Policies and Procedures

The Executive Board shall have the authority to create policies and procedures

for officers and committees of the MTCA.

ARTICLE VII Committees and Appointed

Officers

The President shall have the power, with approval of the Executive Board, to establish additional standing committees or special committees as may be deemed necessary for the proper conduct of the affairs of the Association.

No committee of the Association shall be authorized to create any financial liability unless it first shall have been budgeted and approved as to its purposes and amount by the Executive Board.

All committees shall *prepare* minutes and forward a copy *in a timely manner* to the Secretary of the Association.

Duties and responsibilities of each Committee/Appointed Officers shall be as outlined in the by-laws.

A. Assistant Treasurer

Purpose: Charged with the responsibility to serve in the absence of the Treasurer.

1. Appointed annually by the Executive Board by June 30.
2. Shall serve as a member of the Budget Committee.

B. Legislative Committee

Purpose: Charged with the responsibility of advancing the Legislative agenda of the MTCA.

1. Composition and Term of Office:

- a. The Legislative Committee shall consist of seven (7) full members and two (2) alternate members, one of whom shall be the First Vice President. (Revised 10/9/03)
- b. Full committee members shall be appointed for a three-year term by June 30 to *expire December 31st of the third year*, so that not more than three (3) members' terms expire in the same year.
- c. Alternate members shall be appointed by June 30 for a term to expire *December 31st of the following year* and may attend all meetings, participate in discussions and, in the absence of a member, have voting privileges.

2. Duties:

- a. The Legislative Committee shall be responsible for informing the MTCA of all

matters pertaining to MTCA legislation, proposed changes in the law relating to municipal government and recommending such action to the MTCA as may be expedient.

3. Legislative Agenda

a. The Legislative Committee shall formulate a schedule for the adoption of the legislative agenda of the MTCA to be voted on by the Executive Board before the Annual Meeting in June. Said agenda as voted on by the membership shall be filed with the State Legislature. Said agenda shall be the binding position of the MTCA for the next legislative session, unless otherwise voted by the majority of the voting members attending an MTCA meeting.

b. The Legislative Committee and the Executive Board shall, if they deem appropriate and necessary, take a position on other legislation and shall advise the MTCA by MTCA e-mail of their proposed position as well as in the Public Recorder of their combined action. Any position developed by the Legislative Committee and the Executive Board pursuant to this paragraph, shall be the binding position of the MTCA for the legislative session unless otherwise voted by a majority of the voting members *attending an MTCA meeting*.

c. Any Association member is welcome to offer suggestions and make recommendations for proposed legislation affecting Clerks. All suggestions shall be in writing and addressed to the Chair of the Legislative Committee. All suggestions shall be considered by the Committee when planning the Association's legislative agenda.

C. Nominating Committee Purpose: Charged with the responsibility of nominating and presenting a slate of officers to the MTCA at the Annual Meeting that duly reflects a representation of its membership.

1. Five (5) members appointed annually by the Executive Board by December 31. The members may confer with the 1st Vice President, but the 1st Vice President will not be present during voting.
2. The Committee shall nominate the following:

For one (1) year:

President
First Vice President
Second Vice President

Secretary
Treasurer

For Three (3) years:

Three Executive Board Members (*and to fill the unexpired term of any other Executive Board vacancies due to resignation or retirement.*)

D. Budget Committee Purpose:

Charged with the responsibility of preparing and presenting an annual budget to the membership at the Annual Meeting.

1. Five (5) members, one (1) of whom shall be the Treasurer, one (1) of whom shall be the Asst. Treasurer, and three (3) members at large appointed by the Executive Board for a one (1) year term by June 30.
2. Prepares annual budget (FY July 1 – June 30).
3. Presents annual budget to the Executive Board.
 - a. Draft version of budget to be given to Executive Board at their spring meeting.
 - b. The President shall notify the chair of the budget committee immediately as to the date of the meeting once set.
4. Presents final budget to MTCA at the Annual Meeting for a vote.

E. Education Committee Purpose:

Charged with developing the curricula for the MTCA conferences.

1. Seven (7) members, one of whom shall be the Second Vice President, and six (6) members at large appointed by the Executive Board for a three-year term by June 30 so that not more than three (3) members are replaced in any one year. (Revised 2/13/03) (Revised 10/9/03)
2. Prepares the agenda of education courses for the MTCA conferences.
3. Coordinates, develops and implements courses for the certification program (CMMC) as determined by the Certification/Examination Board.
4. Determines CMMC credit courses and optional courses to maintain consistency in the CMMC program.
5. Shall appoint one of its members to have the responsibility of registering all clerks for the conference classes.

F. Communications Committee

Purpose: Charged with both paper and electronic communications to, from and among members, which includes establishing guidelines for and management of the Association's web site, e-mail discussion group (including etiquette guidelines), newsletter, and social media alternatives.

Five (5) members, with three-year staggered terms. One member shall be the Recorder Editor.

G. Member Recognition Committee

Purpose: Charged with developing guidelines for and implementing programs to recognize newly appointed/elected Clerks; those achieving career service milestones; and retiring Clerks.

Five (5) members, with three-year staggered terms.

Develop a "Clerk of the Year" program and be responsible for seeking nominations from Association members for individuals to be considered for the award. Among the criteria to be considered for "Clerk of the Year" award should be active membership in the MTCA, a minimum of 10 years of service as Town Clerk in Massachusetts, CMMC status, not currently serving as an Officer in the Association, and a significant accomplishment in a given year or over a period of years.

H. MTCA Certification Program**1. MTCA Certification Administrator**

Purpose: Charged with the responsibility of administering the MTCA Certification Program and serves as a member of the Certified Massachusetts Municipal Certification/Examination Board.

- a. Appointed by the Executive Board for a three-year term by June 30.

2. MTCA Certification/Examination Board

Purpose: Charged with the responsibility to plan, coordinate, develop and implement the MTCA Certification Program (CMMC) and recertification program. Sets course guidelines for Education Committee in conjunction with the CMMC program.

Five (5) members, one (1) of whom shall be the MTCA Certification Administrator,

and four (4) members appointed at large by the Executive Board for a one (1) year term by June 30 so that not more than two terms expire in one year.

- b. Members of the Board must have successfully completed the Certification Program.
- c. The certification examination shall be under the control of the Certification Administrator and the Chairman of the Certification Examination Board.

I. MTCA Conference Program**1. Conference Registration Administrator**

Purpose: Charged with the responsibility of MTCA conference registration

- a. Appointed by the Executive Board for a three (3) year term by June 30.
- b. Serves as a member of the Conference Committee.

2. MTCA Conference Committee

Purpose: Charged with the responsibility of planning the MTCA conferences.

- a. The Committee shall consist of eight (8) members:
 1. MTCA President, as chair.
 2. First Vice President in charge of vendor relations.
 3. Second Vice President in charge of hotel relations.
 4. Registration Administrator.
 5. Education Registration Coordinator.
 6. Three (3) additional members at large to be appointed by the President and confirmed by the Executive Board for a two (2) year term by June 30.

J. Public Recorder Editor

Purpose: Charged with the responsibility for collecting, assembling and publishing a monthly newsletter and soliciting advertising for *The Public Recorder*.

- a. Appointed by the Executive Board for a three-year term by June 30.

K. Scholarship Committee

Purpose: Charged with coordinating and presenting candidates for scholarship awards.

- a. Three (3) members, one (1) of whom shall be the First Vice President, and two (2) members appointed for a two year term by the President by June 30.

L. Clerks' Manual Committee

Purpose: Charged with the responsibility of updating the Clerks' Manual.

- a. Three (3) members to be appointed by the Executive Board for a three year term by June 30.

Expenses

Expenditures will be paid by the MTCA according to the annual appropriation. Other expenditures incurred on behalf of the MTCA, not to exceed an aggregate of \$500.00, shall be paid by the Treasurer upon the approval of the President. Any expenditure greater than \$500.00 over budgeted amounts *shall require an affirmative vote of the Executive Board.*

ARTICLE IX**Termination**

Any officer, Executive Board member or Standing Committee member who is absent from three (3) consecutive meetings of the board or committee may be removed from his/her position at a duly called meeting of the Executive Board by a majority vote of those attending.

Any officer, Executive Board member or Standing Committee member who cannot fulfill the duties of the office or committee as described herein, may be removed from his/her position at a duly called meeting of the Executive Board by not less than 2/3's of those attending.

Prior to a vote on either of the above, the said officer, Executive Board member or Standing Committee member will receive a written notice that such a vote will take place, and be given the right to resign. Any vacancy that occurs shall be filled in accordance with Article 6(3) (Appointments) of this by-law.

ARTICLE X**Amendments**

These by-laws may be amended by a two-thirds vote of those voting members present at any MTCA meeting duly called, provided that notice of the proposed amendment shall have been sent to each member at least two weeks prior to such meeting.

ARTICLE XI**Endorsements**

The MTCA shall not support or promote any political candidate or political appointment.

ARTICLE XII**Code of Ethics**

We shall uphold the IIMC, Professional, and Personal Code of Ethics, which reads:

We do hereby subscribe to the following principles and ethics which we affirm will govern our personal conduct as municipal clerks:

To uphold constitutional government and the laws of our community;

To so conduct our public and private life as to be an example to our fellow citizens;

To impact to our profession those standards of quality and integrity that the conduct of the affairs of our offices shall be above reproach and to merit public confidence in our community;
To be ever mindful of our neutrality and impartiality, rendering equal service to all and to extend the same treatment we wish to receive ourselves;

To record that which is true and preserve that which is entrusted to us as if it were our own; and

To strive constantly to improve the administration of the affairs of our office consistent with applicable laws and through sound management practices to produce continued progress and so fulfill our responsibilities to our community and others.

- Executive Board Vote to approve 4/23/99
- By-Laws amended January 31, 2002 (areas amended – 2nd Vice President, Legislative Comm., Nomination Comm., appointment chart and Education Comm.)
- By-Laws amended February 13, 2003 (areas amended – Art. VI Appointments, Education Committee and Art. VII Education Committee)
- By-Laws amended October 9, 2003 (areas amended – First Vice President, Second Vice President, Legislative Committee, and Education Committee)
- By-Laws amended October 20, 2005 (areas amended – Fiscal Year, Officers, First Vice President, Secretary, Executive Board Appointments, Committees and Appointed Officers, Legislative Committee,

Nomination Committee, Education Committee and Code of Ethics)

- By-Laws amended June 15, 2006 (areas amended – Article III Dues Structure and Membership)
- By-Laws amended February 8, 2007 (areas amended – President, Secretary, Treasurer, Compensation, Appointments, Legislative Committee, Termination)
By-Laws amended June 13, 2007 (Article VI, Executive Board, I. Membership waive *immediate* after Past President, Past President may attend E-Board meetings but may not vote.





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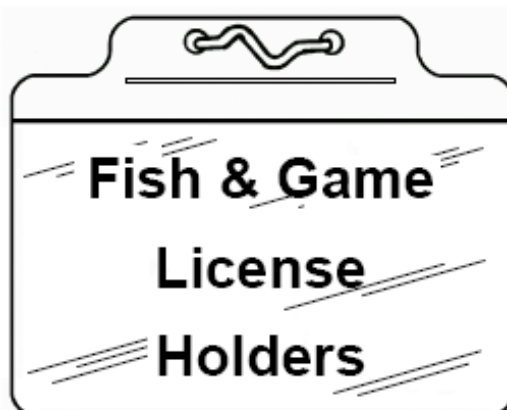
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Town of Anytown
543 Sample Avenue
Anytown, US 01234
(800) 760-4321

General Law: All residents of Anytown must complete this form by January 1 of each year. As part of this process, we are including information that is being maintained in the Commonwealth's Voter Registration Information System (VRIS).

Please update and correct the information provided by adding, deleting, or making changes to the printed information. Please sign and return form in the enclosed envelope within ten (10) days, even if no changes are necessary.

← If this address is incorrect, make corrections below:

RESIDENT ADDRESS: 543 SAMPLE LANE
ANYTOWN, US 01234

SMITH HOUSEHOLD
OR CURRENT RESIDENT
543 SAMPLE LANE
ANYTOWN, US 01234

WARNING: FAILURE TO RESPOND TO THIS MAILING SHALL RESULT IN REMOVAL FROM THE ACTIVE VOTING LIST AND MAY RESULT IN REMOVAL FROM THE VOTER REGISTRATION ROLLS. (MGL Ch. 51, Sec. 40c)

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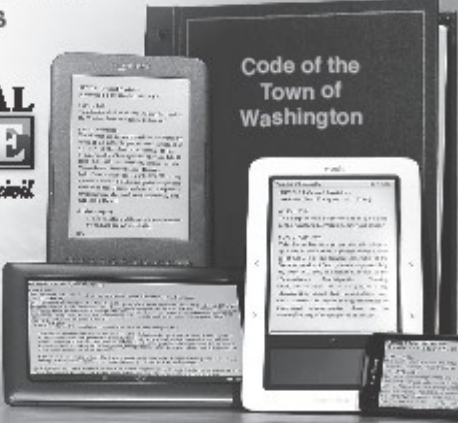
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MTCA CONFERENCE SCHEDULES**MTCA SUMMER CONFERENCE**

June 6, 7 & 8, 2012
Sea Crest Beach Hotel
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MTCA FALL CONFERENCE

September 26, 27, & 28, 2012
Jiminy Peak
Hancock, MA

NEW ENGLAND MUNICIPAL CLERKS' INSTITUTE & ACADEMY

July 14 – 20, 2012
Plymouth State University
Plymouth, NH

NEACTC 45TH ANNUAL CONFERENCE

November 14 – 16, 2012
Providence Biltmore Hotel
Providence, RI



Newsletter of the MTCA

584 Main Street
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