

**MASSACHUSETTS MUNICIPAL LAWYERS ASSOCIATION**  
**POLICY ON SUPPORTING LEGISLATION, REGULATIONS AND OTHER PUBLIC**  
**AGENCY MATTERS**

This policy sets forth procedures and guidance with respect to developing and approving legislative positions (for the purposes of this policy, the term legislative or legislation shall also mean regulations or other public agency positions) of Massachusetts Municipal Lawyers Association (“MMLA”).

**MMLA Legislative Committee Functions and Recommendations**

At the start of, and throughout, each legislative session, the Legislative Committee shall (1) prepare recommendations for legislation, based upon MMLA Legislative Review Criteria set forth below, to be included as part of MMLA’s legislative package for submission to the General Court prior to the applicable bill filing deadline and (2) review bills that are brought to its attention, which are pending before the General Court and make recommendations to the Executive Board on whether to support, oppose, or take no position. The Executive Board shall proceed to consider and act on the recommendations of the Legislative Committee in accordance with the applicable procedures as set out below.

**Non-MMLA Legislative Committee Recommendations**

In addition to recommendations of the Legislative Committee, the Executive Board as the governing body of MMLA, receives many requests to support or oppose proposed legislation before the General Court. MMLA recognizes that legislation may have a profound effect on municipalities, both in a positive and a negative way, and MMLA must advocate for municipalities and support or oppose proposed legislation accordingly. MMLA members are encouraged to submit requests for MMLA to take a position on bills before the General Court and to articulate with specificity the reasons for such a position.

In accordance with MMLA Bylaws, a majority vote of the members of the Executive Board present and voting, excluding those serving ex officio, shall be required to authorize MMLA to support or oppose proposed legislation.

Requests for MMLA’s support of or opposition to proposed legislation must be made to the Executive Board in the first instance. Persons making the request are to include a copy of the proposed legislation and the reasons in detail for support or opposition. The Executive Board may proceed to consider the request or the matter and may vote to refer such request or matter to the Legislative Committee for consideration and a recommendation. Upon referral, the Legislative Committee shall consider whether the proposed legislation should be supported or opposed by MMLA or whether MMLA should take no position. The recommendation of the Legislative Committee shall be reported to the Executive Board for final action.

An Executive Board and Legislative Committee member (including the Executive Director) may request and advocate for the support of or opposition to proposed legislation. An Executive Board or Legislative Committee member who is involved in current or anticipated litigation that the member has reason to know could be impacted by the proposed legislation shall disclose his/her involvement in writing to the respected Board or Committee (the “Impacted Member”). If such matter is referred by the Executive Board to the Legislative Committee as set forth above, the Impacted Member may participate in and may be present during the actual

deliberations regarding such matter by the Legislative Committee and Executive Board; provided, however, that the Impacted Member cannot vote on such matter.

### **MMLA Legislative Review Criteria**

The criteria which the Legislative Committee and Executive Board consider in deciding whether to take a position on legislation include the following which are illustrative and not necessarily applicable to all requests. They are numbered only for reference and not by order of priority:

1. Does the matter affect cities and towns generally?
2. Have any other organizations, including those representing municipalities in the Commonwealth (such as the Massachusetts Municipal Association) and other bar associations, taken a position on this proposed legislation and if so what position have they taken?
3. Does the proposed legislation purport to solve a problem faced by municipalities, add to municipal costs, impact collective bargaining, affect public health, safety or welfare, or increase or decrease the flexibility municipalities have in dealing with local issues?
4. Would the legislation have any unintended consequences for municipalities which the drafters of the proposed legislation have not foreseen?

### **MMLA Legislative Emergency Procedures**

In the event the procedures set forth herein cannot be fully satisfied due to timing or other extenuating circumstances, the Legislative Committee shall conduct a vote whether to recommend supporting, opposing, or taking no position on any legislation by email poll, and such recommendation shall be forwarded by the Legislative Chair to the President, Vice President and Executive Director for consideration. The President, Vice President, Executive Director and Legislative Chair, by a vote of no less than three (3), shall then determine MMLA's position on such matter taking into consideration the Legislative Committee's recommendation.

Approved of by the MMLA Legislative Committee on June 12, 2018, and adopted by the MMLA Executive Board: June 14, 2018