

975 CMR: EMERGENCY BOARD

975 CMR 2.00: ADMINISTRATIVE PROCEDURES

Section

- 2.01: Scope of Regulations
- 2.02: Quorum
- 2.03: Officers
- 2.04: Filing of Documents
- 2.05: Request for Approval of Emergency Loans
- 2.06: Definition of Emergency
- 2.07: Meetings
- 2.08: Reconsideration

2.01: Scope of Regulations

975 CMR 2.00 shall govern all proceedings of the Emergency Board created under M.G.L. c. 35, § 36A and M.G.L. c. 44, § 8(9), as amended.

2.02: Quorum

A quorum of the Emergency Board shall consist of two members.

2.03: Officers

The Board shall elect a Chairman and Vice-Chairman to serve for one year beginning July 1 of the year in which they are elected.

2.04: Filing of Documents

All material filed with the Board shall be filed with the Executive Secretary who shall be designated by the Board. Unless otherwise specified a party shall file an original and four copies of each document.

2.05: Requests for Approval of Emergency Loans

- (1) All requests for Board approval of emergency loans shall be made in writing by vote of:
 - (a) the county commissioners as certified by the county clerk in the case of any county;
 - (b) the city councillors or town selectmen as certified by the city or town clerk in the case of any municipality;
- (2) Each request shall set forth in detail on forms prescribed by the Board:
 - (a) the amount and term of the loan for which Board approval is requested;
 - (b) the justification for each portion of the loan, including, but not limited to a detailed description of the emergency nature of each portion of the loan;
 - (c) all documents supporting the need for the loan including, but not limited to, copies of requests from county or municipality agency heads, boards or commissioners or similar entities;
 - (d) written approval of the trustees of any county institution or any special board or commission in charge of any county reservation connected with the loan.
- (3) No request for approval of an emergency loan shall be considered by the Board unless filed within 20 days of the time the county or municipality first knew or reasonably should have known that the loan would be required.

2.06: Definition of Emergency

For purposes of 975 CMR 2.00, an emergency shall be defined as an unforeseeable, unavoidable happening requiring prompt action.

975 CMR: EMERGENCY BOARD

2.07: Meetings

- (1) Meetings of the Board may be requested in writing by any member of the Board or by any county or municipality which has on file with the Board a complete pending request for approval of a loan or loans, which meets all requirements of 975 CMR 2.05;
- (2) All requests for meetings of the Board shall be directed to the Executive Secretary;
- (3) Notice of meetings shall be provided in compliance with the requirements of M.G.L. c. 30A, § 11A½, and shall also be sent to each county or municipality which has a complete pending request for approval of a loan to be considered at such meeting;
- (4) Minutes of each Board meeting shall be kept by the Executive Secretary and shall be read and approved at the next succeeding Board meeting;
- (5) All votes and decisions of the Board shall be made by majority vote of the Board.

2.08: Reconsideration

- (1) No order or decision of the Board shall be reconsidered unless the county or municipality requesting the Board's reconsideration has submitted a request complying with 975 CMR 2.05 detailing significant new facts not known or reasonably discoverable at the time of the initial hearing on the loan request.
- (2) Any request for reconsideration shall be submitted within eight weeks of the original Board vote.

REGULATORY AUTHORITY

975 CMR 2.00: M.G.L. c. 35, § 36A; c. 44, § 8(9).