

Town and County of Nantucket Select Board • County Commissioners

Jason Bridges, Chair
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C. Elizabeth Gibson
Town & County Manager

AGENDA FOR THE MEETING OF THE COUNTY COMMISSIONERS APRIL 11, 2022 - 5:00 PM REMOTE PARTICIPATION VIA ZOOM NANTUCKET, MASSACHUSETTS

Join Zoom Meeting

<https://us06web.zoom.us/j/83466958528?pwd=MzdGYVNJS3E4OEIRZ09GbStnZVJDQT09>

Meeting ID: 834 6695 8528

Passcode: 069503

- I. JOINT MEETING WITH DUKES COUNTY COMMISSIONERS TO TAKE PUBLIC INPUT AND COMMENT ON PROPOSED LEGISLATION IMPACTING THE STEAMSHIP AUTHORITY (H4527).***
- II. ADJOURNMENT***

NOTICE OF JOINT PUBLIC HEARING WITH NANTUCKET COUNTY COMMISSIONERS AND DUKES COUNTY COMMISSIONERS REGARDING PROPOSED STEAMSHIP AUTHORITY LEGISLATION (H4527)

Nantucket County and Dukes County Commissioners have scheduled a Joint Public hearing to take in public input and comment on proposed legislation impacting the Steamship Authority (H4527). The hearing will be held on Monday, April 11, 2022 at 5:00 PM on Zoom Webinar. For zoom link and more information please visit the website www.dukescounty.org

Join Zoom Meeting

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One tap mobile

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(Washington DC)

B10

HOUSE No. 4527**The Commonwealth of Massachusetts**

PRESENTED BY:

*Dylan A. Fernandes and Julian Cyr**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 Steamship Authority audit report.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/8/2022</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/24/2022</i>

HOUSE No. 4527

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (subject to Joint Rule 12) of Dylan A. Fernandes and Julian Cyr relative to the Steamship Authority audit reports. Transportation.

The Commonwealth of Massachusetts

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

An Act relative to the Steamship Authority audit report.

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

SECTION 1. Section 3 of chapter 701 of the acts of 1960, as most recently amended by sections 3 and 4 of chapter 429 of the acts of 2002, is hereby further amended in the second paragraph:

by striking the word "his" and inserting in place thereof the word "the";

and by adding the following sentence at the end thereof:-

No member shall serve more than three full terms; provided, that a member appointed to fill a vacancy may serve three full terms after serving the unexpired portion of the former member.

SECTION 2. Section 4 of said chapter 701, as most recently amended by sections 3 and 4 of chapter 429 of the acts of 2002, is hereby further amended by adding after subsection (j) the following subsection:-

(k) To employ a chief operating officer, who shall be responsible for improving the management and performance of the Authority, and who shall report directly to the general manager and shall be subject to the authority of the general manager. The chief operating officer shall:

(i) provide overall organization management to improve agency performance and achieve the mission and goals of the Authority through the use of strategic and performance planning, measurement, analysis, regular assessment of progress, and use of performance information to improve the results achieved;

(ii) advise and assist the general manager in carrying out the requirements of chapter 701;

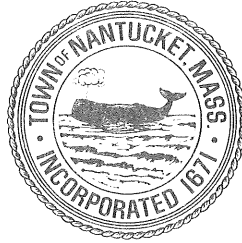
(iii) oversee efforts to improve management functions within the Authority; and

(iv) coordinate and collaborate with relevant personnel within and external to the Authority

SECTION 3. Notwithstanding section 3 of chapter 701 of the acts of 1960, as amended herein, members serving on the Steamship Authority Board who have served three full terms as of the effective date of this act may complete the remainder of their term and may serve an additional term immediately after their current term expires.

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March 21, 2022

Senator Brendan Crighton
Joint Committee on Transportation
Room 109-C, State House
Boston, MA 02134

Representative William Straus
Joint Committee on Transportation
Room 134, State House
Boston, MA 02134

RE: H4527 An Act relative to the Steamship Authority audit report

Dear Senator Crighton and Representative Strauss:

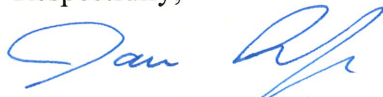
At its meeting on February 23, 2022, the Nantucket Select Board heard a legislative update from Senator Cyr and Representative Fernandes. One of the items reviewed was the above legislation. Prior to that meeting, the Town had not been notified by either Legislator that this legislation had been filed. At the Board's meeting on March 9, it was agreed that the Board would discuss the legislation in more detail as to whether or not it should take a position, given the concerning nature of some of the proposed new provisions – such as Term Limits on the Steamship Board members; and, overall, the opportunity that opening the Steamship enabling legislation to other amendments, provides. That discussion occurred at the Board's March 16th meeting. The Town Manager viewed your March 9th hearing on the matter; and, two Board members and the Town Manager attended the Dukes County Commissioners meeting on March 16th where a discussion took place with Representative Fernandes. Dukes County Commissioner Tristan Israel attended the March 16th meeting of the Nantucket Select Board.

As a result of the Board's discussion it was agreed that the Board cannot support the legislation as proposed. Several concerns were expressed, including the rushed and non-transparent nature of the filing; a seeming lack of consideration given to reasons why certain provisions of the 2018 Steamship operational audit have not been implemented; term limits are well within the existing appointing authority's power - having the state take discretion out of the hands of the appointing authority is, at best, inappropriate. If the representative of a particular

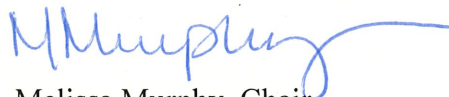
appointing authority is doing a good job in the estimation of that authority, the state should not interfere. At risk of using a cliché, the Steamship Authority is the Islands' Lifeline. It is through the unity of the Islands and the dedication of their SSA representatives that the integrity of that Lifeline is preserved. There is a recent history of efforts to dismantle the Steamship Authority's enabling legislation to give other communities more control over our Lifeline – which could have a disastrous impact on our economies. Economies which, by the way, provide a significant amount of revenue to the state. Select Board members report receiving serious concerns from Island residents as to H4527.

We greatly appreciate the efforts of our Legislators to help Nantucket with numerous home rule petitions and other assistance and guidance – except for this. Thank you for your service to the Commonwealth. We hope our concerns will be taken into consideration.

Respectfully,



Jason M. Bridges, Chair
Select Board



Melissa Murphy, Chair
County Commissioners

Cc: Representative Dylan Fernandes
Senator Julian Cyr
Dukes County Commissioners

Note: In Nantucket, the Nantucket County Commissioners appoint the Nantucket representative (the members of the County Commissioners and Select Board are the same individuals here).



COUNTY OF DUKES COUNTY

MARTHA'S VINEYARD & ELIZABETH ISLANDS

March 25, 2022

Dear Senator Crighton and Representative Strauss,

We, the elected Commissioners of Dukes County on Martha's Vineyard, very much appreciate the support and advocacy brought forward by our Legislators to best represent our concerns to your legislative body. As you know, we are the appointing body for the Steamship Authority for Martha's Vineyard.

In response to the proposed legislative Act H4527, neither the County nor the Towns on Martha's Vineyard were notified that this legislation had been filed or allowed to hold public hearings on the matter. The island governing bodies – commissions, boards and/or committees had no opportunity to provide input or comment on the legislation. The process by which this evolved is flawed at best.

Our commission, along with our Steamship Representative and Port Council appointees, feel strongly that public hearings should have been held so that input from elected leadership, and the public in general, could have been considered prior to the filing. As travelers and goods to and from the islands of Martha's Vineyard and Nantucket pay the operating costs of the SSA with no reliance on the Commonwealth's budget, we feel our bodies have a right and a responsibility to discuss the merits of any legislative proposals related to the SSA and in this instance about both the COO position and term limits of Steamship Authority board representatives.

We appreciate that Representative Dylan Fernandes attended via zoom our meeting last week and spoke to the contents of the bill, unfortunately the lack of public process was not addressed.

Understanding that the section pertaining to the COO position has been, or is being, withdrawn, we respectfully request that the same withdrawal apply to the term limits recommendation until such time as a public hearing may be held here on Martha's Vineyard to address the benefits and detriments of said proposal so that we may adopt a formal position on the matter. As the appointing body of our Steamship Authority representative, any proposed changes to past practice should have a full and proper vetting with the Dukes County Commission.

Again, we fully support the efforts of both Senator Cyr and Representative Fernandes to advocate in the best interest of our Island community and look forward to continued collaboration in the future.

Respectfully,

Christine Todd – Dukes County Commission - Chair

John Cahill – Dukes County Commission - Vice Chair, Tisbury Port Council Representative

Tristan Israel – Dukes County Commissioner

Don Leopold – Dukes County Commissioner

R. Peter Wharton – Dukes County Commissioner

James Malkin – MV Steamship Authority Board Member

Joseph A. Sollitto, Jr. – Oak Bluffs Port Council Representative