



## **Governance, Organization, and Legislation Committee (GOL)**

### **Frequently Asked Questions**

#### **What is the purpose of GOL?**

GOL is a technical review committee tasked with evaluating the form and content of any proposed measure (resolutions, bylaws, committee charges, etc.) to ensure that it is clear, consistent, and actionable. The overall purpose is to review measures before they reach the full Town Council to ensure they are ready to be acted upon by the Town Council without the full Town Council having to undertake a technical review.

#### **What is the process through which GOL evaluates proposed measures?**

GOL is the last step in the process before a measure reaches the full Town Council. Sponsors should finalize all content of a proposed measure before sending it to GOL for review. GOL will review the proposed measure and recommend revisions in consultation with the sponsors. GOL expects to work collaboratively with sponsors to reduce potential disagreement between GOL and sponsors. This means that GOL will expect an ongoing conversation with the sponsor as GOL deliberates on the proposed measure and may ask the sponsor to attend a GOL meeting.

After review, GOL may undertake the following actions:

- GOL may vote to declare that the measure is “clear, consistent, and actionable” and send the measure to the Town Council accompanied by a report explaining its decision.
- GOL may revise the measure in accordance with its charge. If GOL revises a measure they will provide those revisions to the sponsor as a redlined version of the measure. GOL may vote to declare that the measure as revised is “clear, consistent, and actionable contingent on the sponsor accepting GOL revisions” and send the measure to the Town Council. If the sponsor accepts the revisions then GOL takes no further action.
  - If the sponsor rejects any of the GOL revisions the contingent declaration will be null and GOL will request that sponsors return to GOL to discuss any disagreements. If the sponsor continues to reject GOL revisions then GOL may withhold its declaration and report to the Town Council their concerns with the measure.
- If GOL determines that the measure is not actionable regardless of revision because of conflicts with Massachusetts General Law, the Charter, or existing bylaws then GOL may vote to declare the measure as “not actionable” and report that declaration to the Town Council.

#### **How does GOL evaluate “clarity”?**

A measure will be found clear if it is understandable, comprehensible, and unambiguous. The GOL Committee will be the ultimate arbiter of whether a measure is clear. However, the GOL Committee will seek to collaborate with the sponsors and/or authors of a measure to refine the measure to meet the GOL Committee’s guidelines. A sponsor will not be required to change language, but refusal to do so



may result in a recommendation from the GOL Committee to the Town Council that the measure is not “clear”, along with a recommendation for a revision that would make the language “clear”.

### **How does GOL evaluate “consistency”?**

A measure will be found consistent if:

- The content does not contradict itself
- The form is consistent with the form and/or organization of other similar measures (i.e., template for charges, numbering system for bylaws, etc.)

### **How does GOL evaluate “actionability”?**

A measure will be found actionable if it does not conflict with Massachusetts General Law (MGL), the Amherst Home Rule Charter, or any other law, or bylaw, or resolution applicable to the Town of Amherst

### **Does GOL discuss and recommend substantive changes?**

Yes. GOL discusses substantive aspects of proposed measures as they relate to the clarity, consistency, and actionability of the proposed measure, per the GOL charge. This means GOL may recommend language revisions that deal with the substance of the measure to clarify aspects of the measure, ensure consistency within the measure, or ensure that the measure does not create potential conflict with MGL, the Charter, or existing Town bylaws. Below are examples of recommended substantive revisions that GOL could make within the authority of its charge:

#### Clarity:

In the example language below, GOL could recommend the language addition in italics to clarify that the “other transportation goals” being discussed are those adopted by the Town Council.

The working group shall recommend for adoption to the Town Council action plans to achieve:

- a) Transportation goals adopted by the Fall 2018 Special Amherst Town Meeting;
- b) Other transportation goals *adopted by Town Council*.

#### Consistency:

In the example language below, GOL could recommend deleting the strikethrough language to ensure that the scope of list items is consistent if the committee determines that the scope of each list item is inconsistent.

The working group shall advise the Town on the following:

- a) Public transportation
- b) Sidewalks
- c) Bike lanes
- d) ~~A crosswalk at the Pine St./State St. intersection~~



Actionability:

In the example below, GOL could recommend replacing the strikethrough language with the language in italics to remove a potential conflict with the Charter (which specifies that the Town Council only has authority over the Town Manager and the Clerk of the Council).

The designated Town Councilors shall work with the ~~Fire Chief~~ *Town Manager or designee* to assess safety hazards.

**Can GOL recommend substantive changes that alter the intent or function of a measure?**

No. GOL only evaluates proposed measures for clarity, consistency, and actionability. It does not evaluate policy. GOL will not recommend any revisions to a proposed measure that change the intent of the measure or its functionality, unless GOL determines that the intent or function of the measure conflicts with MGL, the Charter, or adopted Town bylaws.