

SENATE No. 552

The Commonwealth of Massachusetts

SENATE, February 9, 1953.

The committee on Municipal Finance, to whom was referred so much of the recommendations of the Commissioner of Corporations and Taxation (House, No. 11) as relates to authorizing cities and towns to borrow to meet the expense of expert appraisers (accompanied by bill, House, No. 38), report the accompanying Bill (Senate, No. 552).

For the committee,

FRED LAMSON.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Three.

AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW
TO MEET THE EXPENSE OF EXPERT APPRAISALS OF
TAXABLE REAL ESTATE.

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

1 SECTION 1. Chapter 40, section 4 is hereby
2 amended by striking out the words "provided, that
3 such contracts, in any city or town except Boston,
4 shall not involve an expenditure in any one year in
5 excess of one twentieth of one per cent, and in Boston
6 not in excess of one hundredth of one per cent, of the
7 assessed valuation of the taxable property for such
8 year." in next to the last paragraph, and insert the
9 following: — Contracts so entered into shall contain a
10 requirement for the retention by the city or town of
11 a portion, not in excess of twenty per cent nor less
12 than fifteen per cent of the contract price, of sums
13 due on account of performance rendered under such
14 contract until the expiration of sixty days beyond the
15 period provided in said contract for the completion
16 of the work. After said sixty days, upon the certifi-
17 cate of the assessors filed with the treasurer that said
18 contract was fully performed according to its terms
19 and satisfactorily to the board of assessors, the city
20 or town shall pay over to the contractor the amount

21 of the contract price retained under the provisions of
22 this section.”, — so as to read as follows: — *For an*
23 *Expert Appraisal of Taxable Real Estate.* — Contracts
24 for such appraisal may be made by the assessors for
25 periods not exceeding three years. Contracts so en-
26 tered into shall contain a requirement for the retention
27 by the city or town of a portion, not in excess of twenty
28 per cent nor less than fifteen per cent of the contract
29 price, of sums due on account of performance ren-
30 dered under such contract until the expiration of sixty
31 days beyond the period provided in said contract for
32 the completion of the work. After said sixty days,
33 upon the certificate of the assessors filed with the
34 treasurer that said contract was fully performed ac-
35 cording to its terms and satisfactorily to the board of
36 assessors, the city or town shall pay over to the con-
37 tractor the amount of the contract price retained under
38 the provisions of this section.

1 SECTION 2. Chapter 44, section 7, of the General
2 Laws is hereby amended by adding at the end of
3 said section 7 a new clause numbered seventeen, as
4 follows: —

5 (17) For the payment of contracts for an expert
6 appraisal of taxable real estate, five years. No loan
7 shall be authorized in any year under the provisions
8 of this clause unless a sum equal to at least one fifth
9 of the entire amount authorized to be borrowed has
10 been appropriated from available revenue funds or
11 voted to be raised by taxation, for the purposes set
12 forth, in the year when the loan is authorized.

1 SECTION 3. Chapter 44, section 7, of the General
2 Laws is hereby amended by striking out, in line 4 of

3 the first paragraph thereof, the following: "(11) and
4 (16)", and inserting in place thereof the following: —
5 (11), (16) and (17), — so as to read as follows: —
6 Cities and towns may incur debt, within the limit of
7 indebtedness prescribed in section ten, for the follow-
8 ing purposes, and payable within the periods herein-
9 after specified, but, except for the purposes set forth
10 in clauses (11), (16) and (17), no loan shall be author-
11 ized in any year under any one of the following clauses
12 unless a sum equal to twenty-five cents, or in the case
13 of Boston ten cents, on each one thousand dollars of
14 the assessed valuation of the city or town for the pre-
15 ceding year, exclusive of the value of motor vehicles
16 and trailers and the value of ships and vessels on which
17 a vessel excise tax is based, has been appropriated
18 from available revenue funds or voted to be raised by
19 taxation for the purposes set forth in such clauses in
20 the year when the loan is authorized: