

# SENATE . . . . No. 325

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To accompany the petition of the Massachusetts Mayors Association, by William P. Grant, president, for legislation to authorize cities and towns to borrow on account of public welfare and veterans' benefits. Municipal Finance.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-One

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### AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW ON ACCOUNT OF PUBLIC WELFARE AND VETERANS' BENEFITS.

1    *Whereas*, The deferred operation of this act would  
2 tend to defeat its purpose, which in part is to make  
3 immediately operative, in view of the existing finan-  
4 cial emergency in certain cities and towns, the pro-  
5 visions of this act authorizing cities and towns to  
6 borrow certain sums during the current year and the  
7 next succeeding year on account of expenses for pub-  
8 lic welfare and for aid to veterans, therefore this act  
9 is hereby declared to be an emergency law, necessary  
10 for the preservation of the public convenience.

*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. Subject to the provisions of this act,  
2 any city or town, by a two thirds vote as defined in  
3 section one of chapter forty-four of the General Laws,

4 and with the approval of the mayor or selectmen and  
5 of the emergency finance board established under sec-  
6 tion one of chapter forty-nine of the acts of nineteen  
7 hundred and thirty-three, may borrow in each of the  
8 years nineteen hundred and fifty-one and nineteen  
9 hundred and fifty-two, inside its limit of indebtedness  
10 as prescribed by section ten of said chapter forty-four,  
11 for use only for meeting appropriations made or to  
12 be made for public welfare, including in such term  
13 old age assistance and aid to dependent children, and  
14 for veterans' benefits to an amount not more than one  
15 half of one per cent of the average of the assessors'  
16 valuation of its taxable property for the three pre-  
17 ceding years, such valuation to be reduced and other-  
18 wise determined as provided in said section ten of said  
19 chapter forty-four, and may issue bonds or notes  
20 therefor, which shall bear on their face the words  
21 (name of city or town) Municipal Relief Loan, Act  
22 of 1951. Each authorized issue shall constitute a  
23 separate loan, and such loans shall be paid in not more  
24 than five years from their dates, as said board shall  
25 fix, and, except as herein provided, shall be subject to  
26 said chapter forty-four, exclusive of the limitation con-  
27 tained in the first paragraph of section seven thereof.

28 Loans may be issued hereunder in the year nine-  
29 teen hundred and fifty-one or nineteen hundred and  
30 fifty-two, as the case may be, only by a city or town  
31 which in such year has appropriated to be raised by  
32 taxation, or appropriated from available funds for the  
33 purposes enumerated in the preceding paragraph, an  
34 amount not less than the aggregate of its expenditures  
35 made in the year preceding the year of issue for old  
36 age assistance and aid to dependent children to be met  
37 otherwise than from the proceeds of federal grants,

38 and of its expenditures made in said preceding year  
39 for veterans' benefits, together with an amount equal  
40 to not less than seventy-five per cent of its expendi-  
41 tures made in said preceding year for all public wel-  
42 fare purposes other than old age assistance, aid to  
43 dependent children and veterans' benefits, all as de-  
44 termined by the board.

45 If a loan under authority of this act has been ap-  
46 proved by said board during the year nineteen hun-  
47 dred and fifty-one or nineteen hundred and fifty-two  
48 for a city or town, the amount of any appropriation  
49 voted by such city or town for said year for public  
50 welfare, including in such term old age assistance,  
51 aid to dependent children and veterans' benefits, shall  
52 not be reduced during the said year by appropriation,  
53 transfer or otherwise, except with the written approval  
54 of the board. Whenever used in this act, the words  
55 "veterans' benefits" shall include the forms of aid to  
56 veterans now or formerly known as state aid, military  
57 aid, soldiers' relief, and soldiers' burials, or any words  
58 or phrases connoting the same.

1 SECTION 2. The members of the board aforesaid,  
2 when acting under this act, shall receive from the  
3 commonwealth compensation to the same extent as  
4 provided for services under chapter three hundred and  
5 sixty-six of the acts of nineteen hundred and thirty-  
6 three, as amended, including chapter seventy-four of  
7 the acts of nineteen hundred and forty-five.

1 SECTION 3. A loan order voted in any city under  
2 authority of this act shall be deemed to be an emer-  
3 gency order and as such may be passed in such man-  
4 ner as is provided for emergency orders or ordinances

5 in its charter, and shall be in full force and effect im-  
6 mediately upon final favorable action thereon by its  
7 city council or chief executive, as the case may be, or  
8 upon expiration of any period specified by such char-  
9 ter for the approval or disapproval of such orders by  
10 its chief executive in any case where he fails to ap-  
11 prove or disapprove such an order within such period,  
12 notwithstanding any provision of general or special  
13 law or ordinance to the contrary; provided, that in  
14 the city of Boston such loan orders may be passed in  
15 the manner provided in its charter for loan orders for  
16 temporary loans in anticipation of taxes.

1 SECTION 4. In any city a loan order under author-  
2 ity of this act may be passed by vote of two thirds of  
3 all the members of the city council, or of each branch  
4 thereof where there are two branches, notwithstand-  
5 ing any provision of law to the contrary.