[Similar Matter Filed During Past Session — See Senate No. 1541 of 1988.]

SENATE . . . . . No. 1529

By Mr. Olver, a petition (accompanied by bill, Senate, No. 1529) of John W. Olver, Nicholas J. Costello, William B. Golden, Richard A. Kraus and Eleanor Myerson for legislation relative to certain votes by local appropriating authorities on the assessment of property taxes. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Nine.

AN ACT RELATIVE TO CERTAIN VOTES BY LOCAL APPROPRIATING AUTHORITIES ON PROPERTY TAX LEVY LIMIT BALLOT QUESTIONS.

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. Paragraph (e) of section 21C of chapter 59, as appearing in the 1986 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: —

(e) The local appropriating authority of any city or town which is subject to the provisions of paragraph (d) may, by majority vote, seek voter approval to assess taxes in excess of the amount allowed pursuant to said paragraph (d) by a specified amount.

SECTION 2. Paragraph (i½) of section 21C of chapter 59, as appearing in the 1986 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: —

(i½) The local appropriating authority of any city or town may, by majority vote, seek voter approval to assess taxes in excess of the levy limitation for certain capital outlay expenditures.

SECTION 3. Paragraph (j) of section 21C of chapter 59 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following: —

5 (j) The local appropriating authority of any city or town may,
6 by majority vote, seek voter approval at a regular or special
7 election to assess taxes in excess of the amount allowed pursuant
8 to this section for the payment of principal and interest on bonds,
9 notes or certificates of indebtedness, excluding tax revenue
10 anticipation notes, issued by the city or town and for the city's
11 or town's apportioned share of the principal and interest on such
12 bonds or notes issued by a regional governmental unit which were
13 outstanding as of November fourth, nineteen hundred and eighty;
14 provided, however, that the question submitted shall be as
15 follows: —
16 "Shall the (city/town) of be allowed to exempt the
17 total amounts required to pay for bonded indebtedness incurred
18 prior to the passage of proposition two and one-half, so-called,
19 from the (city's/town's) limit?
20 YES NO ";
21 and provided, further, that said question shall be deemed
22 approved if a majority of the persons voting thereon shall vote
23 "yes".

1 SECTION 4. Paragraph (k) of section 21C of chapter 59 of the
2 General Laws, as appearing in the 1986 Official Edition, is hereby
3 amended by striking out the first sentence and inserting in place
4 thereof the following sentence: —
5 (k) The local appropriating authority of any city or town may,
6 by majority approval, seek voter approval at a regular or special
7 election to assess taxes in excess of the amount allowed pursuant
8 to this section for the payment of principal and interest on bonds,
9 notes or certificates of indebtedness, excluding tax revenue
10 anticipation notes, issued by the city or town and for the city's
11 or town's apportioned share of the principal and interest on such
12 bonds or notes issued by a regional governmental unit which were
13 not outstanding as of November fourth, nineteen hundred and
14 eighty; provided, however, that the question submitted shall be
15 as follows: —
16 "Shall the (city/town) of be allowed to exempt from
17 the provisions of proposition two and one-half, so-called, the
18 amounts required to pay for the bond issued in order to (state

19 the purpose or purposes for which the monies from the local issue
20 will be used)?
21 YES NO ";
22 and provided, further, that said question shall be deemed
23 approved if a majority of the persons voting thereon shall vote
24 "yes".