

By Mr. Kirby, a petition (accompanied by bill, Senate, No. 1715) of Edward P. Kirby, Frank M. Hynes, Charles N. Decas, Theodore J. Aleixo, Jr., John C. Bradford, Jacqueline Lewis, Peter Forman, Mary Jeanette Murray, Robert Kraus and Charles W. Mann for legislation relative to certain financial conditions in the county of Plymouth. Counties.

## The Commonwealth of Massachusetts

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

### AN ACT RELATIVE TO CERTAIN FINANCIAL CONDITIONS IN THE COUNTY OF PLYMOUTH.

*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. Notwithstanding the provisions of any general or  
2 special law to the contrary, the County of Plymouth is hereby  
3 authorized to borrow from the Commonwealth at one time or  
4 from time to time during the fiscal year nineteen hundred and  
5 eighty-nine, a sum not exceeding in the aggregate one million six  
6 hundred thousand dollars (\$1,600,000) for the purpose of  
7 maintaining and operating the county while it adjusts the level  
8 of its operating expenses and operating revenues so as to achieve  
9 fiscal stability. No interest shall be payable by the county on  
10 account of such loan.

11 Such loans or loan shall be repaid to the Commonwealth in  
12 three equal annual installments commencing with the fiscal year  
13 nineteen hundred ninety-one or in accordance with a schedule  
14 providing for a more rapid amortization of the loan balance, as  
15 determined by the commissioners of the county. The state  
16 treasurer shall deduct and withhold the amount of principal due  
17 the commonwealth in any year on account of such loan from the  
18 distribution of aid payable to the county of Plymouth pursuant  
19 to any general or special law; if in any fiscal year the amount of  
20 the loan repayment required under this paragraph exceeds the

21 amount of aid payable to the county in said year, the county  
22 treasurer shall pay to the state treasurer the amount by which said  
23 loan repayment exceeds the amount of said aid.

1 SECTION 2. All proceeds of any loan authorized by section  
2 one of this act shall be deposited in a separate fund which shall  
3 be set up on the books of the county and maintained separate and  
4 apart from all other funds and accounts of the county. Such fund  
5 shall be called the Plymouth County Finance Control Fund of  
6 1988, hereinafter referred to as the Fund. Disbursements shall be  
7 made from the Fund, in accordance with the provisions of the  
8 next paragraph, only if the Secretary of Administration and  
9 Finance is satisfied that the county has taken all feasible steps to  
10 insure the availability of adequate revenues to support its  
11 operating budgets in subsequent fiscal years. The county  
12 commissioners shall submit to the secretary detailed estimates of  
13 county revenues and expenditures for fiscal years nineteen  
14 hundred ninety, nineteen hundred ninety-one and nineteen  
15 hundred ninety-two, together with such other information as the  
16 secretary may require, before any disbursement is made under the  
17 provisions of this section.

18 In fiscal year nineteen hundred eighty-nine, the secretary of  
19 administration and finance, acting on a request of the county  
20 commissioners and the advisory board, may authorize disburse-  
21 ments from the Fund to the county's general fund, to the extent  
22 such disbursements are needed to balance the county budget. The  
23 amount of any such approved disbursements from the Fund shall  
24 be used by the county as an ordinary revenue in fiscal year nineteen  
25 hundred and eighty-nine.

26 If on June thirtieth, nineteen hundred and eighty-nine any  
27 amount borrowed under authority of section one of this act  
28 remains undisbursed for the purposes provided herein, such  
29 undisbursed amount shall be returned to the Commonwealth, and  
30 the amount due the Commonwealth by said County of Plymouth  
31 on account of borrowing pursuant to section one shall be  
32 diminished by the amount of such reversion.

1 SECTION 3. Prior to the issuance of any loan from the  
2 Commonwealth to said County of Plymouth under authority of  
3 section one, there shall be established in the executive office of

4 Administration and Finance, a County of Plymouth finance  
5 control board consisting of the secretary of administration and  
6 finance, or his designee; the commissioner of revenue, or his  
7 designee; the director of accounts, or his designee; the chairman  
8 of the Plymouth County Commissioners or his designee; and a  
9 representative of the Plymouth County business community, to  
10 be selected by the governor.

11 Said board shall promote the implementation of appropriate  
12 initiatives to secure the financial stability of said County of  
13 Plymouth. Said board is further empowered to approve  
14 disbursements from the Fund established by section two solely  
15 for the purposes provided in said section two.

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