

SENATE No. 62.

[To accompany the petition of the mayor of the city of Boston and others for legislation to create a board of estimate and apportionment for said city. To the committee on Metropolitan Affairs.]

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Ninety-eight.

AN ACT

Relative to the Finances of the City of Boston.

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. The mayor, the chairman of the
2 board of aldermen, the president of the common
3 council, the city auditor, the corporation counsel,
4 the city engineer and the chairman of the board
5 of statistics commissioners of the city of Boston
6 shall constitute ex-officiis a board of estimate and
7 apportionment for said city, and shall serve in
8 such capacity without additional pay; at all meet-
9 ings of said board the mayor shall preside, and one
10 of the other members shall act as secretary. Said

11 board shall meet in the months of January and
12 February of each year as often as it shall deem
13 necessary, and shall give reasonable public hear-
14 ings to the citizens or taxpayers of said city de-
15 siring to be heard on any maintenance or loan
16 appropriation; after the first day of March of each
17 year said board shall meet only when required by
18 notice from the mayor in writing.

1 SECTION 2. The mayor, as early as practicable
2 in the month of January, shall submit to said
3 board, with his recommendations thereon, the de-
4 partment estimates furnished as required by sec-
5 tion eight of chapter two hundred and sixty-six
6 of the acts of the year eighteen hundred and
7 eighty-five; and said board, by the affirmative
8 vote and signatures of at least five of its mem-
9 bers, including the mayor, shall, prior to the first
10 day of February, prepare and pass a general
11 maintenance appropriation order, containing ap-
12 propriations to enable the city of Boston to meet
13 the current expenses, payable during the financial
14 year beginning with said day, of performing the
15 duties and exercising the powers devolved by
16 statute or ordinance, or by vote of the city
17 council during the year, upon the city of Boston
18 or the county of Suffolk, or the departments or
19 officers thereof.

1 SECTION 3. The mayor, as early as practicable
2 in the months of January or February, shall sub-
3 mit to such board, with any recommendations

4 which he may desire to make thereon, any
5 requests from the several departments for loan
6 appropriations furnished to him; and said board,
7 by vote and signatures as aforesaid, shall, prior
8 to the first day of March, prepare and pass a
9 general loan appropriation order, containing such
10 appropriations to be met by loan, and for such
11 purposes as said board shall deem the public
12 necessity or convenience may require, not exceed-
13 ing in the aggregate four-fifths of the estimated
14 amount which can be raised in that municipal
15 year by loans within the debt limit of said city,
16 but such loan appropriation order shall not be
17 passed unless at least five of the members of said
18 board, including the mayor, shall in writing cer-
19 tify upon such order that no item therein is to
20 meet a current expense, or that certain specified
21 items therein and no others are to meet current
22 expenses but that public necessity requires the
23 borrowing of money therefor.

1 SECTION 4. Said board, by similar vote and
2 signatures, and certificate in the case of a loan
3 order, may at any time during the year, at the re-
4 quest of the mayor, prepare and pass one or more
5 appropriation orders containing such appropri-
6 ations as they may deem the public necessity or
7 convenience may require.

1 SECTION 5. Said board in making appropri-
2 ations to be met by income and taxes shall not
3 exceed the amount that can be raised by taxation

4 within the tax limit of said city, as certified to the
5 mayor by the board of sinking funds commis-
6 sioners, plus the income of the city, as estimated
7 and certified to the mayor by the city auditor of
8 said city; and in making appropriations to be met
9 by loans authorized by the legislature for specific
10 purposes shall not exceed the amount that can be
11 raised under such loans, and in making appro-
12 priations to be met by other loans shall not ex-
13 ceed the amount that can be raised by loan within
14 the debt limit of said city.

1 SECTION 6. The mayor shall, within three
2 days after any such appropriation order has been
3 passed as aforesaid, submit the same to the city
4 council of said city, and the city council shall
5 forthwith proceed carefully to consider and in-
6 vestigate the same, and may, within the period of
7 thirty days following such submission, pass a vote
8 or votes reducing or striking out any appropria-
9 tion therein, except an appropriation the amount
10 of which is fixed by law, or an appropriation for
11 interest and sinking fund requirements, but shall
12 not pass any other vote relating to any appro-
13 priation, or insert any new appropriation, and any
14 such vote of reduction or striking out shall be
15 subject to the veto of the mayor, and to passage
16 over his veto as provided by law; at the expira-
17 tion of said period of thirty days the orders with
18 the appropriations therein as passed by said
19 board, or as altered in accordance with the pre-

20 ceding provisions, shall stand and be in force as
21 appropriation orders of the city.

1 SECTION 7. The city auditor of said city, with
2 the approval of said board, acting by vote and
3 signatures of a majority of its members, and of
4 the mayor, — may from time to time during the
5 year make transfers from the appropriation for
6 current expenses of one division of a department
7 to the appropriation for current expenses of any
8 other division of the same department, and trans-
9 fers from the general treasury or from the ap-
10 propriation for reserve fund to the appropria-
11 tion for current expenses of any department, and
12 — may, to balance and close the accounts of the
13 city for the financial year, between December first
14 of each year and February first of the following
15 year, make transfers from any appropriation not
16 met by loan to any other appropriation, or from
17 any appropriation met by loan to any other ap-
18 propriation met by loan, and apply any of the
19 income and taxes not disposed of.

1 SECTION 8. The respective departments of said
2 city, under the general supervision and control
3 of the mayor and the other public officers desig-
4 nated therefor in the several appropriations made
5 as aforesaid, or having by law authority to expend
6 the same, shall expend the appropriations for the
7 objects and purposes specified, and shall expend
8 for the objects and purposes directed by the

9 several contributors thereof any contributions
10 made to any of said appropriations.

1 SECTION 9. Whenever the legislature may
2 desire to authorize the issue of any loans by said
3 city, or whenever the city council of said city shall
4 desire to raise money by loan, the legislature or
5 city council may pass an act or vote authorizing
6 the city treasurer of said city to issue bonds to
7 the amount, and for the purpose, it shall state in
8 the act or vote, and the city treasurer from time
9 to time, at the request of the mayor, shall issue
10 any notes, bonds, certificates or other scrip of
11 said city which he or said city have heretofore
12 been authorized to issue by the legislature, or by
13 the city council, or which he shall hereafter be
14 authorized to issue by the legislature, or by the
15 city council; and such notes, bonds, certificates
16 and scrip shall consist of such coupon or regis-
17 tered bonds or registered certificates, and bear
18 such rates of interest, and the interest shall be
19 payable at such times, as said treasurer in his
20 discretion shall determine, anything in any general
21 or special act to the contrary notwithstanding,
22 and the term of all such notes, bonds, or certifi-
23 cates of indebtedness, not exceeding any length
24 of term fixed by general law or special act, shall
25 be fixed by vote of said board of estimate and
26 apportionment as aforesaid, and any premiums re-
27 ceived by said city in the negotiation or sale of
28 any such bonds or certificates shall be paid into
29 the sinking funds for the redemption of the debt

30 incurred by the issuing of such bonds or certifi-
31 cates, anything in any general or special act to
32 the contrary notwithstanding.

1 SECTION 10. This act shall take effect upon its
2 passage; and if at the time of such passage the
3 general maintenance appropriation order for the
4 current year shall not have been passed by the
5 city council of said city and have gone into effect,
6 said board shall proceed to prepare and pass such
7 appropriation order as soon as may be, and the
8 proceedings thereon required by this act shall then
9 be had.

