

SENATE No. 240.

Commonwealth of Massachusetts.

SENATE, June 26, 1900.

The committee on Bills in the Third Reading, to whom was referred the resolve providing for an amendment to the constitution establishing a debt limit for cities and towns, report recommending that the same be amended by the substitution of the accompanying resolve, and that when so amended the same will be correctly drawn.

For the Committee,

WM. A. BUTLER.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred.

RESOLVE

Providing for an Amendment to the Constitution, establishing a Debt Limit for Cities and Towns.

1 *Resolved*, That it is expedient to alter the constitu-
2 tion of this Commonwealth by the adoption of the sub-
3 joined article of amendment; and that the said article
4 being agreed to by a majority of the senators and two-
5 thirds of the members of the house of representatives
6 present and voting thereon, be entered on the journals
7 of both houses, with the yeas and nays taken thereon,
8 and referred to the general court next to be chosen; and
9 that the said article be published, to the end that, if
10 agreed to in the manner provided by the constitution, by
11 the general court next to be chosen, it may be submitted
12 to the people for their approval and ratification, in order
13 that it may become a part of the constitution of the
14 Commonwealth.

ARTICLES OF AMENDMENT.

15 Cities by vote of the city council, and towns by vote of
16 the inhabitants in town meeting, may incur debts for
17 loans in anticipation of the taxes of the year in which

18 such debts are incurred and expressly made payable
19 therefrom by the vote aforesaid; other debts shall be
20 incurred for such term of years as shall be specified in
21 the vote only by vote of two-thirds of the voters present
22 and voting at a town meeting, or of two-thirds of the
23 members of each branch of the city council taken by
24 yeas and nays and approved by the mayor, or if he dis-
25 approves such vote, by another like vote taken after
26 notice of such disapproval shall be given by the mayor
27 to the branch of the city council in which such vote
28 was first taken, within ten days from the day on which
29 the vote is laid before him, and if he fails so to give
30 such notice the vote shall take effect as if he had ap-
31 proved the same: *provided, however,* that no city or
32 town shall become indebted for an amount which, after
33 deducting all debts in anticipation of taxes, all debts
34 heretofore incurred in aid of a railroad corporation or
35 for the indebtedness of a fire district, all debts heretofore
36 authorized outside the debt limit of the city or town
37 all debts heretofore or hereafter authorized for a water
38 supply, and all sinking funds for all other debts, will
39 exceed two and one-half per centum of the average
40 of the assessors' valuations of the taxable property in the
41 city or town for the preceding three years, the valua-
42 tion for each year being first reduced by the amount of
43 all abatements allowed thereon prior to the thirty-first
44 day of December in the year of such valuation, unless
45 the vote authorizing the incurring of indebtedness by a
46 city or town in excess of said amount shall be ratified
47 by a bill passed by the votes of four-fifths of the mem-
48 bers present of the senate and of the house of represen-
49 tatives taken by yeas and nays and approved by the
50 governor, or, if he does not approve the bill, but returns
51 the same with his objections in writing to the branch of

52 the general court in which the bill originated, within
53 five days after it has been laid before him, by the pass-
54 ing of the bill in the manner hereinafter provided.

55 If the governor objects to the passing of the bill, he
56 shall within five days after the bill has been laid before
57 him return the same, together with his objections there-
58 to in writing, to the branch of the general court in
59 which the bill originated, which branch shall enter at
60 large on its records the objections sent down by the
61 governor and shall proceed to reconsider the bill. If
62 after such reconsideration four-fifths of the members of
63 the said branch present shall, notwithstanding the said
64 objections, agree to pass the bill, it shall, together with
65 the objections, be sent to the other branch of the gen-
66 eral court where it shall also be reconsidered and, if
67 approved by four-fifths of the members present, shall
68 have the force of a law; but in all such cases the votes
69 of each branch of the general court shall be taken by
70 yeas and nays.

71 If such bill is not returned by the governor within five
72 days after it is laid before him, it shall have the force
73 of a law, unless the general court adjourns within said
74 period of five days; and, in case of such adjournment
75 of the general court, the bill shall not become a law nor
76 have force as such.

77 Any debt so incurred and ratified, and the sinking
78 funds thereof, shall not be taken into account in deter-
79 mining the debt limit of a city or town.