

HOUSE No. 1612

By Mr. Marotta of Medford, petition of Angelo Marotta relative to authorizing cities, towns and districts to borrow in anticipation of reimbursement by the Commonwealth for improving public water supply systems. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO BORROW IN ANTICIPATION OF REIMBURSEMENT BY THE COMMONWEALTH FOR IMPROVING PUBLIC WATER SUPPLY SYSTEMS.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to eliminate delay in the commence-
3 ment and carrying out of improvements to publicly owned water
4 supply systems, therefor it is hereby declared to be an emergency
5 law, necessary for the immediate preservation of the public
6 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 6A of chapter 44 of the General Laws, as most recently
2 amended by chapter 668 of the acts of 1979, is hereby further
3 amended by striking out the third paragraph and inserting in place
4 thereof the following paragraph: —

5 If a city, town or district has been allotted a sum of money by the
6 department of environmental quality engineering for the purpose
7 of improving a public water supply system owned by said city,
8 town or district, and if said city, town or district is required to pay
9 that proportion of the expense for which reimbursement is to be
10 received from the commonwealth, such reimbursement first
11 having been agreed upon by said department, in order to provide

12 the necessary funds to meet the expense for which reimbursement
13 is to be made, the treasurer of the city may, with the approval of the
14 official whose approval is required by the city charter in the
15 borrowing of money, the treasurer of the town, may with the
16 approval of the selectmen, and the treasurer of the district may,
17 with the approval of the prudential committee, if any, otherwise
18 the commissioners, incur debt outside the debt limit and issue
19 notes therefor for a period not exceeding two years from their
20 dates, and may refund the same from time to time; provided,
21 however, that no loan shall be so refunded unless auditor, in the
22 case of a city, or the accountant or chief accounting officer in the
23 case of a town or district which has such an officer, otherwise the
24 treasurer, shall certify in writing filed in the office of the treasurer,
25 where it shall be open to inspection by the public, that at the time
26 such loan is refunded, the city, town or district remains entitled to
27 receive reimbursement from the grant in an amount at least equal
28 to the amount of the funding loan. The proceeds of such
29 reimbursement shall be applied to the discharge of the loan,
30 without the necessity of further appropriation. In the event the
31 city, town or district shall not longer be entitled to receive
32 reimbursement from the grant in an amount sufficient to pay all or
33 any portion of a loan issued under this paragraph at the time such
34 loan matures, the loan shall be paid from revenue funds of the city,
35 town or district to the extent it can no longer be refunded under
36 this section. A payment by a city, town or district as provided in
37 the preceding sentence shall be reported by the auditor or
38 accountant of the city, town or district, or other officer having
39 similar duties, or by the treasurer if there be no such officer, to the
40 assessors, who shall include the amount so reported in the
41 determination of the next annual tax rate, unless the city, town or
42 district has otherwise made provision therefor.