

HOUSE No. 2408

The Commonwealth of Massachusetts

COMMISSION ON ADMINISTRATION AND FINANCE,
STATE HOUSE, BOSTON 33, December 20, 1955.

To the Honorable Senate and House of Representatives.

I am enclosing herewith proposed legislation under the provisions of chapter 7, section 7, of the General Laws, "An Act relative to the Alleviation of Certain Financial Burdens imposed by the Rains of August Eighteenth and Nineteenth and October Fourteenth, Fifteenth, Sixteenth and Seventeenth, Nineteen Hundred and Fifty-Five, and by the Floods caused by Said Rains."

I would appreciate your filing this bill with the proper committee.

Respectfully submitted,

CARL A. SHERIDAN,
Commissioner of Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Six.

AN ACT RELATIVE TO THE ALLEVIATION OF CERTAIN FINANCIAL BURDENS IMPOSED BY THE RAINS OF AUGUST EIGHTEENTH AND NINETEENTH AND OCTOBER FOURTEENTH, FIFTEENTH, SIXTEENTH AND SEVENTEENTH, NINETEEN HUNDRED AND FIFTY-FIVE, AND BY THE FLOODS CAUSED BY SAID RAINS.

1 *Whereas*, The deferred operation of this act would tend
2 to defeat its purpose, which is to provide immediately
3 for the relief of the disaster caused by the rains of August
4 and October, nineteen hundred and fifty-five, and by the
5 floods caused by said rains, therefore it is hereby de-
6 clared to be an emergency law, necessary for the im-
7 mediate preservation of the public health, safety and
8 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 1. The first paragraph of section 1 of chapter
2 699 of the acts of 1955 is hereby amended by striking
3 out said paragraph and inserting in place thereof the
4 following paragraph:—

5 To provide for the purposes of disaster relief in the
6 areas stricken by the rains of August eighteenth and
7 nineteenth and October fourteenth, fifteenth, sixteenth
8 and seventeenth, nineteen hundred and fifty-five, and by
9 the floods caused by said rains, as more clearly specified
10 hereinafter, the sum of thirty million dollars is hereby
11 made available for transfer by the commission on ad-
12 ministration and finance, at its discretion, for the follow-
13 ing purposes:—

1 SECTION 2. Any unencumbered funds remaining in the
2 hands of the commission on June thirtieth, nineteen hun-
3 dred and fifty-seven, shall be available for the payment
4 of any principal and interest due thereafter on bonds
5 authorized by this act.

1 SECTION 3. Section 4 of said chapter 699 is hereby
2 amended by striking out said section and inserting in
3 place thereof the following new section: —

4 *Section 4.* The commonwealth shall, subject to the
5 approval of a board consisting of the director of civil
6 defense, the director of accounts of the department of
7 corporations and taxation, the commissioner of adminis-
8 tration, and the commissioner of public works, reimburse
9 or allocate for the benefit of the political subdivisions of
10 the commonwealth affected by said August and October
11 rains and floods, an amount equal to their obligations of
12 repayment of any indebtedness incurred under the pro-
13 visions of chapter six hundred and thirty-nine of the acts
14 of nineteen hundred and fifty, as amended, or incurred
15 under the provisions of section thirty-six A of chapter
16 thirty-five, or of clause (9) of section eight of chapter
17 forty-four of the General Laws as a result of an emergency
18 created by said rains and floods, and shall reimburse
19 them for any expenditures from available funds and from
20 sums raised by taxation for the purposes authorized under
21 said chapter six hundred and thirty-nine of the acts of
22 nineteen hundred and fifty, as amended, or authorized
23 under the provisions of section thirty-one of chapter
24 forty-four of the General Laws as a result of an emer-
25 gency created by said rains and floods, and, in addition,
26 the commonwealth may expend amounts approved by
27 said board referred to above for purposes of disaster
28 relief or repair of rain or flood damage, for the benefit
29 of the several departments, boards and commissions of
30 the commonwealth and of the political subdivisions of
31 the commonwealth affected by said August and October
32 rains and floods; provided, that the total amount to be

33 paid by the commonwealth for such purposes shall not
34 exceed thirty million dollars.

1 SECTION 4. Section 6 of said chapter 699 is hereby
2 amended by striking out said section and inserting in
3 place thereof the following section:—

4 *Section 6.* The board of assessors in each city or town
5 affected by the rains and floods of August and October,
6 nineteen hundred and fifty-five, may, on application for
7 abatement in respect to the tax on real estate and per-
8 sonal property for the year nineteen hundred and fifty-
9 five, filed in compliance with the provisions of section
10 fifty-nine of chapter fifty-nine of the General Laws,
11 grant an abatement in such amount as in the opinion
12 of the assessors provides an equitable adjustment of
13 taxes on property, both real and personal, wholly or
14 partially destroyed by said rains and floods; provided,
15 that such abatement shall not exceed that portion of
16 the tax which relates to the assessment on buildings
17 destroyed on said real estate and on personal property;
18 or the assessors may request the state tax commission
19 under the provisions of section eight of chapter fifty-
20 eight of the General Laws to give authority to abate in
21 whole or in part that portion of the tax on property wholly
22 or partially so destroyed which relates to the tax on
23 buildings on said real estate and on personal property,
24 and which tax may be or has been levied against those
25 who were the owners of record of property on January
26 first, nineteen hundred and fifty-five, or subsequent
27 owners who have assumed a part of the tax, as in their
28 opinion provides an equitable adjustment. Notwith-
29 standing any other provisions of law, application for
30 abatement under this act shall be filed before October
31 first, nineteen hundred and fifty-six.

1 SECTION 5. On and after the effective date of this
2 act, the state treasurer shall not sell any additional bonds
3 under the provisions of section three of chapter six hun-
4 dred and ninety-nine of the acts of nineteen hundred and

5 fifty-five. To meet the expenditures necessary in carrying
6 out the provisions of said chapter six hundred and ninety-
7 nine of the acts of nineteen hundred and fifty-five, as
8 amended by sections one, two, three and four of this
9 act, the state treasurer shall, upon request of the governor
10 and council, issue and sell at public or private sale
11 bonds of the commonwealth, registered or with interest
12 coupons attached, as he may deem best, to an amount
13 to be specified by the governor and council from time
14 to time, but not exceeding in the aggregate the balance
15 authorized to be issued under said chapter six hundred
16 and ninety-nine and remaining unsold on the effective
17 date of this act. All bonds issued by the commonwealth,
18 as aforesaid, shall be designated on the face, August and
19 October Flood Relief Loan Act of 1955-1956, and shall
20 be on the serial payment plan for such maximum term
21 of years, not exceeding twenty years, the initial maturities
22 of which shall be payable not later than one year from
23 their date of issue, as the governor may recommend to
24 the general court pursuant to section 3 of Article LXII
25 of the Amendments to the Constitution of the common-
26 wealth, the maturities thereof to be so arranged that the
27 amounts payable in the several years other than the
28 final year shall be as nearly equal as in the opinion of
29 the state treasurer it is practicable to make them. Said
30 bonds shall bear interest semi-annually at such rate as
31 the state treasurer, with the approval of the governor,
32 shall fix, and shall be payable not earlier than July first,
33 nineteen hundred and fifty-six, nor later than June
34 thirtieth, nineteen hundred and seventy-seven.

