HOUSE DOCKET, NO. 1276 FILED ON: 1/20/2011

HOUSE . . . . . No. 1449

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to improve municipal borrowing procedures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Kulik	*1st Franklin*
Thomas M. Menino	*Mayor of Boston*

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HOUSE . . . . . No. 1449

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 1449) of Stephen Kulik and Thomas M. Menino relative to municipal borrowing procedures. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to improve municipal borrowing procedures.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 21A of chapter 44 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, the first sentence and inserting in place thereof the following:

The city council of a city, the board of selectmen of a town and the prudential committee, if any, otherwise, the commissioners of a district, may authorize and provide for the issuance of refunding bonds or notes of the city, town or district for the purpose of paying or refunding all or any designated part of an issue of bonds or notes then outstanding, including the amount of any redemption premium thereon; provided, however, that no such refunding bonds or notes shall be payable over a period longer than the period during which the original bonds or notes so refunded must be paid pursuant to law; and provided, further, that, notwithstanding any provision of any general or special law, city charter, city ordinance or city council rule or order to the contrary, any vote of the city council of a city authorizing and providing for the issuance of refunding bonds or notes of the city may be introduced and given final passage at one meeting of

14 the city council, shall not be subject to any publication requirement, shall not be subject to any
15 referendum provision, and shall be effective upon passage.

16 SECTION 2. Section 21A of chapter 44 of the General Laws, as appearing in the 2008
17 Official Edition, is hereby amended by deleting the first clause of the second sentence and by
18 inserting in place thereof, the following new clause:

19 The first annual payment of principal on account of an issue of refunding bonds or notes
20 shall not be later than the last day of the fiscal year in which any of the bonds or notes being
21 refunded would otherwise have been payable and the annual payments thereafter shall be
22 arranged in accordance with the provisions of section nineteen;

23 SECTION 3. Section 19 of chapter 44 of the General Laws, as appearing in the 2008
24 Official Edition, is hereby amended by adding at the end of said section, the following new
25 paragraph:

26 Notwithstanding any general or special law to the contrary, the final payment on account
27 of any bonds issued by a city, town or district may be made not later than the end of the fiscal
28 year in which such bonds would otherwise have been payable in accordance with the provisions
29 of Sections 7 and 8 of chapter 44 of the General Laws, or in accordance with any other statutory
30 authority pursuant to which the issuance of any such bonds was otherwise authorized.