

**HOUSE . . . . . No. 03529**

**[LOCAL APPROVAL RECEIVED.]**

The Commonwealth of Massachusetts

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PRESENTED BY:

*Paul J. Donato and*

\_\_\_\_\_

*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 passage of the accompanying bill:

**AN ACT AUTHORIZING THE CITY OF MEDFORD TO UTILIZE SURPLUS FUNDS FROM ITS WATER ENTERPRISE ACCOUNT AND FOR RELIEF FROM CERTAIN PROVISIONS OF G.L. c 44 § 33B**

□.

\_\_\_\_\_  
PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>

# HOUSE . . . . . No. 03529

By Messrs. Donato of Medford and Sciortino of Medford, a petition (accompanied by bill, House, No. 3529) of Paul J. Donato, Patricia D. Jehlen and Carl M. Sciortino, Jr. (with the approval of the mayor and city council) that the city of Medford be authorized to transfer certain funds from the water enterprise account of said city. Municipalities and Regional Government. [Local Approval Received.]

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

AN ACT AUTHORIZING THE CITY OF MEDFORD TO UTILIZE SURPLUS FUNDS FROM ITS WATER ENTERPRISE ACCOUNT AND FOR RELIEF FROM CERTAIN PROVISIONS OF G.L. c 44 § 33B

□.

*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is forthwith to provide a method of budgetary assistance to the City of Medford in meeting its operating expenses during a time of significant fiscal limitations without impeding the purposes of its Water Enterprise Account, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public 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.

2 Notwithstanding section 53F½ of Chapter 44 of the General Laws or the provisions of any  
3 general law, special law or regulation to the contrary, in light of the surplus that exists in the  
4 Water Enterprise Fund of the City of Medford, the Mayor of the City of Medford, may, without  
5 further appropriation, transfer from the Water Enterprise Fund or any separate reserve fund  
6 containing a surplus produced from the Water Enterprise Fund, the amount of One Million Two  
7 hundred twenty four thousand dollars [\$1,224,000.00].

8 Section 2

9 Notwithstanding G.L. c 44 § 33B of the General Laws or any other general or special law to the  
10 contrary, the City Council of the City of Medford may, by majority vote, on the recommendation  
11 of the Mayor, transfer within the last 2 months of any fiscal year, or during the first 15 days of  
12 the new fiscal year to apply to the previous fiscal year, an amount appropriated for the use of any  
13 department other than the school department to the appropriation of any other department. The  
14 purpose of this act is to relieve the City of Medford from the provision of G.L. c 44 § 33B that  
15 requires that an amount transferred from one department to another may not exceed, in the  
16 aggregate, 3 percent of the annual budget of the department from which the transfer is made.

17 Section 3

18 This act shall take effect upon its passage and shall be effective during the present fiscal year.