

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Accepting the Provisions of Section 64 of Chapter 44 of the Massachusetts General Laws regarding Payment of Bills Incurred in Excess of Appropriations.

Section 64 of Chapter 44 of the Massachusetts General Laws allows for payment of bills incurred in excess of appropriations upon acceptance of this section and that certificates have to be signed and filed with the City Auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or employee of the City and that such goods and materials were delivered and actually received by the City or that such services were rendered to or for the City , as the case may be; and

Every such certificate that goods, materials or services were so ordered shall be signed and filed by the official or employee of the City who ordered the same, or if he/she has ceased to be an official of or employee of the City, by any official or employee of the City;

Section 64 of Chapter 44 of the Massachusetts General Laws must be accepted by a two-thirds vote of the Lowell City Council in order to be effective in the City of Lowell; and

The City Council, pursuant to Council Rule 28, must hold a public hearing on this matter.

NOW, THEREFORE, IT IS VOTED BY TWO-THIRD (2/3) VOTE AS FOLLOWS:

That the City Council of the City of Lowell hereby accepts the Provisions of Section 64 of Chapter 44 of the Massachusetts General Laws, a copy of which is hereto attached and marked "A".

Part I ADMINISTRATION OF THE GOVERNMENT**Title VII** CITIES, TOWNS AND DISTRICTS**Chapter 44** MUNICIPAL FINANCE**Section 64** PAYMENT OF BILLS INCURRED IN EXCESS OF
APPROPRIATIONS

Section 64. Any town or city having unpaid bills of previous fiscal years which may be legally unenforceable due to the insufficiency of an appropriation in the fiscal year in which such bills were incurred may, in the case of a town, at an annual meeting by a four fifths vote, or at a special meeting by a nine tenths vote, of the voters present and voting at a meeting duly called, and, in the case of a city which accepts this section, by a two thirds vote of the city council, appropriate money to pay such bills; but no bill or payroll shall be approved for payment or paid from an appropriation voted under authority of this section unless and until certificates have been signed and filed with the selectmen or the city auditor, as the case may be, as hereinafter provided, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or employee of the

"A"

town or city and that such goods and materials were delivered and actually received by the town or city or that such services were rendered to or for the town or city, as the case may be.

Every such certificate that goods, materials or services were so ordered shall be signed and filed by the official or employee of the town or city who ordered the same or, if he has ceased to be an official or employee of the town or city, by any official or employee of the town or city; every such certificate of delivery to the town or city of goods or materials shall be signed and filed by the vendor thereof or, if such vendor is a corporation, shall be signed and filed by the treasurer thereof; every such certificate that goods or materials were received by the town or city shall be signed and filed by an official or employee of the town or city; and every such certificate of services rendered to or for a town or city shall be signed and filed by the person who rendered such services.

This section shall not prohibit or prevent appropriations by a majority vote for bills or obligations of previous fiscal years due to any other town or to a district, a city, a county or the commonwealth, or for legally incurred debt and interest the payment of which is provided for by any general or special law.

This section shall apply to districts.