



Middlesex

County Advisory Board

Board



OFFICE OF CITY CLERK
SUPERIOR COURT HOUSE
EAST CAMBRIDGE, MASS. 02141
AUG 2 20 11 04
494-4113
CAMBRIDGE, MASS.

30 July, 1984

TO: Middlesex County Advisory Board members
FROM: Diane Norris, Coordinator
RE: Increased court rental payments from the state

In line item 0330-2200 of the FY'85 state budget is a state wide total appropriation for court rents of \$31,805,561, an increase of \$21 million over last year with language stipulating

1. the money must go for courthouse maintenance
2. a schedule detailing cost of maintenance, repair and debt service must be submitted to and approved by the chief administrative justice of the trial court
3. funds must be maintained in a separate account solely for maintenance
4. assessments shall be reduced by the amount given each county.

For Middlesex, which received \$3,155,600 in FY'84, the estimate this year is \$10,004,274. What this will do to local assessments is not at all clear.

The attached letter from Sen. George Bachrach, co-chairman of the Joint Committee on Counties, underscores the ambiguity in the budget language. The advisory boards have appropriating authority and can use the additional revenue to fund maintenance appropriations and free other funds for different purposes if that is desired.

There are no regulations governing the actual implementation of this appropriation. Will the money come prior to October 1 and be counted as a receipt for this fiscal year? There is no lease between the county commissioners and the trial court for FY'84 or FY'85. Will Middlesex get all of the \$10 million even if less than \$10 million is appropriated for court maintenance and related costs? Past due rents have not yet been paid.

History of payments for court rental looks like this:

<u>Year</u>	<u>Leased amount due</u>	<u>Actual paid</u>
Fy'80	\$ 7,502,463	
Fy'81	7,919,679	\$ 985,943
Fy'82	8,336,895	3,242,100
Fy'83	8,336,895	3,155,600
Fy'84	8,336,895*	3,155,600
	<u>\$40,432,827</u>	<u>\$10,539,243</u>

* No lease - assume rent due is at least equal to previous year.

Page Two Increased Court Rental

The Bureau of Accounts/Department of Revenue will send out guidelines on the interpretation and implementation of this appropriation within the next two weeks.

If Middlesex gets \$10,004,274 and if it used to reduce the assessment and if the end of year cash results in a levy of \$17,025,368 as estimated, the new levy would be \$10,176,694, about 59% of the original estimate.

The attached sheet projects each Middlesex city/town county levy based on the estimate of \$17,025,368 and on \$10,176,694 with the same e.q.v. as FY'84. All the previous assumptions have to hold true for the sheet to be accurate.

This office will keep you informed of any changes in interpretation. Ultimately it will be the Budget Committee that recommends any changes in appropriation to the full Board.

Senate Bill 201

Representative Steve Doran of Lexington is "cautiously optimistic" about the future of this bill that would create a capital improvement/ stabilization fund in county budgets and give the advisory boards control of the reserve fund. Chairman Ray Jordan has given the Committee on Counties' favorable report on the bill and has been helpful in seeing it through the House. Hopefully it will be passed after the September primaries when it is expected out of the Committee on Third Readings.

The County Commissioners have recently decided to sell the vacant Third District Court, at the intersection of Third and Thorndike Streets in Cambridge, to the state for about \$700,000. This money, a one time revenue, could go into such a stabilization fund.

As mentioned before this is a bill that does not seem to have many opponents; it just needs continual support. You have been responsible for it not fading out of sight and surviving so far.

Estimated assessment using \$17,025,368 as the FY'85 County Tax

City/Town	Weighted vote	Estimated Levy before added rent	Estimated levy with added rent
Acton	1.73	\$294538.87	\$176056.81
Arlington	3.39	\$577159.98	\$344989.93
Ashby	0.11	\$18727.90	\$11194.36
Ashland	0.76	\$129392.80	\$77342.87
Ayer	0.44	\$74911.62	\$44777.45
Bedford	1.48	\$251975.45	\$150615.07
Belmont	2.59	\$440957.03	\$263576.37
Billerica	2.32	\$394988.54	\$236099.30
Boxborough	0.31	\$52778.64	\$31547.75
Burlington	2.66	\$452874.79	\$270700.06
Cambridge	5.82	\$990876.42	\$592283.59
Carlisle	0.49	\$83424.30	\$49865.80
Chelmsford	2.11	\$359235.26	\$214728.24
Concord	1.99	\$338804.82	\$202516.21
Dracut	1.14	\$194089.20	\$116014.31
Dunstable	0.14	\$23835.52	\$14247.37
Everett	3.59	\$611210.71	\$365343.31
Framingham	4.91	\$835945.57	\$499675.68
Groton	0.47	\$80019.23	\$47830.46
Holliston	0.88	\$149823.24	\$89554.91
Hopkinton	0.44	\$74911.62	\$44777.45
Hudson	0.89	\$151525.78	\$90572.58
Lexington	3.76	\$640153.84	\$382643.69
Lincoln	0.79	\$134500.41	\$80395.88
Littleton	0.58	\$98747.13	\$59024.83
Lowell	3.43	\$583970.12	\$349060.60
Malden	2.18	\$371153.02	\$221851.93
Marlborough	1.87	\$318374.38	\$190304.18
Maynard	0.67	\$114069.97	\$68183.85
Medford	3.04	\$517571.19	\$309371.50
Melrose	1.85	\$314969.31	\$188268.84
Natick	2.41	\$410311.37	\$245258.33
Newton	9.41	\$1602087.13	\$957626.90
North Reading	0.82	\$139608.02	\$83448.89
Pepperell	0.42	\$71506.55	\$42742.11
Reading	1.78	\$303051.55	\$181145.15
Sherborn	0.56	\$95342.06	\$56989.49
Shirley	0.17	\$28943.13	\$17300.38
Somerville	2.64	\$449469.72	\$268664.72
Stoneham	1.45	\$246867.84	\$147562.06
Stow	0.48	\$81721.77	\$48848.13
Sudbury	1.47	\$250272.91	\$149597.40
Tewksbury	1.37	\$233247.54	\$139420.71
Townsend	0.42	\$71506.55	\$42742.11
Tyngsborough	0.34	\$57886.25	\$34600.76
Wakefield	1.87	\$318374.38	\$190304.18
Waltham	4.22	\$718470.53	\$429456.49
Watertown	2.47	\$420526.59	\$251364.34
Wayland	1.43	\$243462.76	\$145526.72
Westford	0.94	\$160038.46	\$95660.92
Weston	1.86	\$316671.84	\$189286.51
Wilmington	1.69	\$287728.72	\$171986.13
Winchester	2.21	\$376260.63	\$224904.94
Woburn	2.74	\$466495.08	\$278841.42
Total	100	\$17025368.00	\$10176693.99



The Commonwealth of Massachusetts

RECEIVED BY
OFFICE OF THE CLERK
COMMITTEE ON COUNTIES

State House, Boston, MA 02133

AUG 1 2 20 PM '84

CAMBRIDGE, MASS.

SEN. GEORGE BACHRACH

SENATE CHAIRMAN

Room 405

722-1280

REP. RAYMOND A. JORDAN, JR.

HOUSE CHAIRMAN

Room 33

722-2060

July 18, 1984

Mayor Theodore Mann
Advisory Bd Chairman
Middlesex County
Newton City Hall
Newton, MA 02158

Dear Mayor Mann:

I am writing to update you on developments concerning the court rental funds in the budget recently signed by the Governor and let you know that it seems counties will be beneficiaries of full court rental without the spectre that such monies will, endanger net county assessments.

As you know, the Legislature placed approximately \$32 million in the budget for county court rentals. This appropriation marks the first year that the counties will be reimbursed the full costs of courthouse maintenance. The language accompanying this line item was ambiguously drafted, raising several questions as to how the money would impact county budgets, appropriations, and assessments. At this point, the concerns that were raised about the danger of the appropriation's impact on assessments and the future of county government may be unnecessary. The full funding of court rentals should provide advisory boards additional funds to reduce assessments or to increase appropriations for other county activities.

The budget line item has language in part reading "all rents paid to the counties shall be expended for courthouse maintenance . . . and . . . assessments in each county to member cities and towns shall be reduced by the same amount." The Executive Office of Administration and Finance has indicated that this language, which is included in the budget signed by the Governor, will be interpreted to mean that cities and towns may not be assessed for court costs that are paid for by the State. Any prior local assessment for court maintenance will have to be "reduced" to the extent that these costs are now paid for funds.

This interpretation would not require a county to reduce its net total assessment. If an advisory board were to determine that money previously spent on court maintenance should be

utilized for jails, extension services, or other expenses, thereby increasing the total county budget through a supplemental budget or otherwise, the net assessment may not be lower than a net assessment of prior years.

With such an interpretation, the Advisory Boards will retain the discretion as to if and how much net assessments should be reduced.

The funding of full court rental raises a further concern among county officials that the Legislature may not continue this level of funding in future years. The Revenue Department has indicated that were the Legislature to fail to make similar or greater rental appropriations, MGL Chapter 59, Section 21 D, would provide the flexibility to protect counties fiscally from any budgetary disruption.

The budgetary language will require, however, that new schedules detailing costs for maintenance, repairs, and debt service be prepared. It also requires that such funds be kept in a separate account which can be used solely for contractually agreed upon expenses. As the Department of Revenue and the Executive Office of Administration and Finance develop formal memoranda concerning the line item and its interpretation, these documents will be sent to you.

I will continue to keep you informed as issues that concern county government continue to surface.

Sincerely,



George Bachrach
Senate Chairman

GB:SGP

18.

F-260

Comm. from Diane Norris, Coordinator, Middlesex County Advisory Board, Re: increased court rental payments from the State.

In City Council,

August 15, 1984

*Referred to
the*

*City Manager
copy sent to C. mgr.
8/20/84 @*