

HOUSE No. 4217

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 14, 2016.

The committee on Revenue to whom was referred the joint petition (accompanied by bill, House, No. 3882) of Paul McMurtry and Michael F. Rush (by vote of the town) that the town of Dedham be authorized to deposit receipts from the local meals excise to the Robin Reyes Major Capital Facilities Stabilization Fund, reports recommending that the accompanying bill (House, No. 4217) ought to pass [Local Approval Received].

For the committee,

JAY R. KAUFMAN.

HOUSE No. 4217

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the Robin Reyes Capital Stabilization Fund in the town of Dedham.

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. Notwithstanding the provisions of section 53 of chapter 44 of the General
2 Laws or any other general or special law to the contrary, the town of Dedham shall deposit
3 directly and without further appropriation receipts received annually by said town in connection
4 with collection of the local meals excise under section 2 of chapter 64L of the General Laws and
5 the local room occupancy tax under section 3A of chapter 64G of the General Laws to the Robin
6 Reyes Major Capital Facilities Stabilization Fund (the “Robin Reyes Fund”), a special purpose
7 stabilization fund created by vote of the town under Article 3 of the November 16, 2009 Special
8 Town Meeting in accordance with the provisions of section 5B of chapter 40 of the General
9 Laws for the purposes of receiving and segregating funds for major facility improvements,
10 facility replacements, new facilities or for debt service on bonds and notes issued for these
11 purposes.

12 SECTION 2. No later than March 15 and September 15 in each fiscal year, and more
13 frequently as may be requested by the town manager, the finance director shall certify to the

14 board of selectmen, finance and warrant committee, and town manager the amount available for
15 expenditure in the Robin Reyes Fund.

16 SECTION 3. The finance director of the town of Dedham, in consultation with the town
17 manager, and following a meeting with the board of selectmen for which at least one week's
18 notice is provided on the official website of the town, shall hereby be authorized to promulgate
19 appropriate policies to address any accounting or reporting requirements necessary to properly
20 implement this act.

21 SECTION 4. Notwithstanding the provisions of section 1 of this act providing for all
22 receipts described in said section to be credited directly and without further appropriation to the
23 Robin Reyes Fund, in fiscal year 2016 only 2/3 of such receiptsthe local room occupancy tax
24 shall be so credited, and in fiscal year 2017 only 5/6 of such receiptsthe local room occupancy
25 tax shall be so credited, with the remainder of the room occupancy tax in each such fiscal year to
26 be considered General Fund revenues as would otherwise be required by law.

27 SECTION 5. Notwithstanding the provisions of section 5B of chapter 40 of the General
28 Laws, no change may be made by the town to limit or expand the purpose for which the Robin
29 Reyes Fund may be expended except upon a 2/3 vote of town meeting following a positive
30 recommendation from the board of selectmen and finance and warrant committee; provided,
31 further, that the limitation imposed by this section shall not prohibit said town of Dedham,
32 following the positive recommendation of the board of selectmen and finance committee, from
33 voting by a 2/3 vote to dissolve the Robin Reyes Fund, and after the effective date of such vote,
34 all receipts described in section 1 of this act shall be considered General Fund revenues as
35 required by law.

36 SECTION 6. This act shall take effect upon passage provided, however, that the General
37 Court may make clerical or editorial changes of form only to such bill, unless the Board of
38 Selectmen approves amendments to the bill prior to enactment by the General Court, and
39 provided further that the Board of Selectmen is hereby authorized to approve amendments which
40 shall be within the scope of the general public objectives of this petition; or take any other action
41 relative thereto.