

SENATE No. 1908

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 to Fund the Massachusetts Turnpike.

PETITION OF:

NAME:

Cynthia Stone Creem

DISTRICT/ADDRESS:

First Middlesex and Norfolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO FUND THE MASSACHUSETTS TURNPIKE.

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.** Section 10 of Chapter 81A of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by striking subparagraph (a).

3 **SECTION 2.** Section 1 of Chapter 64A of the General Laws, as appearing in the 2006
4 Official Edition, is hereby amended by striking, in paragraph (l), the words “Tax per gallon”,
5 shall be 21 cents per gallon” and inserting in place thereof the following:-

6 “Tax per gallon”, shall be fifty cents per gallon.

7 **SECTION 3.** Section 13 of Chapter 64A of the General Laws, as appearing in the 2006
8 Official Edition, is hereby repealed and replaced by the following Section 64A:-

9 Section 13. All sums received from the excise imposed on aviation fuel, and related
10 penalties, forfeitures, interest, costs of suits and fines, less all amounts for reimbursement under
11 sections seven and seven A, shall be credited to the General Fund and may be used for airport
12 development projects approved and carried out at airports and landing facilities pursuant to 49
13 USC App. sec. 2210; and all other sums received under the excise imposed in section four, and

14 relative penalties, forfeitures, interest, costs of suits and fines, less all amounts for
15 reimbursement under sections seven and seven A, shall be credited as follows:

16 (a) sixty-eight and sixty one-hundredths percent shall be credited to the Highway Fund,
17 provided however that ten percent thereof shall be dedicated to the debt service payments
18 associated with the obligations of the Turnpike Authority incurred in connection with the
19 construction of the Central Artery and the Ted Williams Tunnel.

20 (b) whereas not less than one and two-fifths percent of the excise imposed by section four
21 is obtained from the sale or importation of fuel used in producing or generating power for the
22 operation of watercraft of every description, except seaplanes, said excise funds shall be credited
23 as follows:-- fifteen one-hundredths of one percent to the Inland Fisheries and Game Fund,
24 established by section 2C of chapter one hundred and thirty-one; fifteen one-hundredths of one
25 percent to the Public Access Fund, established by section seventeen F of chapter twenty-one;
26 thirty one-hundredths of one percent to the Marine Fisheries Fund, established by section two B
27 of chapter one hundred and thirty; thirty one-hundredths of one percent to the Environmental
28 Law Enforcement Fund, established by section six I of chapter twenty-one; and fifty one-
29 hundredths of one percent to the Harbors and Inland Waters Maintenance Fund, established by
30 section ten A 1/2 of chapter ninety-one.

31 (c) Fifteen per cent shall be credited to the Highway Fund and used solely for
32 reimbursing cities and towns for the cost incurred in constructing, maintaining and policing city
33 or town streets or roads as provided in section thirty-one of chapter eighty-one, provided, that
34 one-half of said amount shall be used solely for projects for the construction, reconstruction and
35 improvement, including surface treatments, so-called, of town and county ways under

36 subdivision (a) of clause (2) of section thirty-four of chapter ninety, said funds to be in addition
37 to any matching funds as may be provided by cities and towns; and provided, further, that said
38 one-half of said amount shall not be subject to assessment under the provisions of section twenty
39 of chapter fifty-nine.

40 (d) Fifteen per cent shall be credited to the General Fund and used solely for the payment
41 of cost of construction, reconstruction, operation, maintenance and repair of mass transportation
42 lines and for other mass transportation purposes and further, other than the revenues specified
43 herein no other revenues under this section shall be used for the sole purpose specified in this
44 subsection.