

HOUSE No. 3323

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act providing for an annual payment in lieu of taxes by the Massachusetts Turnpike Authority..

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 13 of chapter 35 of the Acts of 1952 is hereby amended by adding
2 the following new paragraph:—"Without limitation of the foregoing, and notwithstanding any
3 contrary provisions of any other general or special law, the Authority is authorized and directed
4 to enter into an agreement with each city and town in which Authority property is located
5 whereby the Authority will make to each city or town annual payments in lieu of taxes. Any such
6 agreement shall provide for annual payments for a period extending at least five years from the
7 date thereof. Such agreements may be amended by the mutual agreement of the respective city or
8 town and the Authority and extended each year to incorporate an additional year or years to the
9 terms of the agreement. In arriving at the agreed upon level of such annual payments or any
10 amendments thereto, the respective city or town and the Authority shall consider: (1) the general
11 level of property taxation in such city or town; (2) the effect of the projects, facilities or activities
12 of the Authority in such city or town; (3) the general economic condition of the users or other
13 persons who pay tolls, rates, fees, rentals or other charges of the Authority; and (4) the needs of
14 the Authority to maintain or improve its facilities or projects, provided, that no such annual

15 payment as agreed upon or any amendments thereto shall exceed in the aggregate for any fiscal
16 year of the Authority the balance of revenues remaining for such fiscal year after payment of all
17 other current expenses of the Authority.