

**SENATE . . . . . No. 1454**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Susan C. Fargo***

*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 adoption of the accompanying bill:

**An Act establishing a municipal gas tax exemption.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Susan C. Fargo</i>	
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>James E. Timilty</i>	
<i>Richard T. Moore</i>	
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Robert L. Hedlund</i>	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Gale D. Candaras</i>	

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By Ms. Fargo, a petition (accompanied by bill, Senate, No. 1454) of Susan C. Fargo, William Smitty Pignatelli, James E. Timilty, Richard T. Moore and other members of the General Court for legislation to establish a municipal gas tax exemption. Revenue.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1271 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act establishing a municipal gas tax exemption.

*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. Chapter 64A is hereby amended by inserting after section 7A the following  
2 section:-

3 Section 7B. Any municipality of the commonwealth that buys any fuel on which an  
4 excise tax has been paid under chapter 64A and, which fuel has been purchased for its municipal  
5 consumption and use, shall be reimbursed the amount of such excise tax paid in the manner and  
6 subject to the conditions herein provided. All claims for reimbursement shall be filed with the  
7 commissioner of revenue and shall be made in such form and containing such information, and  
8 accompanied with supporting documentation, as the commissioner of revenue shall prescribe.

9 The commissioner of revenue shall establish a quarterly calendar year schedule for the  
10 submission of claims by municipalities for reimbursement of such paid fuel excise taxes. No

11 reimbursement for such excise tax paid shall be made for any claim submitted after 6 months  
12 from the date of the purchase of such fuel. The commissioner of revenue shall transmit all  
13 claims approved by him to the comptroller for certification, and the amount so approved and  
14 certified as aforesaid shall be paid forthwith from the proceeds of the excise tax levied under this  
15 chapter 64A, without specific appropriation. No claim for reimbursement for said excise tax shall  
16 be made by a municipality under sections 7 and 7A of chapter 64A, for fuel purchased during  
17 said period, to which a municipality is entitled to claim a reimbursement under this section.

18 SECTION 2. Section 13 of Chapter 64A of the General Laws, as appearing in the 2008  
19 Official Edition, is hereby amended by striking out the words "seven and seven A" in line 3, and  
20 inserting in place thereof, the following words:- "seven, seven A and seven B".