

HOUSE No. 1862**The Commonwealth of Massachusetts**

PRESENTED BY:

Jason M. Lewis and Cleon H. Turner*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 supporting municipal fiscal stability through a special education stabilization fund.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|----------------------------------|---|------------------|
| <i>Jason M. Lewis</i> | <i>Fifth Middlesex</i> | <i>1/14/2013</i> |
| <i>Cleon H. Turner</i> | <i>1st Barnstable</i> | <i>1/15/2013</i> |
| <i>Peter V. Kocot</i> | <i>1st Hampshire</i> | |
| <i>Garrett J. Bradley</i> | <i>3rd Plymouth</i> | |
| <i>Martha M. Walz</i> | <i>8th Suffolk</i> | |
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | |
| <i>James J. Dwyer</i> | <i>30th Middlesex</i> | |
| <i>Daniel A. Wolf</i> | <i>Cape and Islands</i> | |
| <i>Cory Atkins</i> | <i>14th Middlesex</i> | |
| <i>William Smitty Pignatelli</i> | <i>4th Berkshire</i> | |
| <i>Kay Khan</i> | <i>11th Middlesex</i> | |
| <i>Benjamin B. Downing</i> | <i>Berkshire, Hampshire, Franklin and Hampden</i> | |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | |
| <i>Jennifer E. Benson</i> | <i>37th Middlesex</i> | |
| <i>Carolyn C. Dykema</i> | <i>8th Middlesex</i> | |
| <i>Paul A. Schmid, III</i> | <i>8th Bristol</i> | |

HOUSE No. 1862

By Messrs. Lewis of Winchester and Turner of Dennis, a petition (accompanied by bill, House, No. 1862) of Jason M. Lewis, Cleon H. Turner and others for legislation to enhance municipal fiscal stability through a special education stabilization fund. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4017 OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act supporting municipal fiscal stability through a special education stabilization fund.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 40 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding after section 13C the following section:

Section 13D. Any school district which accepts the provisions of this section by majority vote of the school committee and acceptance by a majority vote of the legislative body or, in the case of a regional school district acceptance by majority vote of the legislative bodies in a majority of the member communities of the district may establish, and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal year or years, to pay, without further appropriation, for unanticipated and/or unbudgeted costs of special education out of school district tuition and/or transportation. The balance in such separate stabilization fund shall not exceed 2% of the annual net school spending of the school district.

The district treasurer may invest the monies in the manner authorized by Section 54 of Chapter 44, and any interest earned thereon shall be credited to and become part of the fund. In the case of Regional School Districts, funds may be added to the special education stabilization fund only be appropriation in the annual budget voted at annual town meetings of member towns.