

# SENATE . . . . . No. 2354

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Richard J. Ross***

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*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 gaming revenue stabilization fund in the town of Plainville.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

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*Richard J. Ross*

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*Norfolk, Bristol and Middlesex*

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*Shawn Dooley*

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*9th Norfolk*

# SENATE . . . . . No. 2354

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By Mr. Ross, a petition (accompanied by bill, Senate, No. 2354) of Richard J. Ross and Shawn Dooley (by vote of the town) for legislation to establish a gaming revenue stabilization fund in the town of Plainville. Municipalities and Regional Government. [Local Approval Received.]

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen  
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An Act establishing a gaming revenue stabilization fund in the town of Plainville.

*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 section 5B of chapter 40 or section 53 of chapter 44 of the  
2 General Laws or of any other general or special law to the contrary, there shall be established in  
3 the town of Plainville a Gaming Revenue Stabilization Fund which shall be credited, without  
4 further appropriation, all host community payments received by the town, pursuant to section 2.4  
5 of the July 8, 2013 Host Community Agreement with Ourway Realty, LLC., as such agreement  
6 may be amended from time to time, and monies appropriated or transferred to the fund by a 2/3  
7 vote at an annual or special town meeting. Any interest accrued shall be credited to and become  
8 part of the fund.

9           SECTION 2. The Gaming Revenue Stabilization Fund established under section 1 may  
10 be appropriated by a 2/3 vote at an annual or special town meeting only for capital projects,  
11 except as provided under section 3. The term “capital project” shall mean the acquisition of  
12 interests in land, acquisition of tangible assets or the undertaking of assets or projects that shall  
13 have a useful life of 5 years or more and a cost of \$50,000 or more and which are not properly  
14 categorized as annual operating expenses; provided, that “capital project” shall include the  
15 payment of debt service on such projects, whether such projects were approved prior to or after  
16 the effective date of this act. “Capital project” shall also include major departmental capital  
17 equipment, even if acquired on an annual basis, meeting the useful life and cost requirements of  
18 this section.

19           SECTION 3. Upon the recommendation of both the board of selectmen and the finance  
20 committee, monies in the fund, up to 2.5per cent of the amount raised by taxation by the town in  
21 the most recent fiscal year for which a tax rate has been certified under section 23 of chapter 59

22 of the General Laws, may be appropriated for non-capital project purposes by a 4/5 vote at an  
23 annual town meeting or a 9/10 vote at a special town meeting.

24 SECTION 4. This act shall take effect upon its passage.