HOUSE DOCKET, NO. 4751 FILED ON: 5/3/2016

HOUSE . . . . . No. 4264

The Commonwealth of Massachusetts

PRESENTED BY:

Danielle W. Gregoire

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 authorizing the town of Westborough to establish an additional excise on sales of gasoline and diesel fuel.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Danielle W. Gregoire	*4th Middlesex*
Carolyn C. Dykema	*8th Middlesex*
James B. Eldridge	*Middlesex and Worcester*
Hannah Kane	*11th Worcester*

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By Miss Gregoire of Marlborough, a petition (accompanied by bill, House, No. 4264) of Danielle W. Gregoire and others (by vote of the town) that the town of Westborough be authorized to establish an additional excise on sales of gasoline and diesel fuel. Revenue. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act authorizing the town of Westborough to establish an additional excise on sales of gasoline and diesel fuel.

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

SECTION 1. (a) Notwithstanding any general or special law to the contrary, the town of Westborough may impose an excise tax on the sale of gasoline and diesel fuel within the town. The amount of the excise shall be an additional amount per gallon and shall be determined by a majority vote of the town meeting. Thereafter, the amount of the excise shall only be changed by a subsequent majority vote of the town meeting. Such excise tax shall be in addition to the amount of: (1) any tax per gallon on gasoline pursuant to chapter 64A of the General Laws, and (2) any tax per gallon on diesel fuel pursuant to chapter 64E of the General Laws. The excise shall be recorded, paid and collected in accordance with said chapters 64A and 64E, including any exemptions and reimbursements, and shall be distributed to the town of Westborough in accordance with this act.

11 (b) All sums received pursuant to this act shall be paid quarterly to the treasurer of the
12 town of Westborough by the state treasurer, upon certification of the commissioner of revenue.

13 (c) Notwithstanding any general or special law to the contrary, the town of Westborough
14 shall establish a separate fund known as the Public Way Maintenance Fund. The treasurer of the
15 town of Westborough shall deposit all sums received pursuant to this act into the fund. The
16 treasurer of the town of Westborough shall be the custodian of the fund, and the deposit and
17 investment of revenues held in the fund shall be in accordance with the provisions of section 55
18 of chapter 44 of the General Laws. All moneys remaining in the fund at the end of any fiscal
19 year, whether or not expended by the town within 1 year of the date they were appropriated into
20 the fund, shall remain in and become part of the fund and shall carry over to succeeding fiscal
21 years. Interest earned shall remain with and become part of the fund.

22 (d) Any disbursement from the Public Way Maintenance Fund shall be by majority vote
23 of the board of selectmen of the town of Westborough and shall be used solely for the repair,
24 maintenance and upkeep of town roads, bridges, sidewalks and trails and of storm drainage
25 adjacent to such roads or bridges.

26 SECTION 2. Section 1 shall take effect upon the approval of a majority vote of the next
27 town meeting of the town of Westborough held after the effective date of this act, but not
28 otherwise.

29 SECTION 3. This act shall take effect upon its passage.