

**SENATE . . . . . No. 1089**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Jason M. Lewis*

*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:
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Benjamin B. Downing</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>

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By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1089) of Jason M. Lewis, Michael S. Day, Jennifer E. Benson, Carolyn C. Dykema and other members of the General Court for legislation to support municipal fiscal stability through a special education stabilization fund. Municipalities and Regional Government.

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The Commonwealth of Massachusetts

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

1           SECTION 1: Chapter 40 of the Massachusetts General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by adding after section 13C the following new section:-  
3           Section 13D. Any school district which accepts the provisions of this section by majority  
4 vote of the school committee and acceptance by a majority vote of the legislative body or, in the  
5 case of a regional school district acceptance by majority vote of the legislative bodies in a  
6 majority of the member communities of the district may establish, and appropriate or transfer  
7 money to a reserve fund to be utilized in the upcoming fiscal year or years, to pay, without  
8 further appropriation, for unanticipated and/or unbudgeted costs of special education out of  
9 school district tuition and/or transportation. The balance in such separate stabilization fund shall  
10 not exceed 2% of the annual net school spending of the school district.

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