SENATE DOCKET, NO. 1882 FILED ON: 1/16/2015

SENATE . . . . . No. 1554

The Commonwealth of Massachusetts

PRESENTED BY:

Richard J. Ross

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 the Commonwealth Municipal Dog Park Trust Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard J. Ross	*Norfolk, Bristol and Middlesex*
Sal N. DiDomenico	*Middlesex and Suffolk*
Bruce E. Tarr	*First Essex and Middlesex*
Donald F. Humason, Jr.	*Second Hampden and Hampshire*
Viriato M. deMacedo	*Plymouth and Barnstable*

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SENATE . . . . . No. 1554

By Mr. Ross, a petition (accompanied by bill, Senate, No. 1554) of Richard J. Ross, Sal N. DiDomenico, Bruce E. Tarr, Donald F. Humason, Jr. and others for legislation to establish the Commonwealth Municipal Dog Park Trust Fund. Revenue.

The Commonwealth of Massachusetts

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

An Act establishing the Commonwealth Municipal Dog Park Trust Fund.

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. Chapter 21A of the General Laws, as so appearing, is hereby amended by inserting after section 23 the following section:-

Section 24. There is hereby established within the department of conservation and recreation, the Commonwealth Municipal Dog Park Trust Fund, hereinafter known as the Fund. There shall also be established a board of trustees to oversee and administer the Fund, which shall be called the Board of Trustees of the Commonwealth Municipal Dog Park Trust Fund, hereinafter known as Trustees, as established in section 35AAA of chapter 10. The Trustees shall consist of the commissioner of the department of conservation and recreation, or his designee, who shall serve as chair; the treasurer, or his designee; the president of the Retailers Association of Massachusetts, or his designee, and the President of the Massachusetts Municipal Association or his designee. The Trustees shall be tasked with compiling a report to determine the management of the Fund, including but not limited to the establishment of partnerships

among Massachusetts pet-related retailers to obtain agreements with said area pet-related retailers to request donations from consumers at time of check out. Additionally, the Trustees shall establish an application and approval process for municipalities to seek funds for local, municipally sanctioned dog park projects, provided that there is already, a local funding mechanism in place. The report shall be submitted to the Secretary of Energy and Environmental Affairs for his approval, not later than 90 days after the effective date of this law.

Section 2. Chapter 10 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after section 35ZZ the following section:-

35AAA. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Commonwealth Municipal Dog Park Trust Fund. The fund shall be used by the department of conservation and recreation to administer matching grants to municipalities for the construction and maintenance of fenced-in dog parks for public use. The commissioner of the department of conservation and recreation shall establish rules and regulations relating to the fund. The trustees shall be responsible for selecting and awarding matching grants to municipal applicants, pursuant to the rules and regulations established by the commissioner.

The fund shall consist of all revenues received by the commonwealth pursuant to the voluntary check-off donation indicated on the department of revenue's annual income tax return authorized by section 6O of chapter 62 and from public and private sources as gifts, grants and donations to further provide for the construction and maintenance of fenced-in dog parks.

The state treasurer shall deposit amounts in the fund in accordance with section 34 of chapter 29 in a manner that will secure the highest interest rate available consistent with the

safety of the fund and with the requirement that all amounts on deposit shall be available for immediate withdrawal at any time. The fund may be expended by the commissioner of the department of conservation and recreation without further appropriation for the purposes stated in this section and any funds remaining at the end of any fiscal year shall not revert to the General fund and shall be available for use in subsequent fiscal years.

Section 3. Chapter 62 of the General Laws, as so appearing, is hereby amended by inserting after section 6N the following section:-

Section 6O. Every individual who files a separate return and every husband and wife filing a return jointly may voluntarily contribute $1 of any refund to which they are entitled or may voluntarily add $1 onto any amount due to be credited to the Commonwealth Municipal Dog Park Trust Fund, established pursuant to section 35AAA of chapter 10.

A contribution made under this section may be made with respect to any taxable year at the time of filing a return of the tax imposed by this chapter for such taxable year; provided, however, that the commissioner shall prescribe the manner in which such contribution shall be made on the face of the return required by section five of chapter sixty-two C.

The commissioner shall annually report the total amount designated under this section to the state treasurer who shall credit such amount to said Commonwealth Municipal Dog Park Trust Fund.