

**SENATE . . . . . No. 2500**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Mark C. Montigny***

*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 an arts, culture and tourism promotion fund in the city of New Bedford.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Robert M. Koczera</i>	<i>11th Bristol</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>

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By Mr. Montigny, a petition (accompanied by bill, Senate, No. 2500) of Mark C. Montigny, Paul A. Schmid, III, Robert M. Koczera and Antonio F.D. Cabral (with approval of the mayor and city council) for legislation to establish an arts, culture and tourism promotion fund in the city of New Bedford. Municipalities and Regional Government. [Local Approval Received.]

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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 establishing an arts, culture and tourism promotion fund in the city of New Bedford.

*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. (a) Notwithstanding section 53 of chapter 44 of the General Laws or any  
2 other general or special law to the contrary, the city of New Bedford shall establish in the city  
3 treasury an Arts, Culture and Tourism Promotion Fund. Receipts constituting a portion of the  
4 total local room occupancy tax received by the city pursuant to section 3A of chapter 64G of the  
5 General Laws shall be deposited into the fund in accordance with subsection (b) as well as any  
6 grants, gifts or donations made to the city of New Bedford in furtherance of the purposes of this  
7 act.

8           (b) The city shall annually deposit not more than 50 per cent of the local room occupancy  
9 tax revenue into the Arts, Culture and Tourism Promotion Fund. In the first year after the  
10 establishment of the fund, not more than \$100,000 shall be deposited into the fund and future  
11 allocations shall be adjusted annually in proportion to the prior year’s average consumer price

12 index, as measured by the Bureau of Labor Statistics all items index. All interest earned from  
13 the fund shall be treated as general fund revenue of the city of New Bedford.

14 (c) Upon the recommendation of the mayor of the city of New Bedford and upon the  
15 majority vote of the city council, the city may appropriate money into the fund to promote the  
16 city's artistic and cultural assets and to attract tourists to the city. All funds appropriated to the  
17 fund shall be utilized only for these purposes. The city shall not use proceeds of the fund to pay  
18 personnel costs in the city's tourism and marketing department. The city's chief financial officer  
19 shall forward to the mayor and city council a report of the fund on the cash basis not later than 90  
20 days after the end of the fiscal year.

21 SECTION 2. This act shall take effect upon its passage.