

HOUSE No. 2615

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik and Kevin G. Honan

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 to sustain community preservation revenue.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>1/19/2017</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>1/19/2017</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	
<i>José F. Tosado</i>	<i>9th Hampden</i>	
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/1/2017</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/24/2017</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	
<i>Thomas P. Walsh</i>	<i>12th Essex</i>	
<i>John H. Rogers</i>	<i>12th Norfolk</i>	
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	
<i>David M. Nangle</i>	<i>17th Middlesex</i>	

<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Solomon Goldstein-Rose</i>	<i>3rd Hampshire</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Michael J. Finn</i>	<i>6th Hampden</i>
<i>Adrian Madaro</i>	<i>1st Suffolk</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Paul Tucker</i>	<i>7th Essex</i>
<i>Bud Williams</i>	<i>11th Hampden</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Claire D. Cronin</i>	<i>11th Plymouth</i>

<i>Natalie Higgins</i>	<i>4th Worcester</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>
<i>Dylan Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>
<i>David K. Muradian, Jr.</i>	<i>9th Worcester</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>
<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>William Driscoll</i>	<i>7th Norfolk</i>
<i>William M. Straus</i>	<i>10th Bristol</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>
<i>Cynthia Stone Creem</i>	<i>First Middlesex and Norfolk</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>

<i>Harold P. Naughton, Jr.</i>	<i>12th Worcester</i>	
<i>Nick Collins</i>	<i>4th Suffolk</i>	
<i>Brian Murray</i>	<i>10th Worcester</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	
<i>James R. Miceli</i>	<i>19th Middlesex</i>	
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	
<i>Jeffrey Sánchez</i>	<i>15th Suffolk</i>	
<i>Carlos González</i>	<i>10th Hampden</i>	
<i>Joan Meschino</i>	<i>3rd Plymouth</i>	
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	

HOUSE No. 2615

By Messrs. Kulik of Worthington and Honan of Boston, a petition (accompanied by bill, House, No. 2615) of Stephen Kulik and others for legislation to further regulate expenditures for mortgages from the Community Preservation Trust Fund. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2587 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to sustain community preservation revenue.

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. Within 60 days of the effective date of this act, the commissioner of
2 revenue shall determine if the estimated Massachusetts Community Preservation Trust Fund
3 balance on the date of the next scheduled distribution will be sufficient to support a 50 per cent
4 first round match distribution, pursuant to Section 10 of Chapter 44B of the General Laws, for all
5 cities and towns that have accepted sections 3 to 7, inclusive.

6 If the Massachusetts Community Preservation Trust Fund balance is insufficient to
7 support a 50 per cent first round match distribution, the surcharges pursuant to Section 8 of said
8 Chapter 44B shall be increased. The new surcharge values shall be determined by the
9 commissioner of the department of revenue and shall be sufficient to support, by the
10 commissioner’s best reasonable estimate, a 50 per cent first round match distribution for all cities

11 and towns that have accepted Sections 3 to 7, inclusive, of said Chapter 44B as of the effective
12 date of this act, with each fee rounded to the nearest dollar. The estimate shall be calculated
13 using the total revenue collected for the Massachusetts Community Preservation Trust pursuant
14 to Section 8 of said Chapter 44B during the most recent fiscal year, and the estimated total local
15 surcharge that would have been collected during the most recent fiscal year, pursuant to Section
16 4 of said Chapter 44B, for all cities and towns that have accepted Sections 3 to 7, inclusive, of
17 said Chapter 44B as of the effective date of this act.

18 SECTION 2. The commissioner of revenue shall notify the registers of deeds, the
19 assistant recorders and the joint committee on revenue of any surcharge change at least 60 days
20 prior to any fee adjustment required under this act.

21 SECTION 3. Subsection (a) of Section 8 of chapter 44B of the General Laws, as
22 appearing in the 2014 Official Edition, is hereby amended by inserting after the figure “188,” the
23 following words:- “or to the filing of any subordinate mortgage extended by any public agency
24 or quasipublic agency, including but not limited to a Commonwealth municipality or the
25 Massachusetts Housing Partnership”

26 SECTION 4. Subsection (b) of said section 8 of said chapter 44B, as so appearing, is
27 hereby amended by inserting after the figure “188,” the following words:- “or to the filing of
28 any subordinate mortgage extended by any public agency or quasipublic agency, including but
29 not limited to a Commonwealth municipality or the Massachusetts Housing Partnership”