

HOUSE No. 3759

The Commonwealth of Massachusetts

PRESENTED BY:

Nick Collins

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 relative to expanding access to high quality early education in Boston.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Nick Collins</i>	<i>4th Suffolk</i>	<i>4/4/2017</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>4/11/2017</i>

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By Mr. Collins of Boston, a petition (subject to Joint Rule 12) of Nick Collins and Daniel J. Hunt (with the approval of the mayor and city council) that the city of Boston be authorized to fund early education programs through a certain surcharge. Education. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act relative to expanding access to high quality early education in Boston.

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. Section 10 of chapter 152 of the acts of 1997, as amended, is hereby
2 amended by striking out clause (vi) in subsection (b) and inserting in place thereof the following
3 clause:-

4 (vi) in the City of Boston, all receipts from the surcharge imposed under the provisions of
5 subsection (f) of section 9.

6 SECTION 2. Section 10 of chapter 152 of the acts of 1997, as amended, is hereby further
7 amended by striking out the second paragraph of subsection (e) and inserting in place thereof the
8 following paragraph:-

9 The fee and surcharge imposed pursuant to subsections (a) and (f) of section 9 shall
10 remain in effect after dissolution of the Convention Center Fund, and the proceeds of such fee
11 and surcharge shall be deposited in the General Fund of the commonwealth.

12 SECTION 3. Section 10 of chapter 152 of the acts of 1997, as amended, is hereby further
13 amended by inserting after section 29 the following section:-

14 Section 30. There shall be established and set up on the books of the commonwealth a
15 separate fund, to be known as the City of Boston Early Education Fund, consisting of amounts
16 credited to the fund in accordance with this section. The fund shall be administered in
17 accordance with the provisions of this act by the state treasurer and shall be held in trust
18 exclusively for the purposes and beneficiaries described herein. The state treasurer shall be
19 treasurer-custodian of the fund and shall have the custody of its monies and securities.
20 Notwithstanding any provisions of this chapter or any special or general law to the contrary,
21 commencing on the first day of the first full calendar month following the effective date of this
22 act the receipts from the surcharges imposed by the provisions of subsections (d) and (e) of
23 section 9, and investment earnings thereon, shall be credited to and deposited by the state
24 treasurer in the fund.

25 Expenditures from the fund may be made for the payment of debt service on bonds of the
26 commonwealth issued to finance the Project if, by March 1 of each year, the state treasurer
27 certifies to the City of Boston that amounts in the Convention Center Fund will not cover the
28 cost of such debt service for the following fiscal year, such that a specific expenditure for such
29 purpose is required to be made from the fund. In the event that the state treasurer makes such
30 certification in accordance with this section, amounts in the fund in excess of the amount
31 certified shall, on a quarterly basis, be credited and paid to the City of Boston and deposited in its
32 general fund.

33 In the event that the state treasurer does not make such certification by March 1 of each
34 year, amounts in the fund shall, on a quarterly basis, be credited and paid to the City of Boston
35 and deposited in its general fund.

36 SECTION 4. Notwithstanding sections 1, 2, or 3, in the event that the Authority
37 undertakes the BCEC expansion project, as defined by chapter 195 of the acts of 2014, and
38 intends to issue and sell bonds of the commonwealth to meet the expenditures necessary to carry
39 out such project, and the state treasurer and secretary of administration and finance certify such
40 intent to the City of Boston, the surcharges imposed by subsections (d) and (e) of section 9 of
41 chapter 152 of the acts of 1997 shall be credited to and deposited into the Convention Center
42 Fund beginning on July 1 of the year following such certification. If at any time the Authority
43 subsequently decides not to undertake the BCEC expansion project, the Authority shall
44 immediately notify the City of Boston and the surcharges imposed by subsections (d) and (e) of
45 section 9 of chapter 152 of the acts of 1997 shall be credited to paid to the fund established by
46 section 3 beginning on the date of such notification.

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48 SECTION 5. This act shall take effect on July 1, 2017.