

SENATE No. 1504

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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:	
<i>Cynthia Stone Creem</i>	<i>First Middlesex and Norfolk</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/23/2017</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>1/23/2017</i>
<i>James E. Timilty</i>	<i>Bristol and Norfolk</i>	<i>1/23/2017</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>1/25/2017</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	<i>2/3/2017</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	<i>1/25/2017</i>
<i>Thomas M. McGee</i>	<i>Third Essex</i>	<i>1/25/2017</i>
<i>Jack Lewis</i>	<i>7th Middlesex</i>	<i>1/25/2017</i>
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>	<i>1/25/2017</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>1/26/2017</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/26/2017</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>	<i>1/27/2017</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>1/27/2017</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>1/30/2017</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/30/2017</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	<i>1/30/2017</i>

<i>James T. Welch</i>	<i>Hampden</i>	<i>1/30/2017</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>	<i>1/31/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/31/2017</i>
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	<i>1/31/2017</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>1/31/2017</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>1/31/2017</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2017</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/1/2017</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>2/2/2017</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/2/2017</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>2/2/2017</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>2/2/2017</i>
<i>Dylan Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/2/2017</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/2/2017</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>2/2/2017</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/2/2017</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>	<i>2/2/2017</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/2/2017</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/2/2017</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/2/2017</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>2/2/2017</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>2/2/2017</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/2/2017</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>2/2/2017</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>	<i>2/3/2017</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/3/2017</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>2/3/2017</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/3/2017</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>2/3/2017</i>
<i>Kathleen O'Connor Ives</i>	<i>First Essex</i>	<i>2/3/2017</i>
<i>Joseph A. Boncore</i>	<i>First Suffolk and Middlesex</i>	<i>2/3/2017</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>2/6/2017</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	<i>2/27/2017</i>

SENATE No. 1504

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1504) of Cynthia S. Creem, Angelo L. D'Emilia, Jason M. Lewis, Paul A. Schmid, III and other members of the General Court for legislation to sustain community preservation revenue. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1459 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”