

SENATE No. 1535

The Commonwealth of Massachusetts

PRESENTED BY:

Anne M. Gobi

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 authorizing the town of Charlton to establish an additional excise on sales of gasoline and diesel fuel.

PETITION OF:

NAME:

Anne M. Gobi

DISTRICT/ADDRESS:

Worcester, Hampden, Hampshire and Middlesex

SENATE No. 1535

By Ms. Gobi, a petition (accompanied by bill, Senate, No. 1535) of Anne M. Gobi (by vote of the town) for legislation to authorize the town of Charlton to impose an additional excise tax on gasoline and diesel fuel. Revenue. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2067 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act authorizing the town of Charlton to establish an additional excise on sales of gasoline and diesel fuel.

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 any general or special law to the contrary, the town of
2 Charlton may impose an excise tax on the sale of gasoline and diesel fuel within the town in the
3 amount of 3 cents per gallon. Such excise tax shall be in addition to the amount of: (1) any tax
4 per gallon on gasoline pursuant to chapter 64A of the General Laws, and (2) any tax per gallon
5 on diesel fuel pursuant to chapter 64E of the General Laws. The excise shall be recorded, paid
6 and collected in accordance with said chapters 64A and 64E, including any exemptions and
7 reimbursements, and shall be distributed to the town of Charlton in accordance with this act.

8 (b) All sums received pursuant to this act shall be paid quarterly to the treasurer of the
9 town of Charlton by the state treasurer, upon certification of the commissioner of revenue.

10 (c) Notwithstanding any general or special law to the contrary, the town of Charlton shall
11 establish a separate fund known as the Public Way Maintenance Fund. The treasurer of the town
12 of Charlton shall deposit all sums received pursuant to this act into the fund. The treasurer of the
13 town of Charlton shall be the custodian of the fund, and the deposit and investment of revenues
14 held in the fund shall be in accordance with the provisions of section 55 of chapter 44 of the
15 General Laws. All moneys remaining in the fund at the end of any fiscal year, whether or not
16 expended by the town within 1 year of the date they were appropriated into the fund, shall
17 remain in and become part of the fund and shall carry over to succeeding fiscal years. Interest
18 earned shall remain with and become part of the fund.

19 (d) Any disbursement from the Public Way Maintenance Fund shall be by majority vote
20 of a quorum of the board of selectmen of the town of Charlton and shall be used solely for the
21 repair, maintenance and upkeep of town roads and bridges.

22 SECTION 2. This act shall be submitted for acceptance to the qualified voters of the
23 town of Charlton at the next regular municipal election in the form of the following question:

24 "Shall an act passed by the general court in the year 2015, entitled 'An Act authorizing
25 the town of Charlton to establish an additional excise on sales of gasoline and diesel fuel' be
26 accepted?"

27 Town counsel shall prepare a fair and concise summary of the act, which shall appear
28 below the act. If a majority of the votes cast in answer to the question is in the affirmative,
29 section 1 shall take effect, but not otherwise.

30 SECTION 3. This act shall take effect upon its passage.