

**SENATE . . . . . No. 1625**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Richard J. Ross***

*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 the Commonwealth Municipal Dog Park Trust Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/14/2017</i>

**SENATE . . . . . No. 1625**

By Mr. Ross, a petition (accompanied by bill, Senate, No. 1625) of Richard J. Ross and Bruce E. Tarr for legislation to establish the Commonwealth Municipal Dog Park Trust Fund. Revenue.

**The Commonwealth of Massachusetts**

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

An Act establishing the Commonwealth Municipal Dog Park Trust Fund.

*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. Chapter 10, as appearing in the 2014 Official Edition, is hereby amended by  
2 inserting after section 35DDD the following new section:-

3 Section 35EEE. There is hereby established on the books of the Commonwealth a  
4 separate fund known as the Commonwealth Municipal Dog Park Trust Fund to be used, without  
5 further appropriation, to provide matching grants to municipalities for the construction and  
6 maintenance of fenced-in dog parks. Any balance in the fund at the end of the fiscal year shall  
7 not revert to the General Fund, but shall remain available for expenditure in subsequent fiscal  
8 years. Said trust fund shall consist of all revenues received by the commonwealth under the  
9 provisions of law authorizing the voluntary check-off donation indicated on the department of  
10 revenue’s annual individual income tax return, pursuant to section 6O of chapter 62 and any  
11 public and private sources as gifts, grants, and donations to further provide for the construction  
12 and maintenance of fenced-in dog parks.

13           The state treasurer shall deposit monies in said fund in accordance with the provisions of  
14 sections 34 and 34A of chapter 29 in such manner as will secure the highest interest rate  
15 available consistent with safety of the fund and with the requirement that all amounts on deposit  
16 be available for immediate withdrawal at any time by the commissioner of the department of  
17 conservation and recreation.

18           SECTION 2. Chapter 62, as so appearing, is hereby amended by inserting after section  
19 6N the following new section:-

20           Section 6O. Every individual who files a separate return and every husband and wife  
21 filing a return jointly may voluntarily contribute all or part of any refund to which they are  
22 entitled, or may voluntarily add an amount onto any amount due, to be credited to the  
23 Commonwealth Municipal Dog Park Trust Fund established pursuant to section 35DDD of  
24 chapter 10.

25           A contribution made under this section may be with respect to any taxable year at the  
26 time of filing a return of the tax established by this chapter for such taxable year; provided,  
27 however, that the commissioner shall prescribe the manner in which such contribution shall be  
28 made on the face of the return required by section 5 of chapter 62C; provided, further, that the  
29 commissioner shall assure that taxpayers filing any such forms are made clearly aware of their  
30 ability to make the contributions provided for by this section.

31           The commissioner shall annually report the total amount designated under this section to  
32 the state treasurer, who shall credit such amount to said Commonwealth Municipal Dog Park  
33 Trust Fund.

34 SECTION 3. Chapter 21A, as so appearing, is hereby amended by inserting after section  
35 26 the following new section:-

36 Section 27. (a) There shall be, within the department of conservation and recreation, a  
37 Commonwealth Municipal Dog Park Program to encourage the construction of fenced-in dog  
38 parks. A board of trustees shall be appointed to manage the program and oversee use of the  
39 Commonwealth Municipal Dog Park Trust Fund, established pursuant to section 35DDD of  
40 chapter 10. The board shall consist of the commissioner of the department of conservation and  
41 recreation, or his designee, who shall serve as chair; the treasurer, or his designee; the president  
42 of the Retailers Association of Massachusetts, or his designee; the president of the Massachusetts  
43 Municipal Association, or his designee; and three persons to be appointed by the governor, 1 of  
44 whom shall have experience in municipal planning, 1 of whom shall be a representative from the  
45 pet supply retail industry, and 1 of whom shall be a representative of an animal safety nonprofit  
46 organization.

47 (b) The objectives of the program shall include, but shall not be limited to: (1)  
48 establishing an application and selection process for municipalities seeking supplemental funding  
49 for municipally-sanctioned dog park projects; (2) pursuant to said process, awarding matching  
50 grants to selected municipalities for the construction and maintenance of fenced-in dog parks;  
51 and (3) establishing partnerships with pet supply retailers to solicit donations for the  
52 Commonwealth Municipal Dog Park Trust Fund from consumers.

53 (c) The board shall report annually not later than March 1 to the secretary of  
54 administration and finance and to the house and senate committees on ways and means. The  
55 report shall include: (1) matching grants awarded pursuant to the program in the prior calendar

56 year; (2) activities undertaken in furtherance of the program's objectives; and (3) the total  
57 expenditures from the fund in the prior calendar year.