

SENATE No. 2225

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato M. deMacedo

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 the town of Sandwich.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Viriato M. deMacedo

Plymouth and Barnstable

Randy Hunt

5th Barnstable

SENATE No. 2225

By Mr. deMacedo, a petition (accompanied by bill, Senate, No. 2225) of Viriato M. deMacedo and Randy Hunt (by vote of the town) for legislation relative to the town of Sandwich. Revenue. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to the town of Sandwich.

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. Notwithstanding the provisions of Section 53 of Chapter 44 of the General
2 Laws or any other general or special law to the contrary, the town of Sandwich is hereby
3 authorized to establish in the town treasury a special account to be known as the promotions fund
4 of the town of Sandwich, into which account shall be deposited certain receipts comprising a
5 portion of the total local room occupancy tax received annually by the town under the provisions
6 of Section 3A of Chapter 64G of the General Laws, as set forth in SECTION 3 of this act, as
7 well as any grants, gifts, or donations made to the town in furtherance of the purposes of this act.

8 SECTION 2. There is hereby established in the town of Sandwich a visitor services board
9 consisting of 7 members to be appointed by the board of selectmen, 1 of whom shall be
10 nominated by the Cape Cod canal region chamber of commerce, 1 of whom shall be nominated
11 by the Sandwich chamber of commerce, 1 of whom shall be nominated by the Sandwich
12 economic initiative corporation, 1 of whom shall represent the hospitality interests within the

13 town, and 3 of whom shall be members at large. If any of the organizations with nominating
14 privileges hereunder cease to exist or operate, the board of selectmen may appoint in place of
15 such nominee a member at large to serve on said visitor services board. The board of selectmen
16 shall fill any vacancies on said visitor services board in a like manner. Said visitor services board
17 shall be charged with the expenditure of revenue from the fund, as appropriated by town
18 meeting, and shall make an annual report of its doings to the board of selectmen at least thirty
19 days prior to the date of the annual town meeting.

20 SECTION 3. Fifty percent of the local option rooms excise tax collected under Section
21 3A of Chapter 64G of the General Laws by the town of Sandwich for the fiscal year beginning
22 on July 1, after the effect date of this act and each fiscal year thereafter shall be available for
23 appropriation for capital projects undertaken by the town for which the town is authorized to
24 borrow for a period of five years or more. The remaining fifty percent of the local option rooms
25 excise tax shall be dedicated, without further appropriation, as follows: 75 percent to the town's
26 general fund, 10 percent as a grant to the Sandwich chamber of commerce, 5 percent as a grant to
27 the canal region chamber of commerce, and 10 percent to the promotions fund of the town of
28 Sandwich established pursuant to SECTION 1 of this act. The board of selectmen may adjust the
29 allocation of the local option rooms excise tax between capital projects and the general fund as
30 set forth in this section in the event that the total amount of the local option rooms excise tax
31 received by the town in any fiscal year is less than the amount received by the town in the
32 immediate preceding fiscal year.

33 SECTION 4. Grants provided to the Sandwich chamber of commerce and the canal
34 region chamber of commerce shall be made annually, subject to town meeting appropriation,
35 provided that the recipients and the town, acting by and through the visitor services board and

36 town manager, enter into a grant agreement for the expenditure of such funds for programs and
37 projects that enhance the beautification, recreational resources, public safety, promotional and
38 marketing activities, events, services, and public improvements which are of clear mutual
39 interest to the residents and visitors of the town of Sandwich, and which strengthen said town as
40 an attractive center for tourism, conventions, and related purposes of the visitor industry.
41 Recipients shall provide an annual report to the board of selectmen and visitor services board at
42 least thirty days prior to the date of the annual town meeting, detailing expenditures made during
43 the fiscal year and including a forecast of expenditures for the following fiscal year. If any of the
44 recipients designated hereunder cease to exist, the portion of fund revenue allocated for that
45 recipient shall be available for appropriation and expenditure by the visitor services board in
46 accordance with SECTION 5 of this act.

47 SECTION 5. Any revenue in the promotions fund for the town of Sandwich established
48 pursuant to SECTION 1 of this act shall be available, subject to appropriation, for expenditure by
49 the visitor services board for the purposes set forth in SECTION 4 of this act. Any revenue
50 remaining in said fund at the end of the fiscal year shall be available for appropriation during the
51 following fiscal year. Any and all contracts for services, programs, and projects authorized
52 hereunder shall be awarded and executed by the town manager, or its designee, upon the
53 recommendation of the visitor services board, subject to compliance with all applicable
54 procurement laws of the commonwealth.

55 SECTION 6. Chapter 227 of the Acts of 1997 and Chapter 153 of the Acts of 2009 are
56 hereby repealed.

57 SECTION 7. This act shall take effect upon its passage.