

**HOUSE . . . . . No. 3890****The Commonwealth of Massachusetts**

PRESENTED BY:

***Jason M. Lewis***

*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 passage of the accompanying:

**An Act Supporting Municipal Fiscal Stability through a Special Education Stabilization Fund.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Jason M. Lewis</i>	<i>31st Middlesex</i>
<i>David M. Torrisi</i>	<i>14th Essex</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>[District]</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>William N. Brownsberger</i>	<i>[District]</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Benjamin B. Downing</i>	<i>Berkshire, Hampshire, and Franklin</i>
<i>Bruce E. Tarr</i>	<i>[District]</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Michael O. Moore</i>	<i>[District]</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>

<i>Karen E. Spilka</i>	<i>[District]</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>

# HOUSE . . . . . No. 3890

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By Mr. Lewis of Winchester, a petition (subject to Joint Rule 12) of Jason M. Lewis and others for legislation to authorize municipalities to create stabilization funds for special education costs. Municipalities and Regional Government.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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An Act Supporting Municipal Fiscal Stability through a Special Education Stabilization 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 5B of Chapter 40 of the General Laws (2008 Official Edition) shall be amended  
2 by adding the following paragraph:

3           Upon the recommendation of the school committee and the acceptance by majority vote  
4 of the appropriate legislative body, the school department of any school district shall be  
5 authorized to retain any unexpended funds of the present fiscal year so voted, to be placed in a  
6 separate stabilization fund to be utilized in the upcoming fiscal year or years, to pay, without  
7 further appropriation, for unanticipated and/or unbudgeted costs of special education out of  
8 school district tuition and/or transportation. The balance in such separate stabilization fund shall  
9 not exceed 2% of the annual net school spending of the school district.