

**HOUSE . . . . . No. 2830**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Thomas M. Stanley, (BY REQUEST)***

*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 Establishment of a Historical Preservation Fund.

PETITION OF:

NAME:

*David Smith*

DISTRICT/ADDRESS:

*3 Waverly Oaks Road, #202*

*Waltham. MA 02452*

**HOUSE . . . . . No. 2830**

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By Mr. Stanley of Waltham (by request), a petition (accompanied by bill, House, No. 2830) of David Smith relative to the establishment of a historical preservation fund. State Administration and Regulatory Oversight.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to the Establishment of a Historical Preservation 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 of the General Laws is hereby amended by inserting after  
2 section 35Q the following section-

3 Section 35R. There shall be established and set up on the books of the Commonwealth a  
4 separate fund to be known as the Historical Preservation Fund for the preservation, education,  
5 maintenance, and exhibition of the Flags, documents, artifacts, books, ephemera, memorabilia,  
6 graves, monuments, and memorials in the Commonwealth. Said fund shall consist of all  
7 revenues received by the Commonwealth:

8 1.) under the provisions of section six I of Chapter 62;

9 2.) from public and private sources as gifts, grants, and donations, and

10 3.) from the Federal Government as reimbursements, grants-in -aid, or other receipts.

11 All revenues credited under this section shall remain in said Historical Preservation Fund,  
12 not subject to appropriation, for the preservation, education, maintenance, and exhibition of the  
13 flags, documents, artifacts, books, ephemera, memorabilia, graves, monuments, and memorials  
14 in the Commonwealth. The State Treasurer shall not deposit said revenues in or transfer to the  
15 General Fund or any other fund other than the Historical Preservation Fund.

16 The State Treasurer shall deposit the fund in accordance with provisions of section thirty  
17 four and thirty four A of Chapter twenty-nine in such manner as will secure the highest interest  
18 rate available consistent with the safety of the fund and with the requirement that all amounts on  
19 deposit be available for immediate withdrawal by the State Secretary at any time. The fun shall  
20 be expended only for the purposes stated above at the direction of the State Secretary and any  
21 unexpected balances shall be re-deposited, as herein provided, for the future use consistent with  
22 this section.

23 SECTION 2. Chapter 62 of the General Laws, is hereby amended after section 6H the  
24 following sections-

25 Section 61. Every individual who files a separate return and every husband and wife  
26 filing a return jointly may voluntarily contribute all or part of any refund to which they are  
27 entitled or may voluntarily add an amount onto any amount due to be credited to the Historical  
28 Preservation Fund established pursuant to section 35R of Chapter 10. A contribution made  
29 under this section may be made with respect to any taxable year at the time of filing a return of  
30 the tax imposed by this chapter for such a taxable year, provided, however, that the  
31 Commissioner shall prescribe the manner in which such contribution shall be made on the face  
32 of the return required by section five of Chapter 62C. The Commissioner shall annually report

33 the total amount designated under this section to the State Treasurer who shall immediately  
34 credit such amount to said Historical Preservation Fund.

35 SECTION 3. Chapter 10 of the General Laws is also hereby amended to add the  
36 following section-

37 The State Secretary shall disburse these funds according to the procedures of that office,  
38 upon receiving requests from any city, town, municipality, or any non-profit organization, or  
39 other Historical group or organization of the Commonwealth, as recognized by his office to be in  
40 good standing with the Commonwealth.