

HOUSE No. 3702

The Commonwealth of Massachusetts

PRESENTED BY:

William Smitty Pignatelli and Adam G. Hinds

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 Great Barrington to establish an additional excise on sales of gasoline and diesel fuel.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|----------------------------------|---|
| <i>William Smitty Pignatelli</i> | <i>4th Berkshire</i> |
| <i>Adam G. Hinds</i> | <i>Berkshire, Hampshire, Franklin and Hampden</i> |

HOUSE No. 3702

By Representative Pignatelli of Lenox and Senator Hinds, a joint petition (accompanied by bill, House, No. 3702) of William Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Great Barrington be authorized to establish an additional excise on sales of gasoline and diesel fuel. Revenue. [Local Approval Received.]

The Commonwealth of Massachusetts

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

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

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

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

21 (d) Any disbursement from the Public Way Maintenance Fund shall be by majority vote
22 of the board of selectmen of the town of Great Barrington and shall be used solely for the repair,
23 maintenance and upkeep of town roads and bridges.

24 SECTION 2. This act shall take effect upon its passage.