

HOUSE No. 3831

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph W. McGonagle, Jr.

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 creation of a community enhancement fee stabilization fund in the city of Everett.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>

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By Mr. McGonagle of Everett, a petition (accompanied by bill, House, No. 3831) of Joseph W. McGonagle, Jr. and Sal N. DiDomenico (with the approval of the mayor and city council) that the city of Everett be authorized to establish a community enhancement fee stabilization fund. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to the creation of a community enhancement fee stabilization fund in the city of Everett.

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 section 5B of Chapter 40 of section 53 of chapter 44 of
2 the General Laws or any general or special law to the contrary, there shall be in the City of
3 Everett a Community Enhancement Fee Stabilization Fund. The fund shall be credited, without
4 further appropriation, all payments made pursuant to Section 1(A)(2) of the Host Community
5 Agreement By and Between the City of Everett and Wynn, MA, LLC, with monies appropriated
6 or transferred to the fund by a 2/3 vote of the Everett City Council. Any interest accrued shall be
7 credited to and become part of the fund.

8 SECTION 2: The Community Enhancement Fee Stabilization Fund established by
9 SECTION 1 may be appropriated by a 2/3 vote of the Everett City Council for the purposes
10 contained in Section 1 (A)(2) of the Host Community Agreement By and Between the City of
11 Everett and Wynn MA, LLC and other capital projects to be identified by the City of Everett,

12 including but not limited to the acquisition of interests in land, the acquisition of tangible assets
13 or the undertaking of assets or projects that have a useful life of at least 5 years and a cost of not
14 less than \$50,000.00 and which are not categorized as annual operating expenses; provided,
15 however, that "capital project" shall include the payment of debt service on such projects,
16 whether such projects were approved prior to or following the effective date of this act, and
17 major departmental capital equipment, even if acquired on a regular basis that meets the useful
18 life requirement of this section.

19 SECTION 3: Upon the request of the Mayor of the City of Everett, monies in the fund,
20 up to 2.5 percent of the amount raised by taxation by the City in the most recent fiscal year for
21 which the tax rate has been certified pursuant to section 23 of Chapter 59 of the General Laws,
22 may be appropriated for non-capital project purpose by a 2/3 vote of the Everett City Council.

23 SECTION 4: This act shall take effect upon its passage.