

HOUSE No. 4468

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 27, 2020.

The committee on Revenue, to whom was referred the 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, reports recommending that the accompanying bill (House, No. 4468) ought to pass [Local Approval Received].

For the committee,

MARK J. CUSACK.

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**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 provided in Section 3 of this act, as well as
7 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
9 board 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 herein cease to exist or operate, the board of selectmen may appoint in place of such

15 nominee a member at large to serve the board. The board of selectmen shall fill any vacancies on
16 the board in a like manner. The board shall be charged with the expenditure of revenue from the
17 fund, as appropriated by town meeting, and shall make an annual report of its doings to the board
18 of selectmen at least thirty days prior to the date of the annual town meeting.

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

32 SECTION 4. Grants provided to the Sandwich chamber of commerce and the canal
33 region chamber of commerce shall be made annually, subject to town meeting appropriation,
34 provided that the recipients and the town, acting by and through the visitor services board and
35 town manager, enter into a grant agreement for the expenditure of such funds for programs and
36 projects that enhance the beautification, recreational resources, public safety, promotional and
37 marketing activities, events, services, and public improvements which are of clear mutual

38 interest to the residents and visitors of the town of Sandwich, and which strengthen the town as
39 an attractive center for tourism, conventions, and related purposes of the visitor industry. Grant
40 recipients shall provide an annual report to the board of selectmen and visitor services board at
41 least thirty days prior to the date of the annual town meeting, detailing expenditures made during
42 the fiscal year and including a forecast of expenditures for the following fiscal year. If any of the
43 recipients designated herein cease to exist, the portion of fund revenue allocated for that recipient
44 shall be available for appropriation and expenditure by the visitor services board pursuant to
45 Section 5 of this act.

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

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

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