SENATE DOCKET, NO. FILED ON: 1/16/2009

**SENATE . . . . . . . . . . . . . . No.**

|  |
| --- |
|  |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PRESENTED BY:

**Cynthia Stone Creem**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

*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 bill:

An Act to Fund the Massachusetts Turnpike.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

PETITION OF:

|  |  |
| --- | --- |
| Name: | District/Address: |
| Cynthia Stone Creem | First Middlesex and Norfolk |

The Commonwealth of Massachusetts

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**In the Year Two Thousand and Nine**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

An Act to Fund the Massachusetts Turnpike.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Section 10 of Chapter 81A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking subparagraph (a).

SECTION 2. Section 1 of Chapter 64A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking, in paragraph (l), the words “’Tax per gallon’, shall be 21 cents per gallon” and inserting in place thereof the following:-

“Tax per gallon”, shall be fifty cents per gallon.

SECTION 3. Section 13 of Chapter 64A of the General Laws, as appearing in the 2006 Official Edition, is hereby repealed and replaced by the following Section 64A:-

Section 13. All sums received from the excise imposed on aviation fuel, and related penalties, forfeitures, interest, costs of suits and fines, less all amounts for reimbursement under sections seven and seven A, shall be credited to the General Fund and may be used for airport development projects approved and carried out at airports and landing facilities pursuant to 49 USC App. sec. 2210; and all other sums received under the excise imposed in section four, and relative penalties, forfeitures, interest, costs of suits and fines, less all amounts for reimbursement under sections seven and seven A, shall be credited as follows:

(a) sixty-eight and sixty one-hundredths percent shall be credited to the Highway Fund, provided however that ten percent thereof shall be dedicated to the debt service payments associated with the obligations of the Turnpike Authority incurred in connection with the construction of the Central Artery and the Ted Williams Tunnel.

(b) whereas not less than one and two-fifths percent of the excise imposed by section four is obtained from the sale or importation of fuel used in producing or generating power for the operation of watercraft of every description, except seaplanes, said excise funds shall be credited as follows:-- fifteen one-hundredths of one percent to the Inland Fisheries and Game Fund, established by section 2C of chapter one hundred and thirty-one; fifteen one-hundredths of one percent to the Public Access Fund, established by section seventeen F of chapter twenty-one; thirty one-hundredths of one percent to the Marine Fisheries Fund, established by section two B of chapter one hundred and thirty; thirty one-hundredths of one percent to the Environmental Law Enforcement Fund, established by section six I of chapter twenty-one; and fifty one-hundredths of one percent to the Harbors and Inland Waters Maintenance Fund, established by section ten A 1/2 of chapter ninety-one.

(c) Fifteen per cent shall be credited to the Highway Fund and used solely for reimbursing cities and towns for the cost incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one of chapter eighty-one, provided, that one-half of said amount shall be used solely for projects for the construction, reconstruction and improvement, including surface treatments, so-called, of town and county ways under subdivision (a) of clause (2) of section thirty-four of chapter ninety, said funds to be in addition to any matching funds as may be provided by cities and towns; and provided, further, that said one-half of said amount shall not be subject to assessment under the provisions of section twenty of chapter fifty-nine.

(d) Fifteen per cent shall be credited to the General Fund and used solely for the payment of cost of construction, reconstruction, operation, maintenance and repair of mass transportation lines and for other mass transportation purposes and further, other than the revenues specified herein no other revenues under this section shall be used for the sole purpose specified in this subsection.