

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

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**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:

Cynthia Stone Creem

DISTRICT/ADDRESS:

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:*

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

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

6 "Tax per gallon", shall be fifty cents per gallon.

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8 is hereby repealed and replaced by the following Section 64A:-

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

16

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

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

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

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