SENATE DOCKET, NO. 902 FILED ON: 1/17/2013

SENATE . . . . . No. 1413

The Commonwealth of Massachusetts

PRESENTED BY:

Richard J. Ross

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:

An Act limiting proposition 2 1/2 override elections and allowing an underride in all communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Richard J. Ross	*Norfolk, Bristol and Middlesex*
Michael R. Knapik	*Second Hampden and Hampshire*

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SENATE . . . . . No. 1413

By Mr. Ross, a petition (accompanied by bill, Senate, No. 1413) of Richard J. Ross and Michael R. Knapik for legislation to limit proposition 2 1/2 override elections and allowing an underride in all communities. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
SENATE
, NO. *1513* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act limiting proposition 2 1/2 override elections and allowing an underride in all communities.

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 21C of chapter 59 of the General Laws, as most recently appearing in the 2010 Official Edition, is hereby amended by striking out subsection (h) and replacing it with the following subsection:-

(h) In a city or town, if a majority of the local appropriating authority, or the people having collected a number of signatures of registered voters equal to 5% of a city or town's registered voters shall so require, there shall be a question placed on the ballot at a biennial state election as to whether said city or town should be required to assess taxes by a specified amount below that amount allowed pursuant to this section. The question submitted to the voters shall be worded as follows:-

"Shall the (city/town) of _____be required to reduce the amount of real estate and personal property taxes to be assessed for the fiscal year beginning July first, two thousand and _____ by an amount equal to $_____".

YES NO

Said question shall be deemed approved if a majority of the persons voting thereon shall vote "yes".

SECTION 2. Section 21C of chapter 59 of the General Laws, as most recently appearing in the 2010 Official Edition, is hereby amended, by striking out subsection (i) and replacing it with the following subsection:-

(i) With regard to the referenda procedures set out in this section the local appropriating authority shall direct that the questions be placed only upon the official ballot at a biennial state election. The local appropriating authority may direct that not more than 3 override questions be placed upon the official ballots for use in the city or town at a biennial state election, by filing with the state secretary not later than the first Wednesday of August preceding that election a copy of its vote attested by the city or town clerk.

SECTION 3. Section 21C of chapter 59 of the General Laws, as most recently appearing in the 2010 Official Edition, is hereby amended, by striking out subsection (g) and replacing it with the following subsection:-

(g) The local appropriating authority of any city or town which is subject to the provisions of paragraph (f) may, by majority vote, seek voter approval to assess taxes in excess of amount allowed pursuant to said paragraph (f) by a specified amount.

Any question submitted to the voters shall be placed on the biennial state ballot and worded as follows:-

"Shall the (city/town) of _____ be allowed to assess an additional $_____ in real estate and personal property taxes for the purposes of (state the purpose(s) for which the monies from this assessment will be used) for the fiscal year beginning July first, nineteen hundred and _____?

YES_____ NO_____"

Said question shall be deemed approved if a majority of the persons voting thereon shall vote "yes".