SENATE DOCKET, NO. 492 FILED ON: 1/19/2011

SENATE . . . . . No. 1866

The Commonwealth of Massachusetts

PRESENTED BY:

Michael R. Knapik

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 creating the police fire safety equipment fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael R. Knapik	☐ *[District]* ☐
James E. Timilty	☐ *[District]* ☐
Robert L. Hedlund	☐ *[District]* ☐
Nicholas A. Boldyga	*3rd Hampden*
James J. Dwyer	*30th Middlesex*
Steven L. Levy	*4th Middlesex*
Angelo J. Puppolo, Jr.	*12th Hampden*

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SENATE . . . . . No. 1866

By [SPONSOR PREFIX] [SPONSOR NAME], a petition (accompanied by bill, Senate, No. 1866) of [PETITIONERS LIST] for legislation to establish a Police Fire Safety Fund in the Commonwealth. . Public Safety and Homeland Security.

The Commonwealth of Massachusetts

An Act creating the police fire safety equipment fund.

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 90 of chapter 90 of the General Laws is hereby amended by inserting after the third paragraph of subparagraph (4) of paragraph (a) of subdivision (1) the following new subparagraph:-

(5) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Police Fire Safety Equipment Fund, the purpose of which shall be to make an annual disbursement to state and local law enforcement for active or passive fire suppression kits for state and municipal police cruisers to aid in the prevention of fires resulting from rear end collisions. The fund shall be administered by the Executive Office of Public Safety and Security. The state treasurer shall be the custodian of the fund and shall receive, deposit and invest all monies transmitted to him under this section in accordance with sections 34, 34A and 38 of chapter 29 in such a manner as to secure the highest rate of return available consistent with the safety of the fund, and shall credit interest and earnings on the trust fund corpus to the trust fund.

There shall be an assessment of $150 against a person who is convicted, placed on probation or granted a continuance without a finding or who otherwise pleads guilty to or admits to a finding of sufficient facts for operating a motor vehicle while under the influence of intoxicating liquor or under the influence of marihuana, narcotic drugs, depressants or stimulant substances, provided, however, that but $125 of the amount collected under this assessment shall be deposited monthly by the court with the state treasurer who shall deposit it into the Police Fire Safety Equipment Fund, and the remaining amount of the assessment shall be credited to the General Fund. The assessment shall not be subject to reduction or waiver by the court for any reason.

23 Allocations from the Police Fire Safety Equipment Fund shall be made to the
24 Executive Office of Public Safety and Security, which shall administer the distribution of said
25 funds to the Massachusetts State Police and police departments in each municipality of the
26 commonwealth on an annual basis. Monies shall be distributed based on the projected number of
27 new police cruisers expected to be purchased by each state or municipal police department, as
28 demonstrated by each agency's operating budget for that fiscal year.

29 Fees paid by an individual into the Police Fire Safety Equipment Fund pursuant
30 to this section shall be in addition to, and not in lieu of, any other fee imposed by the court
31 pursuant to this chapter or any other chapter. The administrative office of the trial court shall file
32 a report detailing the amount of funds imposed and collected pursuant to this section to the house
33 and senate committees on ways and means and to the victim and witness assistance board not
34 later than August 15 of each calendar year.