

ORDERED

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:-

AN ACT ESTABLISHING A PARKS & FIELDS CAPITAL ENHANCEMENTS SEPCIAL REVENUE FUND IN THE CITY OF MARLBOROUGH

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. Notwithstanding section fifty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, the city of Marlborough shall establish in the city treasury a special revenue account to be known as the Parks & Fields Capital Enhancements Special Revenue Fund, into which shall be deposited certain receipts comprising a portion of the total local meals tax received annually by the city under section two of chapter sixty-four L of the General Laws, as provided in section 2 herein. The purpose of this act, and of the Parks & Fields Capital Enhancements Special Revenue Fund, shall be to enrich the quality of life for the residents by enhancing the parks and fields in the city of Marlborough.

SECTION 2. (a) Notwithstanding any general or special law to the contrary, the amount of the local option meal tax based on a rate in excess of 6.25 percent collected under said section two of said chapter sixty-four L by the city of Marlborough for the fiscal year beginning July 1, 2014 and each fiscal year thereafter shall be credited to the Parks & Fields Capital Enhancements

Special Revenue Fund, and shall be subject to further appropriation by a majority vote of the city council of the city of Marlborough.

(b) Notwithstanding any general or special law to the contrary, any interest accruing on any amount on deposit in the Parks & Fields Capital Enhancements Special Revenue Fund shall be credited to the General Fund of the city of Marlborough.

SECTION 3. Nothing in or resulting from this act shall affect amounts distributed in any fiscal year to the city of Marlborough from the Local Aid Fund.

SECTION 4. If the city of Marlborough revokes, by a majority vote of the city council of the city, pursuant to section four B of chapter four of the General Laws, its acceptance of the local option meals tax rate in excess of 6.25 percent under said section two of said chapter sixty-four L, the city of Marlborough shall thereupon decide, by a two-thirds vote of the city council of the city, the separate question of whether the Parks & Fields Capital Enhancements Special Revenue Fund shall cease to have effect in the city. If two-thirds of the city council of the city votes that the Parks & Fields Capital Enhancements Special Revenue Fund shall cease to have effect in the city, all unexpended and uncommitted amounts on deposit in said Fund, as of the date of the vote to revoke the rate in excess of 6.25 percent, shall be credited to the General Fund of the city on the first day of the calendar quarter following 30 days after the date of the revocatory vote, provided, however, that if two-thirds of the city council of the city does not vote that the Parks & Fields Capital Enhancements Special Revenue Fund shall cease to have effect in the city, said Fund shall continue to have effect in the city, and all unexpended and uncommitted amounts on deposit in the fund, as of the date of the vote to revoke the rate in excess of 6.25 percent, shall be subject to further appropriation by a majority vote of the city council of the city of Marlborough.

SECTION 5. The city of Marlborough may amend this act by a two-thirds vote of the city council of the city of Marlborough. Such amendatory vote shall designate: (a) that the Parks & Fields Capital Enhancements Special Revenue Fund shall cease thereupon to have effect in the city of Marlborough; (b) that all unexpended and uncommitted amounts on deposit in the Parks & Fields Capital Enhancements Special Revenue Fund, as of the date of the amendatory vote, shall forthwith be credited to the General Fund of the city of Marlborough; and (c) that the portion of the total local option meals tax in excess of 6.25 percent received annually by the city of Marlborough under said section two of said chapter sixty-four L and theretofore credited to the Parks & Fields Capital Enhancements Special Revenue Fund, as set forth in section 2 herein, shall thereafter be credited to the General Fund of the city of Marlborough.

SECTION 6. This act shall take effect upon its passage.

ADOPTED
In City Council
Order No. 13-
Adopted

Approved by Mayor
Arthur G. Vigeant
Date:

A TRUE COPY
ATTEST: