

By Mr. DeFilippi of West Springfield, petition of Walter A. DeFilippi that provision be made for an annual payment by the Massachusetts Turnpike Authority to each city and town in lieu of taxes. Taxation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT PROVIDING FOR AN ANNUAL PAYMENT IN LIEU OF TAXES BY THE MASSACHUSETTS TURNPIKE AUTHORITY.

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 13 of Chapter 354 of the Acts of 1952 is hereby
2 amended by adding the following paragraph: —
3 Without limitation of foregoing, and notwithstanding any
4 contrary provisions of any other general or special law, the
5 Authority is authorized and directed to enter into agreements with
6 cities and towns in which Authority property is located whereby
7 the Authority will make to each such city and town annual
8 payments in lieu of taxes. Any such agreement shall provide for
9 annual payments for a period extending at least five years from
10 the date thereof. Such agreements may be amended by the mutual
11 agreement of the respective city or town and the Authority and
12 shall be extended each year to incorporate an additional year or
13 years to the term of the agreement. In arriving at the agreed upon
14 level of such annual payments or any amendments thereto, the
15 respective city and the Authority shall consider (1) the general
16 level of property taxation in effect in such city; (2) the effect of
17 the projects, facilities or activities of the Authority on such city;
18 (3) the general economic condition of the users or other persons
19 who pay the tolls, rates, fees, rentals or other charges of the
20 Authority; and (4) the needs of the Authority to maintain or
21 improve its facilities or projects; provided, that no such annual
22 payments as agreed upon or any amendments thereto shall exceed

23 in the aggregate for any fiscal year of the Authority the balance
24 of revenues remaining for such fiscal year after payment of all
25 other current expenses of the Authority, any payments to the state
26 treasurer which may be required and deposits to the credit of any
27 maintenance reserve or like fund and the interest and sinking fund
28 provided for a trust agreement.