# HOUSE . . . . . No. 3123

By Mr. Scibak of South Hadley, petition of John W. Scibak and others that the voters in cities and towns be authorized to approve by ballot exemptions for overlay accountants. Revenue.

## The Commonwealth of Massachusetts

PETITION OF:

| | |
|---|---|
| John W. Scibak | Peter V. Kocot |
| Patricia A. Walrath | Alice Hanlon Peisch |
| Lida E. Harkins | Susan C. Fargo |

In the Year Two Thousand and Seven.

AN ACT TO PROVIDE AN OVERLAY EXEMPTION FOR MUNICIPALITIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

Section 21C of Chapter 59 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by adding the following paragraph:—

(o) The local appropriating authority of any city or town which is subject to the provisions of paragraph (b) may, by a two-thirds vote, seek voter approval to exempt the overlay account from the limits set forth in paragraph (b); provided, however, that the exemption amount of the overlay account shall equal the average amount of the previous 3 years of an overlay account established pursuant to section 25; and provided, further, that said overlay account may be increased by two and a half percent in each ensuing year without being included in total taxes assessed; provided, however, any increase in excess of two and a half percent shall be so included.

Any question submitted to the voters shall be worded as follows:

"Shall the (city/town) of _____ be allowed to exempt the overlay account beginning July 1st, _____ from the (city's/town's) limit?

YES ___ NO ___ ".

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

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