

HOUSE No. 4447

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 28, 2024.

The committee on House Ways and Means, to whom was referred the Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain portion of the Gardner Heritage State Park to the city of Gardner (House, No. 3133), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4447).

For the committee,

AARON MICHLEWITZ.

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**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the Division of Capital Asset Management and Maintenance to convey a certain portion of the Gardner Heritage State Park to the city of Gardner.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for environmental remediation for the productive use of a certain parcel of land in the city of Gardner, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 1. Section 2 of chapter 147 of the acts of 2020 is hereby amended by striking
2 out the words “for general municipal purposes,”.

3 SECTION 2. Said section 2 of said chapter 147 is hereby further amended by inserting
4 after first sentence the following sentence:- The parcels may be used by the city of Gardner for
5 general municipal purposes or may be conveyed by the city of Gardner to a developer for
6 redevelopment.

7 SECTION 3. Section 5 of said chapter 147 is hereby amended by striking out the first
8 sentence and inserting in place thereof the following 2 sentences:-

9 The commissioner of capital asset management and maintenance may grant a credit to the
10 city of Gardner for estimated environmental remediation costs for the parcels identified in
11 section 2; provided, however, that if the total value of said credit and the appraised value of the
12 parcel identified in section 1 exceed the appraised value of the parcels identified in section 2, the
13 commonwealth shall have no obligation to pay the difference to the city of Gardner. If the
14 appraised value of the parcels identified in section 2 exceed the appraised value of the parcel
15 identified in section 1, the commissioner of capital asset management and maintenance, on
16 behalf of the department of conservation and recreation, shall, as consideration for the excess
17 value of the parcels described in said section 2, also acquire from the city of Gardner payment in
18 an amount equal to the difference in the appraised values through the transfer to the department
19 of conservation and recreation of land or an interest in land or funding for the acquisition of land
20 or an interest therein equal to or greater than the resource value difference in the appraised
21 values.