

HOUSE No. 4469

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 7, 2016.

The committee on State Administration and Regulatory Oversight to whom was recommitted the petition (accompanied by bill, House, No. 3521) of Stephen Kulik that the Commissioner of the Department of Conservation and Recreation be authorized to convey a certain parcel of land in the town of Chesterfield, reports recommending that the accompanying bill (House, No. 4469) ought to pass.

For the committee,

PETER V. KOCOT.

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to convey a certain parcel of land in the town of Chesterfield.

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. Notwithstanding section 32 to 37, inclusive, of chapter 7C of the General
2 Laws, the commissioner of capital asset management and maintenance DCAMM), in
3 consultation with the commissioner of conservation and recreation (DCR) may convey a certain
4 parcel of land currently under the care and control of the department of conservation and
5 recreation in the town of Chesterfield to Denise T. Cormier, to correct an inadvertent error on a
6 right of way designation made on said property by DCR and DCAMM in 2001. Prior to
7 finalizing the transaction or making the conveyance authorized herein, DCAMM and DCR may
8 make necessary modifications to the endangered species protection and public access plans
9 related to the site and the Long Pond, Dead Branch and Krug Sugarbush preservation and public
10 access plans in order to carry out the purposes of this act.

11 SECTION 2. An independent appraisal of the fair market value and value in use of the
12 parcel described in section 1 shall be prepared in accordance with the usual and customary
13 professional appraisal practices by a qualified appraiser commissioned by the commissioner of
14 capital asset management and maintenance. Consideration for the conveyance authorized in

15 section 1, if deemed necessary by the department, DCAMM and DCR, shall be the full and fair
16 market value or the value in proposed use, whichever is greater, as determined by the
17 commissioner of capital asset management and maintenance and calculated with regard to the
18 parcel's full development potential. If the consideration paid for said purchase is less than the
19 full and fair market value or the value in proposed use, based on the public benefits related to
20 endangered species protection efforts undertaken by the land owner and public access provisions
21 related to the right of way(s), the department shall place notification in the central register of the
22 conveyance, the amount of such transaction and the difference between the calculated value and
23 the price received. The commissioner of capital asset management and maintenance shall submit
24 the appraisal to the inspector general for review and comment. The inspector general shall
25 review and approve the appraisal and the review shall include an examination of the
26 methodology utilized for the appraisal. The inspector general shall prepare a report of such
27 review and file the report with the commissioner of capital asset management and maintenance
28 for submission by the commissioner to the house and senate committees on ways and means and
29 the joint committee on state administration and regulatory oversight. The commissioner shall
30 submit copies of the appraisal, and the inspector general's review and approval and comments, if
31 any, to the house and senate committees on ways and means and the joint committee on state
32 administration and regulatory oversight at least 15 days prior to the execution of any documents
33 effecting the transfers described in section 1 or section 2.

34 SECTION 3. The grantee shall assume all costs associated with engineering, surveys,
35 appraisals, deed preparation and other expenses deemed necessary by the commissioner of
36 capital asset management and maintenance to execute the conveyances authorized.