

SENATE No. 3171

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

SENATE, December 29, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill further amending Chapter 86 of the Acts of 1994 (House, No. 5423); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3171.

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

1 SECTION 1. Section 15A of chapter 86 of the acts of 1994, as appearing in chapter 307
2 of the acts of 1994, is hereby amended by inserting after the second paragraph the following 2
3 paragraphs:-

4 Notwithstanding this section, the parcel of land shown as parcel C-1 on a plan of land
5 entitled “Plan of Land in Northampton, Massachusetts Hampshire County Prepared for the City
6 of Northampton”, dated November 18, 2013 and recorded in the Hampshire registry of deeds in
7 plan book 231, page 15 shall not be subject to the condition that it be used for municipal
8 purposes and shall not revert to the care and control of the division of capital asset management
9 and maintenance for failure to use the property for municipal purposes. Parcel C-1 may be
10 conveyed to a developer for nominal consideration; provided, however, that such developer shall
11 develop the property for affordable housing purposes, subject to a permanent affordable housing
12 restriction. If parcel C-1 is not conveyed to an affordable housing developer pursuant to this
13 section, 50 per cent of the proceeds of any conveyance shall be deposited in the General Fund
14 and 50 per cent of the proceeds of any such conveyance shall be retained by the city of
15 Northampton. On the effective date of this act, the commissioner of capital asset management
16 and maintenance shall release the restriction and record such release in the Hampshire registry of
17 deeds.

18 If the city does not convey parcel C-1 to an affordable housing developer pursuant to the
19 this section, an independent appraisal of the fair market value and value in use of parcel C-1 shall
20 be prepared in accordance with the usual and customary professional appraisal practices by a
21 qualified appraiser commissioned by the commissioner of capital asset management and
22 maintenance. Consideration for the conveyance of parcel C-1 shall be the full and fair market
23 value or the value in proposed use, whichever is greater, as determined by the commissioner. The
24 commissioner shall submit any appraisals to the inspector general for review and comment. The
25 inspector general shall review and approve any such appraisals and the review shall include an
26 examination of the methodology utilized for any such appraisals. The inspector general shall
27 prepare a report of the review and file the report with the commissioner who shall submit the
28 report to the house and senate committees on ways and means and the joint committee on state
29 administration and regulatory oversight. The commissioner shall submit copies of any appraisals
30 and the inspector general's review and approval and comments, if any, to the house and senate
31 committees on ways and means and the joint committee on state administration and regulatory
32 oversight at least 15 days prior to the execution of any documents conveying parcel C-1 pursuant
33 to this section.