

**HOUSE . . . . . No. 3743**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Jason M. Lewis*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the town of Stoneham to create a special fund for railroad right of way proceeds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>10/29/2013</i>

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By Mr. Lewis of Winchester, a petition (accompanied by bill, House, No. 3743) of Jason M. Lewis (by vote of the town) that the town of Stoneham be authorized to create a special fund for railroad right of way proceeds. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act authorizing the town of Stoneham to create a special fund for railroad right of way proceeds.

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

1           Notwithstanding the provisions of Section 53 of Chapter 44 of the General Laws or any  
2 other general or special law to the contrary, the Town of Stoneham is authorized to create a  
3 special fund for the deposit of any proceeds to the Town of Stoneham from the leasing or  
4 licensing (including use and occupancy agreements) of the Railroad Right-of-Way land of the  
5 former Stoneham Branch line of the Massachusetts Bay Transportation Authority Lowell  
6 Line/Boston & Maine Railroad, running from Recreation Park to the Woburn Town line  
7 subsequent to July 1, 2013. Interests earned on this fund shall be treated as general fund revenue  
8 of the Town. Any balance remaining at the end of a fiscal year shall carry over to the next fiscal  
9 year and thereafter if not then expended for the purposes set out herein.

10           Proceeds from the special fund shall be used at the determination of the Town  
11 Administrator, in consultation with the Stoneham Bikeway/Greenway Committee or its  
12 successor, without further appropriation, for capital improvements to, or maintenance or repair  
13 of, the multi-use trail and/or linear park to be constructed on said Railroad Right-of-way  
14 property. Expenditures shall not be made or liabilities incurred from any such revolving fund in  
15 excess of the balance of the fund.

16           Further to authorize the Board of Selectmen and/or Town Administrator to take any  
17 action needed with respect to this petition being submitted to or passed by the General Court.

18           This Act shall take effect upon its passage.