

SENATE No. 217

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis, (BY REQUEST)

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 for Community Institution Stabilization.

PETITION OF:

NAME:

Vincent Lawrence Dixon

DISTRICT/ADDRESS:

*60 Lake Street Unit N, Winchester, MA
01890*

SENATE No. 217

By Mr. Lewis (by request), a petition (accompanied by bill, Senate, No. 217) of Vincent Lawrence Dixon for legislation for Community Institution Stabilization. Economic Development and Emerging Technologies.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 190 OF 2017-2018.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act for Community Institution Stabilization.

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. The Massachusetts General Laws are hereby amended by inserting the
2 following new chapter:

3 An Act for Community Institution Stabilization.

4 1.) When an organization, generally viewed as a Community Institution, resolves, and/or
5 decides to dissolve, and/or to dispose of substantial property, one or more individuals, being in
6 good standing, as members, and/or affiliates of such organization, and Community Institution,
7 shall be permitted to have the Right of First Refusal, regarding the disposition, transition of,
8 and/or alternative programming uses, of certain properties, that are properly viewed as
9 Community Institution landmarks.

10 2.) It is in the public interest to provide, and establish, certain opportunities for stabilizing
11 community institutions, and their memberships.

12 3.) An important aspect of the unique communities, and vitality of our Commonwealth of
13 Massachusetts, is the presence of particular buildings, churches, and other institutions, with
14 architectural, programmatic, and archival record resources.

15 4.) As a society changes, various organizations, and structures intersect with many
16 different trends, events, and other circumstances. It is in the public interest, to keep certain
17 physical, often iconic structures, and they often are protected by various historical designations,
18 and/or other opportunities.

19 5.) Just as certainly, the usages of certain of these structures, provide certain value, and
20 values, to local communities, and it is in the public interest, to allow reasonable change, while
21 encouraging certain aspects of stability. When many changes occur, they are often good ones;
22 but changes often can lead to unfortunate disruptions, and sometimes even social harm.

23 6.) This statute, is formed, to encourage, certain aspects of transitional bridging, in
24 communities, in ways that strengthen them, even in the midst of significant changes.

25 7.) Such Community Institution, and/or organization, chartered under the Laws of
26 Massachusetts, and/or in well-recognized operation for at least ten (10) years, shall, when such
27 Right of First Refusal, is requested, obtain a reasonable assessed valuation, determining the value
28 of the property, and/or properties, and also the economic value of particular continuing
29 programming.

30 8a.) A Community Institution, for the purposes of this statute, is, and may be defined, as
31 a building, such as a school, library, church, or structure which is iconic to many in the
32 community, and has held significant community services, whether educational, cultural, or
33 religious.

34 8b.) A declaration that a particular structure, and/or organizational programs, constitute a
35 Community Institution, may be made by a municipal body, such as a Board of Selectmen, City
36 Council, Board of Alderman, Planning Board, or other relevant body; but need not be obtained,
37 if individuals, in good standing, from the Community Institution, have filed a Community
38 Institution Membership Right of First Refusal, with the local municipal authorities, and the
39 Community Institution.

40 9.) When such circumstances occur, individuals seeking Right of First Refusal, may
41 request the appointment of a neutral, non-interested individual, as a Special Community Trustee
42 (SCT), to determine, and facilitate the circumstances, continuing the use of the structure, and/or
43 its alternative potential uses. That Trustee shall have reasonable powers, to provide public
44 hearings, private, and transparent negotiations, and other reasonable roles, to permit the
45 evolution of the programs, and properties, going forward, in a community stabilizing manner.

46 10.) The Special Community Trustee (SCT) shall, in their considerations, and decisions,
47 prefer reasonable offers, from the Community Institution membership, and/or properly identified
48 members thereof, as long as the funding, financing, and economic viability of any such offer, is
49 verified, and certified. Such decisions, shall be publicly announced, and a written Decision
50 Report, shall be provided by the SCT.