

**SENATE . . . . . No. 2417**

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**The Commonwealth of Massachusetts**

—  
**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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SENATE, November 20, 2019.

The committee on Senate Ways and Means to whom was referred the Senate Bill relative to the Hampshire Council of Governments (Senate, No. 2302), - reported, in part, a bill with the same title (Senate, No. 2417).

For the committee,  
Michael J. Rodrigues

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An Act relative to the Hampshire Council of Governments.

*Whereas*, the deferred operation of this act would tend to defeat its purposes, which is to require the Hampshire council of governments to convey certain property in the city of Northampton to the commonwealth, 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. (a) Notwithstanding subsection (c) of section 6 of chapter 34B of the  
2 General Laws and subject to all applicable covenants, easements, reservations, restrictions and  
3 other interests in the property, including the conservation restriction recorded in the Hampshire  
4 registry of deeds in book 12577, page 83 and the preservation agreement recorded in the  
5 Hampshire registry of deeds in book 13255, page 163, the Hampshire council of governments  
6 shall convey the historic courthouse at 99 Main street in the city of Northampton, which was  
7 conveyed to the county of Hampshire by a deed recorded in the Hampshire registry of deeds in  
8 book 341, page 361 and retained by the Hampshire council of governments under said subsection  
9 (c) of said section 6 of said chapter 34B, the land on which it is situated as currently platted and  
10 the fixtures and improvements located thereon, to the commonwealth under the jurisdiction and  
11 control of the trial court of the commonwealth. The deed conveying the property to the

12 commonwealth shall provide that the courthouse grounds shall remain open to the public and that  
13 historic items located in the courthouse shall remain in the Northampton region and available to  
14 the public.

15 (b) If the trial court notifies the division of capital asset management and maintenance  
16 that the trial court has no current or foreseeable use of the property, then, notwithstanding  
17 sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special  
18 law to the contrary, the commissioner of capital asset management and maintenance may: (i) sell,  
19 grant, convey or otherwise transfer the property or any portion thereof; or (ii) lease the property  
20 or any portion thereof for a term of not more than 99 years, including all renewals and extensions  
21 thereof; provided, however, that all lessees, purchasers, grantees or transferees of the property or  
22 any portions thereof shall be selected through appropriate competitive bidding processes and  
23 procedures as determined by the commissioner. Not less than 30 days before the date on which  
24 bids, proposals or other offers to purchase or lease the property or any portion thereof are due,  
25 the commissioner shall place a notice in the central register published by the state secretary  
26 pursuant to section 20A of chapter 9 of the General Laws stating: (i) the availability of the  
27 property; (ii) the nature of the competitive bidding process; (iii) the time, place and manner for  
28 the submission of bids or proposals and for the opening of the bids or proposals; and (iv) any  
29 other information that the commissioner deems relevant. The commissioner shall also place  
30 notification in the central register of any person or firm selected to purchase, lease or otherwise  
31 acquire the property and the agreed upon consideration.

32 (c) The commissioner may retain or grant rights of way or easements for access, egress,  
33 utilities and drainage across any portions of the property as the commissioner considers  
34 necessary.

35           (d) The purchaser, grantee, transferee or lessee of the property or any portion thereof  
36 shall be responsible for all costs and expenses related to the purchase, grant, transfer or lease of  
37 the property including, but not limited to, costs associated with any surveys, appraisals, deed  
38 preparation and recording fees as such costs may be determined by the commissioner.

39 SECTION 2. Notwithstanding any general or special law to the contrary, the Hampshire County  
40 Group Insurance Trust, upon a vote of the district board, may accept the applicable provisions of  
41 chapter 32 of the General Laws and thereby cause all eligible employees of the district to become  
42 members of the Hampshire county retirement system as of July 1, 2019.