

SENATE No. 83

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 municipalities to expend certain funds for the acquisition of land to be used for rail trails.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|---------------------------------|--|------------------|
| <i>James B. Eldridge</i> | <i>Middlesex and Worcester</i> | |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i> | |
| <i>Rebecca L. Rausch</i> | <i>Norfolk, Bristol and Middlesex</i> | <i>1/24/2019</i> |
| <i>Joanne M. Comerford</i> | <i>Hampshire, Franklin and Worcester</i> | <i>1/31/2019</i> |
| <i>Denise Provost</i> | <i>27th Middlesex</i> | <i>1/31/2019</i> |
| <i>Lindsay N. Sabadosa</i> | <i>1st Hampshire</i> | <i>2/6/2019</i> |
| <i>Edward J. Kennedy</i> | <i>First Middlesex</i> | <i>2/6/2019</i> |
| <i>Maria Duaine Robinson</i> | <i>6th Middlesex</i> | <i>2/7/2019</i> |
| <i>Paul R. Feeney</i> | <i>Bristol and Norfolk</i> | <i>11/5/2019</i> |

SENATE No. 83

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 83) of James B. Eldridge, Carmine Lawrence Gentile, Rebecca L. Rausch, Joanne M. Comerford and other members of the General Court for legislation to authorize municipalities to expend certain funds for the acquisition of land to be used for rail trails. Community Development and Small Businesses.

The Commonwealth of Massachusetts

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

An Act authorizing municipalities to expend certain funds for the acquisition of land to be used for rail trails.

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. Section 7 of chapter 44B of the General Laws is hereby amended by adding
2 the following paragraph:-

3 The legislative body of a city or town that votes to accept sections 3 to 7, inclusive, may
4 expend monies from the fund for the purpose of acquiring land held for railroad purposes to be
5 used by the city or town for recreational purposes as a rail trail. Notwithstanding subsection (a)
6 of section 12, land acquired pursuant to this paragraph may be subject to any property interest,
7 including restrictions or reversionary interests, required to be held by the grantor or the United
8 States pursuant to the National Trails System Act of 1968, codified at 16 U.S.C. section 1241, et
9 seq. Notwithstanding any provision of the definition of “real property interest” in section 2 to
10 the contrary, land acquired pursuant to this paragraph shall be considered a real property interest
11 for purposes of this chapter.