

HOUSE No. 5153

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 31, 2022.

The committee on Ways and Means, to whom was referred the Senate Bill authorizing the transfer of the care and control of certain parcels of land in the town of Monson (Senate, No. 3064), 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 contained in House document numbered 5153.

For the committee,

AARON MICHLEWITZ.

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Text of an amendment, recommended by the committee on Ways and Means, to the Senate Bill authorizing the transfer of the care and control of certain parcels of land in the town of Monson (Senate, No. 3064). July 31, 2022.

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

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
2 Laws, chapter 403 of the acts of 2008, chapter 59 of the acts of 2009 or any other general or
3 special law to the contrary, the commissioner of capital asset management and maintenance may
4 transfer the care and control of the parcel of land in the town of Monson identified in section 2
5 from the department of developmental services to the department of fish and game to be held for
6 the purposes of Article 97 of the Amendments to the Constitution of the commonwealth and used
7 solely for forest, agriculture and open space protection, management and conservation,
8 environmental education and public access for passive recreation and enjoyment, including
9 hunting, fishing and trapping. The commissioner of capital asset management and maintenance,
10 in consultation with the commissioner of fish and game, shall determine the exact boundaries of
11 the parcel, which may require the completion of a survey. The commissioner of capital asset
12 management and maintenance, in consultation with the commissioner of fish and game, may
13 alter the boundaries to be transferred to the care and control of the department of fish and game
14 pursuant to this section. The department of fish and game shall not be required to pay any

15 consideration for the parcel of land to be transferred to the department of fish and game under
16 this act.

17 SECTION 2. The parcel of land to be transferred to the department of fish and game
18 pursuant to section 1 is currently held as surplus property and contains approximately 458.451
19 acres and is shown as “Locus A” on Sheet 2 on a plan of land entitled “Plan of Land in Monson,
20 MA” prepared by Northeast Survey Consultants, dated April 1, 2015, and on file with the
21 division of capital asset management and maintenance.

22 SECTION 3. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
23 Laws, chapter 403 of the acts of 2008, chapter 59 of the acts of 2009 or any other general or
24 special law to the contrary, the commissioner of capital asset management and maintenance may
25 transfer the care, custody and control of the parcels of land identified in section 4 from the
26 department of developmental services to the department of agricultural resources to be held for
27 the purposes of Article 97 of the Amendments to the Constitution of the commonwealth and used
28 solely for agriculture and open space protection, management and conservation. The
29 commissioner of capital asset management and maintenance, in consultation with the
30 commissioner of agricultural resources, shall determine the exact boundaries of the parcels,
31 which may require the completion of a survey. The commissioner of capital asset management
32 and maintenance, in consultation with the commissioner of agricultural resources, may alter the
33 boundaries to be transferred to the care and control of the department of agricultural resources
34 pursuant to this section. The department of agricultural resources shall not be required to pay any
35 consideration for the parcels of land to be transferred to the department of agricultural resources
36 pursuant to this act.

37 SECTION 4. The parcels of land to be transferred to the department of agricultural
38 resources pursuant to section 3 are shown as “Locus B” on Sheet 3 and “Locus C” on Sheet 4 of
39 the plan of land referenced in section 2 and are currently held as surplus property.

40 SECTION 5. The executive office of energy and environmental affairs shall be
41 responsible for the costs and expenses of the transfers authorized in this act as determined by the
42 commissioner of capital asset management and maintenance including, but not limited to, the
43 costs of any engineering, surveys, appraisals, title examinations, recording fees and deed
44 preparation related to the conveyance of the parcels, exclusive of the cost of demolishing any
45 structures on the parcels.