SENATE DOCKET, NO. 295 FILED ON: 1/27/2021

SENATE . . . . . No. 1347

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 resolve:

Resolve establishing a special commission on the Dover amendment.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Michael O. Moore	*Second Worcester*	
Bruce E. Tarr	*First Essex and Middlesex*	*7/22/2021*

SENATE DOCKET, NO. 295 FILED ON: 1/27/2021

SENATE . . . . . No. 1347

By Mr. Moore, a petition (accompanied by resolve, Senate, No. 1347) of Michael O. Moore for legislation to establish a special commission on the Dover amendment. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *219* OF 2019-2020.]

The Commonwealth of Massachusetts

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

Resolve establishing a special commission on the Dover amendment.

Resolved, Notwithstanding any general or special law to the contrary, there shall be a special commission to study the use and effectiveness of the zoning approval process of educational uses under the so-called Dover amendment, section 3 of chapter 40A of the General Laws.

The commission shall consist of the secretary of housing and economic development or a designee; the secretary of the executive office of education or a designee; 2 members appointed by the president of the senate, including the senate chair of the joint committee on municipalities and regional government, the senate chair of the joint committee housing; 1 member appointed by the senate minority leader; 2 members appointed by the speaker of the house of representatives, including the house chair of the joint committee on municipalities and regional government, the house chair of the joint committee housing; and 1 member appointed by the

house minority leader, and 3 members to be appointed by the governor, 1 of whom shall be a local official with expertise in zoning, 1 of whom shall be a member of a non-profit social services agency and 1 of whom shall be a member of a non-profit school or higher education institution.

The commission shall study the impact of the education exemption provided by the Dover amendment on municipalities and nonprofit education institutions, which shall include a review of the types of building projects sited under the protection of the Dover amendment and the case law decided on the educational exemption. The commission shall solicit public testimony, either by holding public hearings or through surveys.

The commission shall file the results of its study together with recommendations for legislation, which shall include a proposed definition of "educational purposes", with the clerks of the house of representatives and senate, on or before December 31, 2023.