

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:	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>7/22/2021</i>

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.

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

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

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

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

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