

SENATE No. 274

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis, (BY REQUEST)

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 for Community Institution Stabilization.

PETITION OF:

NAME:

Vincent Lawrence Dixon

DISTRICT/ADDRESS:

*60 Lake Street – Unit N Winchester, Mass.
01890*

SENATE No. 274

By Mr. Lewis (by request), a petition (accompanied by bill, Senate, No. 274) of Vincent Lawrence Dixon for legislation relative to Community Institution Stabilization. Economic Development and Emerging Technologies.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 217 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act for Community Institution Stabilization.

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. The Massachusetts General Laws are hereby amended by inserting the
2 following new chapter:

3 An Act for Community Institution Stabilization.

4 1.) When an organization, generally viewed as a Community Institution, resolves, and/or
5 decides to dissolve, and/or to dispose of substantial property, one or more individuals,
6 being in
7 good standing, as members, and/or affiliates of such organization, and Community
8 Institution,

9 shall be permitted to have the Right of First Refusal (RFR) , regarding the disposition,
10 transition
11 of, and/or alternative programming uses, of certain properties, that are properly viewed as
12 Community Institution Landmarks (CIL).

13 2.) It is in the public interest to provide, and establish, certain opportunities for stabilizing
14 community institutions, and their memberships.

15 3.) An important aspect of the unique communities, and vitality of our Commonwealth of
16 Massachusetts, is the presence of particular buildings, churches, and other institutions,
17 with
18 architectural, programmatic, and archival record resources.

19 4.) As a society changes, various organizations, and structures intersect with many
20 different trends, events, and other circumstances. It is in the public interest, to keep
21 certain

22 physical, often iconic structures, and they often are protected by various historical
23 designations,

24 and/or other opportunities.

25 5.) Just as certainly, the usages of certain of these structures, provide certain value, and
26 values, to local communities, and it is in the public interest, to allow reasonable change,
27 while

28 encouraging certain aspects of stability. When many changes occur, they are often good
29 ones;

30 but changes often can lead to unfortunate disruptions, and sometimes even social harm.

31 6.) This statute, is formed, to encourage, certain aspects of transitional bridging, in
32 communities, in ways that strengthen them, even in the midst of significant changes.

33 7.) Such Community Institution, and/or organization, chartered under the Laws of
34 Massachusetts, and/or in well-recognized operation for at least ten (10) years, shall, when
35 such

36 Right of First Refusal (RFR) , is requested; obtain, and/or assist the obtaining of, a
37 reasonable

38 assessed valuation, determining the value of the property, and/or properties, and also the
39 economic value of particular continuing programming.

40 8a.) A Community Institution, for the purposes of this statute, is, and may be defined, as
41 a building, such as a school, library, church, or structure which is iconic to many in the
42 community, and has held significant community services, whether educational, cultural,
43 or
44 religious.

45 8b.) A declaration that a particular structure, and/or organizational programs, constitute a

46 Community Institution, may be made by a municipal body, such as a Board of Selectmen,
47 City
48 Council, Board of Alderman, Town Meeting, Planning Board, or other relevant body; but
49 need
50 not be obtained, if individuals, in good standing, from the Community Institution, have
51 filed a
52 Community Institution Membership Right of First Refusal (RFR), with the local
53 municipal
54 authorities, and the Community Institution.

55 9.) When such circumstances occur, individuals seeking Right of First Refusal (RFR),
56 may
57 request the appointment of a neutral, non-interested individual, as a Special Community
58 Trustee
59 (SCT), to determine, and facilitate the circumstances, continuing the use of the structure,
60 and/or
61 its alternative potential uses. That Trustee shall have reasonable powers, to provide public
62 hearings, private, and transparent negotiations, and other reasonable roles, to permit the
63 evolution of the programs, and properties, going forward, in a community stabilizing
64 manner.

65 10.) The Special Community Trustee (SCT) shall, in their considerations, and decisions,
66 prefer reasonable offers, from the Community Institution membership, and/or properly
67 identified
68 members thereof, as long as the funding, financing, and economic viability of any such
69 offer, is
70 verified, and certified. Such decisions, shall be publicly announced, and a written
71 Decision
72 Report, shall be provided by the Special Community Trustee (SCT).