

**SENATE . . . . . No. 3064**

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Senate, July 28, 2022 -- Substituted as a new draft (Senator Fattman) for the Senate Bill authorizing the transfer of care and control of land in the town of Monson (Senate, No. 3021).

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
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An Act authorizing the transfer of the care and control of certain parcels of land in the town of Monson.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to transfer certain parcels of land at the former Monson Development Center, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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. 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  
7 used 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 contains approximately 458.451 acres and is shown as “Locus A” on Sheet  
19 2 on a plan of land entitled “Plan of Land in Monson, MA” prepared by Northeast Survey  
20 Consultants, dated 4/1/2015, and on file with the division of capital asset management and  
21 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  
28 used 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 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 1.

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.