

Massachusetts House of Representatives Bill Summary

Bill #:	H.4505
Title:	An Act authorizing the county of Nantucket to convey School Street situated in the town and county of Nantucket for purposes of conveyance to the town of Nantucket
Sponsor:	Rep. Thomas Moakley, Sen. Julian Cyr
Committee:	Municipalities and Regional Government
Hearing Date:	September 23 through September 30, 2025 (written testimony only)
Prior History:	Refile of S.2942, reported favorably 2023-2024
Current Law:	<p>Article 97 of the Amendments to the Massachusetts Constitution preserves natural resources by requiring a two-thirds vote of each branch of the Legislature prior to transferring by sale or lease, or changing the use of, protected land such as open space, park land, conservation land, wetlands, forests, etc.</p> <p>MGL Chapter 3, Section 5A is the Public Lands Preservation Act, which was enacted as Chapter 274 of the Acts of 2022. The act established requirements and a process for submission to the Legislature of petitions to authorize the use for another purpose or disposition of land or an interest in land subject to Article 97 of the Amendments to the Constitution of the Commonwealth (Art. 97).</p> <p>Chapter 30B is the Uniform Procurement Act. Section 16 governs the disposition of real property by a governmental unit.</p> <p>Chapter 34, Section 14 governs the additional powers of counties and county commissioners. It states that any real estate offered for sale or lease, by a county shall first be offered for sale or lease to the commonwealth and upon the non-acceptance by the commonwealth of any such offer, shall then be offered for sale or lease to the city or town where such land is located.</p> <p>Chapter 40, Section 8C governs conservation commissions, their powers and duties. Conservation commissions oversee protected lands. They promote, preserve and develop natural resources.</p> <p>Section 15A of Chapter 40 regulates the procedure for transferring land.</p>
Summary:	Section 1 of this bill authorizes Nantucket County to convey School Street to the town of Nantucket for purposes of conveying property on the street. Such a disposition would be on such terms and conditions as the Select Board deem appropriate and may include restrictions and easements.

Section 2 states that any such conveyance authorized under the provisions of this legislation would not be subject to the Uniform Procurement Act or the statute governing the rights of first refusal.

Section 3 states that this act shall take effect immediately upon passage.

Notes: Article 89 approved by May 7, 2024 Annual Town Meeting by a two-thirds vote, 1,230 Yes and 42 No.