SENATE . . . . . No. 1908

The Commonwealth of Massachusetts

SENATE, April 19, 1983.

The committee on Counties, to whom was referred the petition (accompanied by bill, Senate, No. 189) of Carol C. Amick, Ingebohr Uhlir and Jeanne Kangas for legislation to further provide public notice of the sale or lease of county owned real property; the petition (accompanied by bill, House, No. 1631) of John H. Loring and other members of the the House relative to authorizing county commissioners to dispose of county real property and establishing criteria therefor; and the petition (accompanied by bill, House, No. 2870) of Royall H. Switzler, other members of the House and another for legislation to further regulate the sale or lease of county owned land, reports the accompanying bill (Senate, No. 1908).

For the Committee,

GEORGE BACHRACH

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-three.

AN ACT TO FURTHER PROVIDE PUBLIC NOTICE OF THE SALE OR LEASE OF COUNTY REAL PROPERTY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 14 of Chapter 34, as most recently amended by chapter 351 of the Acts of 1981, is hereby amended by striking out the last two sentences and substituting the following sentences:

"At least ninety (90) days prior to the contracting for the sale or lease of such real estate, the Commissioners shall notify in writing:

A. The city council or board of selectmen of the city or town;

B. The members of the General Court representing said city or town;

C. The advisory board on county expenditures of the county; and

D. The regional planning agency of the region in which the real estate is located.

Such notification shall include: information as to the real estate's present use; the reason for its sale or lease; the new activity or purpose for which it will be used; and a copy of an independent appraisal done within the past fiscal year. Such an appraisal shall have been done by a qualified appraiser approved by the executive committee of the advisory board on county expenditures of the county where the real estate is located.

At least forty-five (45) days but not more than sixty (60) days prior to contracting for the sale or lease of said real estate, the Commissioners shall cause a public hearing to be held in the town or city in which the real estate is located.

The Commissioners shall publish on at least two occasions, in at least two newspapers serving the city or town in which

30 the real estate located, the time and place of the hearing. Such
31 publication shall occur at least fourteen (14) days prior to
32 said hearing.
33 No contract for the sale or lease of real estate executed in
34 violation of this section shall be valid.