

By Mr. Turkington of Falmouth, petition of Eric Turkington, Henri S. Rauschenbach and another for legislation to protect municipalities from being denied self help funds in acquiring open space land. Taxation.

The Commonwealth of Massachusetts

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

AN ACT PROTECTING LOCAL COMMUNITIES FROM BEING DENIED SELF HELP FUNDS IN ACQUIRING OPEN SPACE LAND.

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 any general or special law to
2 the contrary any city or town in the Commonwealth of
3 Massachusetts which acquires open space land shall be eligible
4 for self help funding either as direct grants or on a matching basis
5 provided they meet the necessary qualifications for such funding
6 along with submitting the required applications.

1 SECTION 2. Any city or town which has received statutory
2 authority to establish land banks and sets aside funds through real
3 estate transactions by taxing a percentage of such transactions for
4 the purpose of purchasing open space land for conservation
5 purposes, and preservation of its natural resources, shall not be
6 exempted from receiving available state funds in acquiring open
7 space land for conservation and recreational purposes.

1 SECTION 3. The Secretary of Administration and Finance or
2 the Secretary of Environmental Affairs who administer such self
3 help funds shall issue regulations in compliance with the
4 provisions of this act wherein any city or town shall not be denied
5 self help funds mainly on the basis that they are acquiring open
6 space land through local taxation.

1 SECTION 4. This act shall take effect upon its passage.

