

By Mr. Businger of Brookline, petition of Zvi A. Sesling, John A. Businger, Eleanor Myerson, Jack H. Backman and others (by vote of the town) relative to the establishment of a housing trust fund and an open space trust fund in the town of Brookline. Local Affairs [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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

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AN ACT AUTHORIZING THE ESTABLISHMENT OF A HOUSING TRUST FUND AND AN OPEN SPACE TRUST FUND IN THE TOWN OF BROOKLINE.

*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 Town of Brookline may by by-law establish  
2 a Housing Trust Fund to be used to provide financial, technical,  
3 and other forms of support for affordable housing planning,  
4 development, rehabilitation, and preservation, and to acquire  
5 land, buildings, or interests in land or buildings therefore, and an  
6 Open Space Trust Fund to be used to provide financial, technical  
7 and other forms of support for open space planning and to  
8 acquire, improve, rehabilitate, maintain, and preserve land or  
9 interests in land for open space and recreational purposes.

1 SECTION 2. Said Trust Funds shall be funded through a fee  
2 of up to two percent (2%) on transfers of real estate, incorporating  
3 such exemptions as the Town may deem appropriate. Said Trust  
4 Funds may receive funds, land, buildings, or interests in land and  
5 buildings from other sources. The Town is authorized to borrow  
6 money in accordance with General Laws Chapter 44, Section 8  
7 for the purposes set forth in Section 1 herein.

1 SECTION 3. The Town by by-law may determine administra-  
2 tive responsibility and procedures and may establish and  
3 implement programs consistent with the authorization set forth  
4 herein.

1 SECTION 4. The funding of the trust funds and the collection  
2 of fees hereunder shall not be subject to or considered a levy, tax  
3 or excise under General Laws, Chapter 62F.

1 SECTION 5. The revenues collected shall be divided between  
2 the Housing Trust Fund and the Open Space Trust Fund so that  
3 each receives at least twenty-five per cent (25%) of the total  
4 revenue.

1 SECTION 6. This act shall take effect upon its passage.