

SENATE No. 1167

By Mrs. Swift, a petition (accompanied by bill, Senate, No. 1167) of Jane M. Swift for legislation to clarify the title to agricultural preservation restrictions. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT CLARIFYING THE TITLE TO AGRICULTURAL PRESERVATION RESTRICTIONS.

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 11a of Chapter 132a of the General Laws is hereby
2 amended by striking out the third sentence thereof and inserting in
3 its place the following: —
4 Title to agricultural preservation restrictions shall be held in the
5 name of the Commonwealth; provided, however, that a city or
6 town in which such land is located, or a charitable corporation,
7 charitable trust or land bank, which provides assistance
8 satisfactory to the agricultural lands preservation committee,
9 including but not limited to providing of funds or portions thereof
10 toward the purchase of such restriction, the providing of legal
11 services and the enforcement of the preservation restriction, may
12 hold title to such land jointly with the Commonwealth. The
13 Commissioner may issue a letter of intent requesting the assis-
14 tance of a nonprofit organization, as defined in subsection (c) (3)
15 of Section 501 of the United States Internal Revenue Code, in
16 acquiring the development rights to certain agricultural land. If
17 such organization acquires such rights it may sell them to the
18 Commissioner based on a purchase agreement.

