

By Mr. Buell, a petition (accompanied by bill, Senate, No. 268) of the Massachusetts Association of School Committees, Inc., by Paul Gorden, executive director, Richard A. Kraus and Robert C. Buell for legislation to further regulate the leasing of certain school property. Education, Arts and Humanities.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING THE LEASING OF CERTAIN SCHOOL PROPERTY.

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

1 Chapter forty of the General Laws is hereby amended by
2 striking out the second paragraph of section three thereof, as most
3 recently amended by chapter four hundred and ninety-six of the
4 acts of nineteen hundred and eighty-one, and by inserting in its
5 place the following:

6 Notwithstanding the other provisions of this section, a city or
7 town, with the approval of the school committee, may rent or lease
8 any school building not in actual use and, with the approval of
9 the commissioner of education, surplus space in a school building
10 in actual use to any one or more public private profit-making
11 businesses or non-profit organizations; provided, however, that
12 joint occupancy of a school building in actual use as such shall
13 not interfere with educational programs being conducted in said
14 building. The terms of any such rental or lease shall be as approved
15 by the school committee; provided, that no school building not
16 in actual use shall be rented or leased for an initial term longer
17 than ten years, but with renewal options if approved by the school
18 committee.

19 The monies received from such rental or lease shall be kept
20 separate and apart from other city or town funds in the city or
21 town treasury and may be expended by the school committee

22 without further appropriation for the upkeep of the facility so
23 rented or surplus space which is so rented; provided, however, that
24 any balance remaining in such account at the close of a fiscal year
25 shall be paid into the general fund of such city or town.