

# HOUSE . . . . . No. 163

By Mr. Jones of North Reading, petition of Bradley H. Jones, Jr., and others for legislation to exempt certain projects from requirements contained in the community preservation law. Community Development and Small Business.

## The Commonwealth of Massachusetts

### PETITION OF:

Bradley H. Jones, Jr.	Karyn E. Polito
Mary S. Rogeness	Richard J. Ross
George N. Peterson, Jr.	Susan Williams Gifford
John A. Lepper	Paul J. P. Loscocco
Viriato Manuel deMacedo	Donald F. Humason, Jr.
Paul K. Frost	Todd M. Smola
Elizabeth A. Poirier	

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO THE COMMUNITY PRESERVATION ACT.

*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. Subsection (b) of section 5 of chapter 44B of the  
2 General Laws, as most recently amended in chapter 289 of the acts  
3 of 2006, is hereby amended by inserting after paragraph (3) the  
4 following new paragraph:—

5 (4) In the event that a project meeting the qualifications outlined  
6 in paragraph (2) was authorized and financed by a town's legislative  
7 body not more than 2 years prior to the acceptance of sections 3  
8 through 7, inclusive, by the voters pursuant to section 3, the commu-  
9 nity preservation committee may then include in its recommenda-  
10 tions to the legislative body a recommendation to expend funds for  
11 such project, whether to augment existing funds or to replace funds  
12 otherwise dedicated to such project.

1 SECTION 2. Section 6 of said chapter 44B of the General Laws,  
2 as so appearing, is hereby amended by striking out the final sentence

3 in its entirety and inserting in place thereof the following sen-  
4 tence:—

5 The community preservation funds shall not replace existing  
6 operating funds, only augment them; provided, that projects  
7 approved and financed by a legislative body not more than 2 years  
8 prior to the acceptance of sections 3 through 7, inclusive, by the  
9 voters pursuant to section 3 shall be exempt from this requirement.