

City of Cambridge

MASSACHUSETTS

In City Council February 22, 199 3

CONSENT AGENDA ITEM/7b

YEA	NAY	ABSENT	PRESENT	
				Mr. Ed Cyr
				Mr. Francis H. Duehay
				Mr. Jonathan S. Myers
				Mrs. Sheila T. Russell
				Mr. Walter J. Sullivan
				Mr. Timothy J. Toomey, Jr.
				Mr. William H. Walsh
				Ms. Alice K. Wolf
				Mayor Kenneth E. Reeves



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-THREE

AN ACT

TO PERMIT THE TAXATION OF CERTAIN REAL ESTATE
OWNED BY EDUCATIONAL INSTITUTIONS

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

SECTION 1. Clause 3 of section 5 of chapter 59 as appearing in the 1990 official edition, is hereby amended by adding the following:

(f) Real estate owned by or held in trust for an educational institution coming within the foregoing description of a charitable organization which is used or acquired for any purpose other than the education of or for the non-profit residence by its students or faculty, shall not be exempt.

(g) Any portion of real estate owned by or held in trust for an educational institution coming within the foregoing description of a charitable organization which is used or acquired for any purpose other than the education of or for the non-profit residence of its students or faculty, shall be proportionately taxed according to the percentage of the space used for such non-tax exempt purpose.

(h) Such affidavit as is required under sub-section (b) of this clause and under section twenty-nine of this chapter, shall include certification by such educational institution, which is submitted to the assessors under the pains and penalties of perjury, that no portion of any real estate which is not listed in said affidavit, is used or acquired for any purpose other than the education of or for the non-profit residence of its students or faculty. The assessors may require from any charitable organization claiming under the Third clause of section five hereunder an exemption from taxation, either in whole or in part, a full list of all such charitable organization's taxable property, both real and personal.

*To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.*

The undersigned, citizens of.....Cambridge.....*, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation to permit the taxation of
certain real estate owned by educational institutions*

Petitioners are requested to sign names and addresses legibly.

PETITION—HOUSE

Rep.

of

presents the petition of

PLEASE LEAVE THIS SPACE BLANK.

[Accompanied by bill, House, No.

HOUSE OF REPS., , 1993 .

Referred to the *Committee on*

.....

Sent to the Senate for concurrence.

..... , *Clerk.*

SENATE, , 1993 .

The Senate concurs.

..... , *Clerk.*

House, No.

BILL



CITY OF CAMBRIDGE

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

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February 17, 1993

Mr. Robert W. Healy
City Manager
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: City Council Order #25, Dated February 1, 1993.
Amendment to M.G.L., c. 59, §5, Clause Third, Which
Allows University and College-owned Property to be Tax
Exempt

Dear Mr. Healy:

Enclosed please find the legislation which was drafted by this office in response to the above-referenced Council Order. This legislation is not intended to be filed in the form of a Home Rule Petition.

Thank you for your attention in this regard.

Very truly yours,

Russell B. Higley
Russell B. Higley

RBH/jml
Enclosure



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

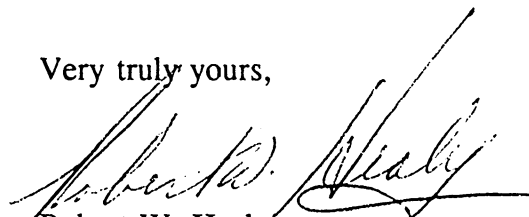
February 22, 1993

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 30, regarding State-wide Legislation that would include in the calculation of State-aid a factor for the percentage of City-land that is devoted to non-taxed institutions, received from Russell B. Higley, City Solicitor.

Also attached is a response to Council Order No. 25, dated February 1, 1993, relative to an amendment to M.G.L., c. 59, s. 5, Clause Third, which allows university and college-owned property to be tax exempt. This order was included as part of Awaiting Report Item No. 30 on the Awaiting Report List.

Very truly yours,


Robert W. Healy
City Manager

RWH/mev
attachment

CONSENT AGENDA ITEM #7b

S-83

Communication from Robert W. Healy, City Manager, relative to amendment to M.G.L. c.59, s 5, Clause Third, which allows university and college-owned property to be tax exempt.

In City Council,

February 22, 1993

*Referred back to
the City Manager.*