



Bedford, MA, First to Adopt New State Funding Tool

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Massachusetts*

Boston, MA: Local adoption of the Community Preservation Act gained momentum this week when voters in Bedford—the first community in the State to place the Act on the ballot—passed it overwhelmingly by a vote of 809 to 483. The town's March 10 vote on the Act implemented a local 3% property tax surcharge, subject to two exemptions, and made the community eligible for state matching funds. At least twelve more communities, including North Andover, Plainville, Cohasset, Chelmsford, Rockport, West Tisbury, Boxford, Easton, Weston, Dracut, Amherst, and Orleans, are scheduled to vote on the Act within the next few months, and dozens more are considering ballot measures.

Bob Durand, Secretary of Environmental Affairs, who worked for 15 years on Community Preservation legislation, first as a legislator, then as Secretary, praised Bedford voters. "The voters of Bedford have sent a strong message across the state that they care about preserving the unique character of their town," said Secretary Durand. "A vote for the Community Preservation Act is a vote for a sustainable future."

"Bedford voters made history this week when they passed the Act by an outstanding 63%. This is a landmark vote for the Commonwealth, and sets a great example for other communities," said Whitney Hatch, regional director of the Trust for Public Land, a leading member of the Community Preservation Coalition. "With 44 acres of land in Massachusetts being developed every day, average home values skyrocketing, and countless historic sites threatened, the time to adopt this Act is now."

According to Bedford Town Administrator Richard Reed, "This vote was the result of discussions in our community over many years and was supported by a broad group of advocates for open space protection, affordable housing, and historic preservation. The funds will help Bedford implement our open space master plan, renovate and provide handicapped access to our Old Town Hall, and pursue the conversion of a duplex in town into affordable housing units. Town officials were interested in adopting the Act this year while the chances of receiving significant state funds were especially high."

The bill, which has been debated by lawmakers for nearly 18 years, grants Massachusetts' 351 cities and towns the right to raise local property taxes to fund land conservation, historic preservation, and affordable housing. It also provides roughly \$26 million annually in matching

funds to participating communities. Last December, the Community Preservation Act (House Bill 5370) became law.

In order for a municipality to qualify for state matching funds, the legislative body (e.g. Town Meeting or City Council) must vote to place a property tax surcharge of no more than 3% on the ballot. Alternatively, CPA may be placed on the ballot through a petition signed by at least 5 percent of the city or town's registered voters. Once CPA is placed on the ballot, local voters must then vote to approve it. Unlike Proposition 2 ½ overrides, adoption of CPA requires a majority vote locally, not a two-thirds vote. In addition, participating cities and towns can opt out of CPA after five years and end the surcharge. If every city and town adopts CPA by implementing a 3 percent property tax surcharge, nearly \$200 million will be raised every year for open space protection, historic preservation, and affordable housing, according to the State House News Service. A minimum of 10 percent of the annual revenues raised through the surcharge must be used for each of three core community concerns: land protection, historic preservation, and affordable housing. The remaining 70 percent can be allocated for any combination of these three uses. CPA exempts certain taxpayers from the property tax surcharge, including the elderly, disabled, veterans and the surviving spouses of veterans. Local governments may also choose from several allowable exemptions.

The Trust for Public Land is a national conservation organization dedicated to protecting land for people to enjoy as parks and open space. Since 1972, TPL has protected more than 1.2 million acres nationwide, including nearly 60,000 acres in New England. The Wall Street Journal's Smart Money Magazine recently named TPL the nation's most efficient large conservation charity, based on the percentage of funds dedicated to programs.