

**SENATE . . . . . No. 2590**

---

**The Commonwealth of Massachusetts**

—————  
**In the One Hundred and Ninetieth General Court**  
**(2017-2018)**  
—————

SENATE, July 9, 2018

The committee on Bonding, Capital Expenditures and State Assets, to whom was referred the House Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4613); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2590.

[Bond authorization: \$2,187,333,000]

For the committee,  
John F. Keenan

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

1           SECTION 1. To provide for a program of climate change adaptation, and the  
2 preservation and improvement of the environmental and energy assets of the commonwealth, the  
3 sums set forth in this act, for the several purposes and subject to the conditions specified in this  
4 act, are hereby made available, subject to the provisions of law regulating the disbursement of  
5 public funds, which sums shall be in addition to any other amounts previously made available for  
6 these purposes; provided, that the amounts specified for a particular project may be adjusted in  
7 order to facilitate projects authorized in this act.

8           SECTION 2.

9                           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

10   Office of the Secretary

11           1100-3000   For a program to provide grants and low-interest loans to owners or  
12 operators of a dispensing facility, as defined in section 1 of chapter 21J of the General Laws, that  
13 retails gasoline and other petroleum products, for the purpose of replacing and modernizing  
14 existing single-walled underground petroleum storage tank equipment and related leak detection  
15 equipment, and to reduce the risk of pollution from potential leakage; provided that program

16 grants and loans shall be made available for costs, including but not limited to, engineering, tank  
17 removal, construction and infrastructure replacement, to install double-walled underground  
18 petroleum storage tank equipment and related leak detection equipment; provided further, that  
19 the installation of such underground storage tank and leak inspection equipment funded under  
20 the program shall comply with any applicable law and regulation of the commonwealth and the  
21 federal government; provided further, that such program grants and loans shall be made available  
22 only to small-business owners or operators of any eligible dispensing facility not located on land  
23 owned by the commonwealth; provided further, that priority for providing grants and loans under  
24 the program shall be for any eligible dispensing facility that is located in a rural area; provided  
25 further, that the secretary of administration and finance shall make available the funds under this  
26 item to the Massachusetts Development Finance Agency to administer the grant and loan  
27 program; and provided further, that the Massachusetts Development Finance Agency in  
28 consultation with the department of environmental protection shall, no later than January 31,  
29 2019, adopt standards to implement the program, including general guidelines and requirements  
30 for owners and operators to make application for such grants and loans, and the criteria used to  
31 evaluate applications to provide grants and loans under the  
32 program.....\$2,000,000

33 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

34 Office of the Secretary

35 2000-7071 For improvements and replacements to the infrastructure and holdings of  
36 the executive office of energy and environmental affairs and its departments and divisions;  
37 provided, that these improvements and replacements may include, but shall not be limited to,

38 buildings, equipment, vehicles and communication and technology equipment; provided further,  
39 that the secretary of energy and environmental affairs may provide guidance for planning,  
40 prioritization, selection and implementation of projects in furtherance of the goals of climate  
41 change mitigation and adaptation and consistent with the integrated state hazard mitigation and  
42 climate change adaptation plan; and provided further, that any expenditures for communication  
43 and technology equipment under this item shall be considered in consultation with the secretary  
44 of technology services and security.....\$10,500,000

45           2000-7072    For grant programs for land, soil, water and natural resource conservation;  
46 open space preservation; watershed remediation; coastal resource protection, including securing  
47 of access to protected coastal lands and lands to provide for the inland migration of coastal  
48 habitats; recreation; environmental equity and wildlife and endangered species protection,  
49 including, but not limited to, the local acquisition for natural diversity grant program, the  
50 parkland acquisition and renovation for communities grant program, conservation partnership  
51 grant programs including programs to support landscape-scale land conservation projects, the  
52 drinking water supply protection grant program, grant programs to assist and provide funding to  
53 conservation districts, and grants to support local, regional and state land use planning and  
54 management capabilities to advance smart growth efforts, all pursuant to rules or regulations  
55 adopted by the secretary of energy and environmental affairs to effectuate this item; provided,  
56 that the secretary of energy and environmental affairs may provide guidance for planning,  
57 prioritization, selection and implementation of projects in furtherance of the goals of climate  
58 change mitigation and adaptation and consistent with the integrated state hazard mitigation and  
59 climate change adaptation plan; provided further, that all projects shall provide appropriate  
60 public access as determined by the secretary.....\$165,000,000

61           2000-7073     For the design, construction, reconstruction, rehabilitation, retrofitting,  
62 repair or removal of coastal infrastructure and resiliency measures, including, but not limited to,  
63 seawalls, jetties, revetments, and retaining walls, beach nourishment, living shorelines and other  
64 nature-based solutions which are defined as strategies that conserve, restore and employ the  
65 natural resources of the Commonwealth to enhance climate adaptation, build resilience and  
66 support mitigation; provided, that costs payable from this item may include, but shall not be  
67 limited to, the costs of engineering and other technical assistance and planning services essential  
68 to these projects rendered by the office of coastal zone management in the executive office of  
69 energy and environmental affairs, the office of waterways in the department of conservation and  
70 recreation and other commonwealth employees or consultants; provided further, that grants and  
71 loans may be made to local government units to carry out this item; provided further that such  
72 funds may be used on lands held by municipal, county, state, or federal agencies or other  
73 governmental bodies, on lands held by nonprofit conservation organizations, or on private lands  
74 with the consent of the owner and subject to covenants that will assure the continued presence  
75 and effectiveness of such projects for the expected life of the projects; provided that the use of  
76 such funds by county and municipal governmental bodies on lands held by nonprofit  
77 conservation organizations, or on private lands shall require, in a county, a vote of the county  
78 commissioners, in a city having a Plan D or Plan E charter by the affirmative vote of a majority  
79 of all the members of the city council, in a city not having such a charter by vote of the city  
80 council, subject to the provisions of the charter of such a city, and in a town by a majority vote at  
81 a town meeting; provided further, that the secretary of energy and environmental affairs may  
82 provide guidance for planning, prioritization, selection and implementation of projects in  
83 furtherance of the goals of climate change mitigation and adaptation and consistent with the

84 integrated state hazard mitigation and climate change adaptation  
85 plan.....\$60,000,000

86           2000-7074    For the design, construction, reconstruction, rehabilitation, retrofitting,  
87 repair or removal of municipally owned dams, publicly owned dams and other dams for which  
88 emergency action or statewide hazard mitigation is required and for inland flood control projects  
89 and projects for any related facilities and equipment, including, but not limited to, seawalls,  
90 jetties, revetments, and retaining walls, beach nourishment and other nature-based solutions on  
91 publicly owned land or related to state or municipal climate change adaptation and preparedness  
92 or for which emergency action or statewide hazard mitigation is required; provided, that the  
93 secretary of energy and environmental affairs shall give priority to dams and flood control  
94 projects that pose the greatest risk to public health or safety, or to the environment; provided  
95 further, that funds shall be available for a program of planning, permitting and construction of  
96 fish ways and other aquatic habitat improvements, including the removal or breaching of selected  
97 dams and impoundments on state-owned land and waterways; provided further, that the  
98 secretary may provide guidance for planning, prioritization, selection and implementation of  
99 projects in furtherance of the goals of climate change mitigation and adaptation and consistent  
100 with the integrated state hazard mitigation and climate change adaptation plan; and provided  
101 further, that projects shall be considered in consultation with the municipality hosting the asset to  
102 be repaired and those municipalities impacted by the project.....\$75,000,000

103           2000-7075    For the acquisition of land and interests in land by the executive office of  
104 energy and environmental affairs and its departments and divisions and for associated costs,  
105 including planning, study, due diligence, title and appraisal services, site restoration, monitoring  
106 and stewardship, including, but not limited to, acquisitions for open space, recreation,

107 conservation, wildlife and endangered species protection, and forest land protection, for related  
108 costs and activities in support of conservation goals, including, but not limited to, capitalization  
109 of the Transfer of Development Rights Revolving Fund established under section 35HHH of  
110 chapter 10 of the General Laws; provided, that funds under this item may be used to develop and  
111 implement a stewardship program on lands under the care and control of the executive office or  
112 its departments and divisions or subject to conservation restrictions or other related interests in  
113 land purchased through this item, including, but not limited to, resource and land use monitoring,  
114 signage, boundary delineation and monitoring, preparation of baseline documentation,  
115 stewardship planning, ecological monitoring and enforcement of conservation or other related  
116 restrictions or detection and resolution of encroachments on land and rights in land, and repair of  
117 damage to property related to illegal uses, including off-road vehicle trespass; provided further,  
118 that funds may be used for inventory, restoration and reclamation of acquired land, including  
119 demolition of structures, removal of debris, eradication of non-native species and other services  
120 essential to these reclamation efforts; provided further, that the secretary of energy and  
121 environmental affairs may provide guidance for preservation, maintenance, and acquisition of  
122 land and interests in land in furtherance of the goals of climate change mitigation and adaptation  
123 and consistent with the integrated state hazard mitigation and climate change adaptation plan and  
124 may expend funds under this item for such purposes; and provided further, that projects shall be  
125 considered in consultation with the municipality hosting the asset to be repaired and those  
126 municipalities impacted by the project.....\$12,000,000

127 Department of Environmental Protection

128 2200-7022 For investment in water and air quality protection, including but not  
129 limited to investments necessary to meet the legislative and regulatory requirements of the

130 Rivers Protection Act, the federal and state Clean Water Acts and the Massachusetts Wetlands  
131 Protection Act; to provide for integrated energy and environmental projects to optimize and  
132 preserve environmental quality and public health and provide for appropriate protection,  
133 restoration, management and best use of air, energy, water and land resources, assets and  
134 infrastructure, including upgrades to laboratory equipment; to provide for research, studies and  
135 the collection of data to support investment in environmental assets, including sampling and  
136 analysis of water and air quality, monitoring cumulative environmental impacts in environmental  
137 justice communities, the development of geographic information system maps for wetlands  
138 conservancy and tidelands, stormwater infrastructure and public water supplies, the development  
139 of water quality analyses known as total maximum daily loads, the assessment of water quality  
140 health and impaired use of waterways, and projects related to nonpoint and point sources of  
141 water pollution and the wetlands circuit rider program; to provide for local grants and research  
142 for implementation of the commonwealth's sustainable water management initiative, including  
143 grants and research to provide the data necessary for municipalities to invest in efficient and  
144 effective mitigation practices to restore and preserve the commonwealth's water resources, assets  
145 and infrastructure; to provide for sustainable water management initiative related research and  
146 implementation projects conducted by the department of fish and game and its divisions; to  
147 provide for the department's statewide air monitoring network, upgrades of air monitoring  
148 equipment to comply with federal requirements, implementation of a water quality monitoring  
149 network and eelgrass mapping to track water quality improvements; to provide for investments  
150 in water quality restoration of degraded estuarine habitat for projects deemed consistent with a  
151 current area-wide water resources management plan adopted under section 208 of the federal  
152 Clean Water Act; to fund pilot projects that test innovative and green wastewater management



153 technologies and approaches; for sustainable technologies at wastewater treatment facilities; for  
 154 long-term monitoring and stewardship of restoration projects developed under the oversight of  
 155 natural resources damages trustees; to provide grants and technical assistance to public water  
 156 suppliers for energy efficiency improvements for drinking water systems; to provide for  
 157 municipal grants for water and air quality protection, including to support training and workforce  
 158 development for drinking water and wastewater treatment facilities; to support the preparation  
 159 and implementation of geographic response plans for the commonwealth’s inland waterways;  
 160 and to provide grants to municipalities to support compliance with the federal Municipal  
 161 Separate Storm Sewer System permit; provided, that the secretary of energy and environmental  
 162 affairs may provide guidance for planning, prioritization, selection and implementation of  
 163 projects in furtherance of the goals of climate change mitigation and adaptation and consistent  
 164 with the integrated state hazard mitigation and climate change adaptation plan;  
 165 .....\$95,000,000

166       2200-7024   For discovery, assessment, containment, monitoring, cleanup and closure  
 167 of existing or closed solid waste facilities causing or threatening to cause pollution as authorized  
 168 by section 4 of chapter 21H of the General Laws; and for capital expenditure associated with  
 169 composting and recycling programs consistent with the comprehensive statewide solid waste  
 170 master plan authorized by section 21 of chapter 16 of the General Laws.....\$7,500,000

171       2200-7016   For the assessment, containment, monitoring, cleanup, control, removal of  
 172 or response actions concerning oil or hazardous materials or for any other actions necessary to  
 173 implement chapter 21E of the General Laws and the Massachusetts Contingency  
 174 Plan.....\$40,000,000

175  
176  
177  
178  
179  
180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195

Department of Fish and Game

2300-0100 For grants administered through the fishing innovation fund established under section 2 of this act; provided further, that not more than \$10,000,000 per fiscal year shall be made available for grants under this item.....\$10,000,000

2300-0421 For the acquisition of land and interests in land by the department of fish and game and for associated costs, including planning, studies, due diligence, title and appraisal services, site restoration and stewardship; provided further, that such lands may be purchased after approval by the commissioner of fish and game; provided further, that funds may be expended on the development and implementation of a stewardship program on lands under the care and control of the department of fish and game and its divisions, either in rights in land or through conservation easements or conservation restrictions including, but not limited to, resource and land use monitoring, baseline documentation report creation, signage, boundary marking and monitoring, stewardship planning, stewardship personnel, stewardship database development, ecological monitoring and enforcement of conservation easements or conservation restrictions or detection and resolution of encroachments on land owned and rights in land and repair of damage related to illegal off-road vehicle trespass; provided further, that funds may be used for inventory, restoration and reclamation of acquired land, including demolition of structures, removal of debris, eradication of nonnative species and other services essential to these reclamation efforts; and provided further, that projects under such program may be carried out with other governmental agencies and entities, nonprofit and conservation organizations and public and private land owners.....\$30,000,000

196           2300-7019    For planning, design, engineering, construction, reconstruction,  
197 renovation, repair, demolition, acquisition, enhancements, improvements, removal and  
198 replacement of the infrastructure, facilities and equipment under the care and control of the  
199 department of fish and game and its divisions, including, but not limited to buildings and other  
200 structures, education centers, district headquarters, hatchery facilities, offices, storage buildings,  
201 shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels, and site  
202 clearance; provided, that any such facilities supported by this item may incorporate energy  
203 efficiency and renewable technologies to decrease energy use and greenhouse gas emissions,  
204 such as solar, wind and geothermal power; provided further, that funds shall also be available for  
205 investments for protection, remediation and restoration of aquatic and marine fisheries, wildlife  
206 species, land and marine plants, and the habitats that support them; provided further, that the  
207 secretary of energy and environmental affairs may provide guidance for planning, prioritization,  
208 selection and implementation of projects in furtherance of the goals of climate change mitigation  
209 and adaptation and consistent with the integrated state hazard mitigation and climate change  
210 adaptation plan .....\$50,000,000

211           2300-7022    For river and wetland restoration programs in the division of ecological  
212 restoration, riverways program and the commissioner’s office within the department of fish and  
213 game; provided, that funds authorized in this item may be utilized for river, wetland and river  
214 corridor revitalization, ecological restoration and protection of aquatic ecosystems and functions  
215 throughout the commonwealth including, but not limited to, dam and barrier removal, instream  
216 improvements, flow, water quality, riverine habitat, protection of high quality riparian and  
217 wetland habitat, assessment and mitigation of threats from climate change, flooding and  
218 improving recreational opportunities; provided further, that these costs may include, but shall not

219 be limited to, equipment to implement these programs; provided further, that the commissioner  
220 or a designee may enter into cooperative agreements with state and federal government agencies  
221 and municipalities, may contract for services related to this item including, but not limited to,  
222 engineering and monitoring, and may award grants to public and nonpublic entities to foster and  
223 carry out this item .....\$55,000,000

224 Department of Agricultural Resources

225 2500-7021 For the purpose of developing and implementing programs designed to  
226 address agricultural economic and environmental sustainability, including the development and  
227 implementation of farm viability plans and other technical and engineering assistance, urban  
228 agriculture including hydroponics, research, industry promotion, technology transfer and  
229 education and to facilitate improvements to agricultural infrastructure, energy conservation and  
230 efficiency, and climate change adaptation and resiliency; provided further, that \$4,000,000 shall  
231 be expended on programs to promote urban agriculture and hydroponics, including, grants to  
232 municipalities and nonprofit organizations to acquire land for urban agriculture and for related  
233 infrastructure, equipment and technical assistance, subject to the requirement that such  
234 expenditures benefit recipient communities by promoting community, access to locally grown  
235 food, job creation, small business development, agricultural training and youth development;  
236 provided further, that funds shall be available to provide for short-term land covenants; provided  
237 further, that a grant program shall be established to provide grants to public and nonpublic  
238 entities for the development and implementation of new procedures for energy conservation and  
239 efficiency and for renewable and alternative energy sources to assist the agricultural community  
240 to grow and develop; provided further, funds shall be available for a program to assist in the  
241 preservation and rehabilitation of facilities and land resources of agricultural fairs through short-

242 term preservation covenants, grants, demonstration projects and other means; provided further,  
243 that funds in this item may be expended for infrastructure and equipment upgrades to prevent or  
244 reduce food safety risk, programs to control invasive species and provide pesticide disposal, and  
245 programs to support aquaculture, dairy digesters and agricultural composters; provided further,  
246 that funds in this item may be expended for the agricultural environmental enhancement program  
247 on the abatement of all forms of pollution generated from agricultural activities; provided  
248 further, that funds in this item may be allocated by the commissioner through competitive grants  
249 pursuant to rules or regulations adopted by the commissioner to implement this  
250 item.....\$50,000,000

251           2511-0122   For a program to acquire agricultural preservation restrictions under  
252 sections 23 to 26, inclusive, of chapter 20 of the General Laws; provided, that any person or  
253 entity that receives funds from this item shall be encouraged to participate in any programs of the  
254 department of agricultural resources that may be suggested by the commissioner of agricultural  
255 resources; provided further, that funds may be used to develop a statewide farmland plan;  
256 provided further, that funds may be used for the implementation of a stewardship program on  
257 agricultural preservation restriction lands including, but not limited to, resource and land use  
258 monitoring, boundary delineation and monitoring, stewardship planning, ecological monitoring  
259 and enforcement of agricultural preservation restrictions on existing and newly acquired  
260 agricultural preservation restriction properties and the creation of new opportunities that seek to  
261 enhance the sustainability and viability of such properties; and provided further, that funds may  
262 be used to develop a statewide farmland plan .....\$20,000,000



285           2800-7020    For natural resource restoration and protection, including protection and  
286 rehabilitation of lakes, ponds, rivers and streams and associated watersheds, and for  
287 improvements and costs associated with site assessment, containment, cleanup, control, removal  
288 of or response actions concerning hazardous materials or substances at forests, parks,  
289 reservations, waterbodies and other properties of the department of conservation and recreation;  
290 provided, that the secretary of energy and environmental affairs may provide guidance for  
291 planning, prioritization, selection and implementation of projects in furtherance of the goals of  
292 climate change mitigation and adaptation and consistent with the integrated state hazard  
293 mitigation and climate change adaptation plan.....\$20,000,000

294           2800-7014    For the design, construction, reconstruction, improvement or rehabilitation  
295 of department or navigable coastal and inland waterways projects including, but not limited to,  
296 design, permitting, operation, maintenance of waterways, operation and maintenance of state  
297 piers, coastal protection, dredging, river and stream cleaning, coastal structure maintenance,  
298 piers, dune stabilization, culvert repair, renourishment, erosion control, and implementing  
299 nature-based solutions, waterfront access and transportation improvements and improvements to  
300 related facilities and equipment; provided, that funds from this item may be expended to support  
301 state coordination with a cooperative federal-state program with the United States Geological  
302 Survey in the federal Department of Interior, for continuous data collection and analysis  
303 regarding water resources; and provided further, that the secretary of energy and environmental  
304 affairs may provide guidance for planning, prioritization, selection and implementation of  
305 projects in furtherance of the goals of climate change mitigation and adaptation and consistent  
306 with the integrated state hazard mitigation and climate change adaptation  
307 plan.....\$21,000,000

308           2800-7025    For the design, construction, reconstruction, rehabilitation, retrofitting,  
 309 repair or removal of state-owned dams for which emergency action or statewide hazard  
 310 mitigation is required and for inland flood control projects and projects for any related facilities  
 311 and equipment, including, but not limited to, seawalls, jetties, revetments, and retaining walls,  
 312 with equal consideration given to beach nourishment and nature-based solutions on state-owned  
 313 land or related to state climate change adaptation and preparedness or for which emergency  
 314 action or statewide hazard mitigation is required; provided, that the department of conservation  
 315 and recreation shall give priority to dams and flood control projects that pose the greatest risk to  
 316 public health or safety, or to the environment; provided further, that funds shall be available for a  
 317 program of planning, permitting and construction of fish ways and other aquatic habitat  
 318 improvements, including the removal or breaching of selected dams and impoundments on state-  
 319 owned land and waterways; provided, that such projects shall include those which maintain or  
 320 improve coastal access; and provided further, that the secretary of energy and environmental  
 321 affairs may provide guidance for planning, prioritization, selection and implementation of  
 322 projects in furtherance of the goals of climate change mitigation and adaptation and consistent  
 323 with the integrated state hazard mitigation and climate change adaptation  
 324 plan.....\$105,000,000

325           2800-7031    For the protection and rehabilitation of the lakes, ponds, rivers and  
 326 streams and associated watersheds including, but not limited to, assistance and grant programs  
 327 under sections 37A to 37D, inclusive, of chapter 21 of the General Laws; provided, that such  
 328 programs shall include, without limitation, technical assistance, studies, preservation,  
 329 environmental improvements, including the removal of aquatic invasive plants and associated  
 330 costs .....\$10,000,000



331           2840-7025     For the planning, design, construction, reconstruction, repair, removal,  
332 demolition, improvement, furnishing, equipping or rehabilitation of department reservations,  
333 forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate parks,  
334 swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts, ball  
335 fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic sites,  
336 beaches and related facilities, storage buildings, office buildings, visitor centers, fire towers,  
337 maintenance facilities and other park buildings and structures, and equipment, including  
338 upgrades to information technology equipment to be considered in consultation with the  
339 secretary of technology services and security, and for the planning, design, acquisition,  
340 construction, reconstruction, repair, removal, improvement or rehabilitation of department bike  
341 paths, greenways, recreational trails and related facilities and equipment; provided, that the  
342 secretary of energy and environmental affairs may provide guidance for planning, prioritization,  
343 selection and implementation of projects in furtherance of the goals of climate change mitigation  
344 and adaptation and consistent with the integrated state hazard mitigation and climate change  
345 adaptation plan; provided further, that the department of conservation and recreation may expend  
346 funds in this item for technical assistance and grants to cities and towns in accordance with rules  
347 or regulations adopted by the department to implement this item .....\$420,000,000

348           2890-7034     For the planning, design, construction, reconstruction, repair,  
349 improvement or rehabilitation of department of conservation and recreation parkways,  
350 boulevards, multi-use trails, internal state park roads and recreational trails, pedestrian bridges  
351 and related appurtenances and equipment including, but not limited to, the costs of planning,  
352 design and engineering and other services for those projects rendered by commonwealth  
353 employees or by consultants; provided, that funds may be expended for pedestrian and bicycle

354 safety, traffic calming, landscape improvements, street lighting, safety equipment, and  
355 accessibility; provided further, that all work funded by this item shall be carried out according to  
356 standards developed by the department pursuant to historic parkways preservation treatment  
357 guidelines to protect the scenic and historic integrity of the bridges and parkways under its  
358 control; provided further, that the secretary of energy and environmental affairs may provide  
359 guidance for planning, prioritization, selection and implementation of projects in furtherance of  
360 the goals of climate change mitigation and adaptation and consistent with the integrated state  
361 hazard mitigation and climate change adaptation plan.....\$160,000,000

362 SECTION 2A.

363 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

364 Office of the Secretary

365 2000-7080 For implementation of the integrated state hazard mitigation and climate  
366 change adaptation plan; provided, that the secretary of energy and environmental affairs shall  
367 give priority to critical actions and strategies identified in the plan.....\$100,000,000

368 2000-7081 For the municipal vulnerability preparedness grant program to support and  
369 provide technical assistance for cities and towns to complete climate-related vulnerability  
370 assessments, develop action-oriented resiliency plans, and complete integrated climate change  
371 adaptation plans and local hazard mitigation plans; and to implement local and regional  
372 adaptation solutions identified through such plans, including changes to policies, bylaws, and  
373 plans, municipal infrastructure improvements, repairs to address vulnerability and improve  
374 resiliency, and nature-based climate adaptation strategies which are defined as strategies that  
375 conserve, restore and employ the natural resources of the Commonwealth to enhance climate

376 adaptation, build resilience and support mitigation; provided further that such funds may be used  
377 on lands held by municipal, state, or federal agencies or other governmental bodies, on lands  
378 held by nonprofit conservation organizations, or on private lands with the consent of the owner  
379 and subject to covenants that will assure the continued presence and effectiveness of such  
380 projects for the expected life of the projects; provided that the use of such funds by municipal  
381 governmental bodies on lands held by nonprofit conservation organizations or on private lands  
382 shall require, in a city having a Plan D or Plan E charter by the affirmative vote of a majority of  
383 all the members of the city council, in a city not having such a charter by vote of the city council,  
384 subject to the provisions of the charter of such a city, and in a town by a majority vote at a town  
385 meeting.....\$75,000,000

386           2000-7084    To capitalize the Global Warming Solutions Trust Fund established in  
387 section 35GGG of chapter 10 of the General Laws.....\$5,000,000

388           2000-7085    For the climate change science and data program to support the  
389 development and maintenance of data including statewide, basin scale, and other relevant climate  
390 change projections and data, the establishment of datasets to track and monitor ongoing impacts  
391 from climate change, and the maintenance and expansion of the climate change clearinghouse  
392 data and tools available to cities and towns and the regional planning agencies that support them;  
393 provided, that any expenditures for communication and technology equipment under this item  
394 shall be considered in consultation with the secretary of technology services and  
395 security.....\$10,000,000

396  
397  
398  
399  
400  
401  
402  
403  
404  
405  
406  
407  
408  
409  
410  
411  
412  
413  
414  
415  
416

Department of Environmental Protection

2200-7019 For the Massachusetts electric vehicle incentive program to provide grants to public entities to acquire passenger plug-in vehicles for fleets, install charging stations for public electric vehicles, and promote the establishment of vehicle charging stations; provided further, that \$5,000,000 shall be expended for the Massachusetts electric vehicle incentive program to provide matching grants to employers to install electric vehicle charging stations at workplaces.....\$9,000,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Office of the Secretary

8000-2007 For the development and support of climate-oriented emergency response and natural hazard preparedness programs and climate change coordination with the executive office of energy and environmental affairs.....\$6,000,000

SECTION 2B.

OFFICE OF THE TREASURER AND RECEIVER GENERAL

0620-1002 For the Massachusetts Clean Water Trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust to the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the federal Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18

417 of said chapter 29C, any portion of which may be used as a matching grant by the  
418 commonwealth to federal capitalization grants received under the federal Safe Drinking Water  
419 Act.....\$60,333,000

420 SECTION 2C.

421 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

422 Office of the Secretary

423 2000-7061 For a tree planting greening program for projects throughout the  
424 commonwealth on publicly-owned land including, but not limited to, the evaluation and planning  
425 of tree greening projects, tree stock and planting and the care and protection of urban street trees;  
426 provided, that the secretary shall give priority to the planting of trees in cities or towns with a  
427 completed tree management plan ; provided further, that the secretary shall issue grants to cities  
428 and towns to achieve the purposes of this item.....\$10,000,000

429 2000-7064 For a program to be administered by the secretary of energy and  
430 environmental affairs to acquire land for the purposes of open space, recreation and  
431 conservation, to be protected pursuant to Article 97 of the Amendments to the Constitution,  
432 which lands are located near or adjacent to the mean high water mark of coastal areas, on coastal  
433 barrier beaches, or in coastal high risk flooding zones and which lands or structures thereon have  
434 suffered or are projected to be subject to repeated damage from flooding, storm surges, wave  
435 action, or erosion caused by ocean waves or waters, or are otherwise impacted or projected to be  
436 impacted catastrophically by extreme weather events, astronomical high tides or elevated sea  
437 levels related to climate change, and cause a substantial risk to public health, public safety or the  
438 environment; provided that funds may be used to purchase adjoining coastal parcels next to such

439 acquired land or any other Article 97 coastal land to achieve the purposes of this item; provided  
440 further, that grants may be made to cities and towns to acquire such coastal lands for the  
441 purposes of this item, and may as a condition of any grant require the municipality to hold title to  
442 the acquired land jointly with the commonwealth under the terms of the grant; and provided  
443 further, that funds from this item shall not be used to compensate land owners for lands taken by  
444 eminent domain..... \$30,000,000

445       2000-7077   For the acquisition, development, construction and improvement of parks  
446 in urban and suburban neighborhoods currently underserved with parks, and which are consistent  
447 with attainment of environmental equity, including community engagement and planning related  
448 to these parks; provided, that funds shall be available for the completion of urban forestry and  
449 tree planting projects, assessment and remediation of brownfield and grayfield sites intended for  
450 reuse as parks, drafting of architectural renderings, construction documents and other technical  
451 documents necessary for parks construction, acquisition of land or interests in land, including  
452 rail-banked corridors, for the creation of parks pursuant to Article 97 of the Amendments to the  
453 Constitution of the Commonwealth and for the construction, rehabilitation and improvement of  
454 parks including, but not limited to, all related facilities, landscaping, monuments and features,  
455 parking areas and roadways; provided, that the secretary of energy and environmental affairs  
456 may issue grants to public and nonpublic entities to implement these projects; and provided  
457 further, that the secretary may provide guidance for planning, prioritization, selection of parks to  
458 promote environmental equity and in furtherance of the goals of climate change mitigation and  
459 adaptation and consistent with the integrated state hazard mitigation and climate change  
460 adaptation plan.....\$60,000,000

461           2000-7078     For investment in trails to include planning, engineering, design,  
462 permitting, construction, repair, technical assistance and improvement of trails and the  
463 acquisition of property interests for trail purposes; provided, that funds may be granted at the  
464 discretion of the secretary of energy and environmental affairs to public and non-public entities  
465 including municipalities, regional planning agencies, and non-profit organizations, or expended  
466 directly by the executive office of energy and environmental affairs and its departments and  
467 division; provided further, that trails are to be broadly defined to include water, recreational,  
468 multi-use, and motorized for use by recreational and snow vehicles, and may be paved,  
469 improved, natural surface, or on-road for limited distances when necessary to make key  
470 connections; provided further that any project funded under this item is to be open to the public;  
471 provided further, that wherever practicable property interests acquired are to be permanently  
472 conserved such that the trail thereon is permanently accessible to the public, but may be long-  
473 term leases where necessary to advance trail projects; provided further, that a match from the  
474 funding recipient, which may include in-kind match, may be required at the discretion of the  
475 secretary of energy and environmental affairs; and provided further, that funds expended from  
476 this item for the cost of employees shall not exceed 5 per cent of funds expended from this item  
477 in any fiscal year.....\$25,000,000

478                                   Department of Conservation and Recreation

479           2800-7023     For a forestry and tree planting program for projects throughout the  
480 commonwealth, including, but not limited to, the evaluation and planning of forestry and tree  
481 planting projects, tree stock and planting and the care and protection of trees and forests;  
482 provided, that the secretary of energy and environmental affairs shall give priority to the planting  
483 of trees in areas experiencing heat island effects, underserved with tree cover, affected by severe

484 weather events or insect infestation, in areas where aquifers, recharge areas, wells, reservoirs and  
485 other water bodies are located that will improve and protect water quality as part of a natural  
486 ecosystem, and in furtherance of environmental equity, climate change mitigation, adaptation  
487 and resiliency strategies; provided, that the secretary shall provide guidance for coordination  
488 between municipal and utility stakeholders on incorporating utility gas leaks data into planning  
489 for street tree planting projects and for testing street tree pits for methane before planting;  
490 provided further, that funds from this item may be expended to provide technical assistance and  
491 support to landowners to engage in sustainable forest management and long-term conservation  
492 practices and to undertake projects and activities to protect the ecological integrity of the  
493 commonwealth’s forestlands under the forest vision plan.....\$25,000,000

494 SECTION 2D.

495 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

496 6121-1315 For the complete streets program established pursuant to chapter 90I of the  
497 General Laws for complete streets grants to municipalities provided , that not less than 33 per  
498 cent of the grants awarded shall be issued to cities and towns with a median household income  
499 below the average of the  
500 commonwealth.....\$55,000,000

501 SECTION 2E.

502 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

503 *Highway Division*



504           6121-1715 For projects on the interstate and non-interstate federal highway system;  
505 provided, that funds may be expended for the costs of these projects including, but not limited to  
506 the nonparticipating portions of these projects and the costs of engineering and other services  
507 essential to these projects; provided further, that notwithstanding this act or any other general or  
508 special law to the contrary, the department shall not enter into any obligations for projects which  
509 are eligible to receive federal funds under this act unless state matching funds exist which have  
510 been specifically authorized and are sufficient to fully fund the corresponding state portion of the  
511 federal commitment to fund these obligations; and provided, further, that the department shall  
512 only enter into obligations for projects under this act based upon a prior or anticipated future  
513 commitment of federal funds and the availability of corresponding state funding authorized and  
514 appropriated for this use by the general court for the class and category of project for which this  
515 obligation applies..... \$992,000,000

516           SECTION 3. To meet the expenditures necessary in carrying out section 2, the state  
517 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
518 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
519 \$1,538,500,000. All such bonds issued by the commonwealth shall be designated on their face,  
520 Environmental Loan Act of 2018, and shall be issued for a maximum term of years, not  
521 exceeding 20 years, as the governor may recommend to the general court under section 3 of  
522 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than  
523 June 30, 2043. All interest and payments on account of principal on these obligations shall be  
524 payable from the General Fund. Bonds and interest thereon issued under this section shall,  
525 notwithstanding any other provision of this act, be general obligations of the commonwealth.

526 SECTION 4. To meet the expenditures necessary in carrying out section 2A, the state  
527 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
528 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
529 \$205,000,000. All such bonds issued by the commonwealth shall be designated on their face,  
530 Climate Change Preparedness Loan Act of 2018, and shall be issued for a maximum term of  
531 years, not exceeding 20 years, as the governor may recommend to the general court under  
532 section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not  
533 later than June 30, 2043. All interest and payments on account of principal on these obligations  
534 shall be payable from the General Fund. Bonds and interest thereon issued under this section  
535 shall, notwithstanding any other provision of this act, be general obligations of the  
536 commonwealth.

537 SECTION 5. To meet the expenditures necessary in carrying out section 2B, the state  
538 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
539 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
540 \$60,333,000. All such bonds issued by the commonwealth shall be designated on their face,  
541 Clean Water Loan Act of 2018, and shall be issued for a maximum term of years, not exceeding  
542 20 years, as the governor may recommend to the general court under section 3 of Article LXII of  
543 the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043.  
544 All interest and payments on account of principal on these obligations shall be payable from the  
545 General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any  
546 other provision of this act, be general obligations of the commonwealth.

547 SECTION 6. To meet the expenditures necessary in carrying out section 2C, the state  
548 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an

549 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
550 \$150,000,000. All such bonds issued by the commonwealth shall be designated on their face,  
551 Commonwealth 21st Century Parks and Trails Act of 2018, and shall be issued for a maximum  
552 term of years, not exceeding 20 years, as the governor may recommend to the general court  
553 under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be  
554 payable not later than June 30, 2043. All interest and payments on account of principal on these  
555 obligations shall be payable from the General Fund. Bonds and interest thereon issued under this  
556 section shall, notwithstanding any other provision of this act, be general obligations of the  
557 commonwealth.

558 SECTION 7. To meet the expenditures necessary in carrying out section 2D, the state  
559 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
560 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
561 \$55,000,000. All such bonds issued by the commonwealth shall be designated on their face,  
562 Highway and Streets Projects Act of 2018, and shall be issued for a maximum term of years, not  
563 exceeding 10 years, as the governor may recommend to the general court under section 3 of  
564 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than  
565 June 30, 2033. All interest and payments on account of principal on these obligations shall be  
566 payable from the General Fund. Bonds and interest thereon issued under this section shall,  
567 notwithstanding any other provision of this act, be general obligations of the commonwealth.

568 SECTION 8. To meet the expenditures necessary in carrying out section 2E, the state  
569 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
570 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
571 \$178,500,000. All bonds issued by the commonwealth as aforesaid shall be designated on their

572 face, Highway Act of 2018, and shall be issued for a maximum term of years, not exceeding 30  
573 years, as the governor recommends in a message to the general court pursuant to section 3 of  
574 Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later  
575 than June 30, 2053, pursuant to said Section 3 of Article LXII of the Amendments to the  
576 Constitution. All interest and payments on account of principal on these obligations shall be  
577 payable from the General Fund. Notwithstanding any other general or special law to the contrary,  
578 bonds issued under this section and interest thereon shall be general obligations of the  
579 commonwealth.

580 SECTION 9. Chapter 10 of the General Laws is hereby amended by inserting after  
581 section 35FFF, inserted by section 1 of chapter 91 of the acts of 2018, the following 4 sections:-

582 Section 35GGG. (a) There shall be established upon the books of the commonwealth a  
583 separate fund to be known as the Global Warming Solutions Trust Fund into which shall be  
584 deposited: (i) any revenues or other financing sources directed to the fund by appropriation; (ii)  
585 bond revenues or other monies authorized by the general court and specifically designated to be  
586 credited to the fund; (iii) any income derived from the investment of amounts credited to the  
587 fund or repayment of loans from the fund; (iv) funds from public or private sources, including,  
588 but not limited to, gifts, federal or private grants, donations, rebates and settlements received by  
589 the commonwealth that are specifically designated to be credited to the fund; and (v) all other  
590 amounts credited or transferred into the fund from any other source. The fund shall be  
591 administered by the secretary of energy and environmental affairs.

592 (b) Amounts credited to the fund may be used, without further appropriation, to provide  
593 grants or loans to governmental, quasi-governmental or non-profit entities for costs incurred in

594 relation to implementation of the Global Warming Solutions Act, chapter 298 of the acts of  
595 2008, as subsequently amended; the Clean Energy and Climate Plan published by the executive  
596 office of energy and environmental affairs, as subsequently amended; and other state and local  
597 strategies for climate change mitigation and adaptation. Such expenditures may include, but are  
598 not limited to: (i) payment of costs associated with planning, monitoring, and managing carbon  
599 reduction measures; (ii) development and deployment of mitigation strategies and best practices  
600 to reduce carbon emissions; (iii) planning, monitoring and managing strategies to adapt to and  
601 prepare for the impacts of climate change; (iv) priority adaptation projects with potential co-  
602 benefits for climate change mitigation, environmental protection, public health, or other factors,  
603 as determined by the secretary of energy and environmental affairs; and (v) pilot projects for new  
604 technologies or strategies to support carbon emission reductions. The amounts expended from  
605 the fund during any fiscal year for the costs of employees shall not exceed 5 per cent of total  
606 funds expended from the fund in that fiscal year. Monies deposited into the fund that are  
607 unexpended at the end of the fiscal year shall not revert to the General Fund and shall be  
608 available for expenditure in the subsequent fiscal year.

609           Section 35HHH. (a) There shall be established and set up on the books of the  
610 commonwealth a separate fund to be known as the Transfer of Development Rights Revolving  
611 Fund into which shall be deposited: (i) any revenues or other financing sources directed to the  
612 fund by appropriation; (ii) bond revenues or other monies authorized by the general court and  
613 specifically designated to be credited to the fund; (iii) any income derived from the investment of  
614 amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or  
615 private sources, including, but not limited to, gifts, federal or private grants, donations, rebates  
616 and settlements received by the commonwealth that are specifically designated to be credited to

617 the fund; and (v) all other amounts credited or transferred into the fund from any other source.  
618 The fund shall be administered by the secretary of energy and environmental affairs.

619 (b) Amounts credited to the fund may be used, without further appropriation, to provide  
620 loans to municipalities for the acquisition of transferable development rights as provided in  
621 section 27 of chapter 21A. Monies deposited into the fund that are unexpended at the end of the  
622 fiscal year shall not revert to the General Fund and shall be available for expenditure in the  
623 subsequent fiscal year.

624 Section 35III. (a) There shall be established and set up on the books of the  
625 commonwealth a separate fund to be known as the Fishing Innovation Fund, whose purpose shall  
626 be to finance grants for permit banks, the design, construction and modification of commercial  
627 fishing vessels; including but not limited to research, development and construction of  
628 innovative fishing vessels with attributes including but not limited to increased fuel efficiency,  
629 reduced carbon emissions, improved stability, and the capability of supporting sustainable  
630 fishing practices through harvesting and on-board storage and processing methods, research,  
631 development, acquisition and deployment of advanced or innovative technologies including but  
632 not limited to sonar, radar, radio communications, satellite and global position and other locating  
633 and tracking devices; the research and development, acquisition and deployment of safety  
634 equipment and technologies provided, that any such grants may be conditioned on a vessel or  
635 guarantor or other reasonable condition remaining active in commercial fishing in the  
636 commonwealth, landing or processing fish in the commonwealth, or maintaining permits or  
637 licenses to do so without regard or preference to any particular geographic location or region of  
638 the commonwealth; provided that grants shall be distributed in a manner developed by the  
639 advisory committee established under clause (b) of this section.

640           Amounts shall be credited to the fund pursuant to line item 2300-0100, provided that the  
641 fund may be supplemented through appropriation from the general fund or other available  
642 sources including but not limited to any interest earned on monies in the fund; any funds from  
643 private sources including, but not limited to, gifts, grants and donations received by the  
644 commonwealth that are specifically designated to be credited to the fund, provided further that  
645 the department of fish and game shall also seek to the fullest extent any federal monies, any  
646 federal monies, matching funds, and grants.

647           The state treasurer shall deposit the moneys in the fund in accordance with section 34 of  
648 chapter 29 in a manner that will secure the highest interest available consistent with the safety of  
649 the fund and with the requirement that all amounts on deposit shall be available for immediate  
650 withdrawal at all times. The fund shall be expended at the direction of the Commissioner of the  
651 Department of Fish and Game in consultation with the advisory committee established in clause  
652 (b) of this section, subject to approval by the secretary of administration and finance only for the  
653 purposes stated in this section and any unexpended balances in the fund at the end of the fiscal  
654 year shall not revert and shall be available for expenditures in the subsequent fiscal year.

655           (b) There shall be an advisory committee to be appointed by the governor consisting of  
656 13 members including the director of the division of marine fisheries who shall serve as chair; 2  
657 of whom with academic or research experience in fishing and the marine economy and 10  
658 members from geographically diverse regions of the commonwealth, with at least 1 from each of  
659 these gear types: mobile gear such as trawls, hooks, gillnets, or traps.

660 The advisory committee shall file a report detailing the amount, types, and nature of  
661 grants made and impacts of such grants, said report shall be submitted to the clerks of the house  
662 and senate no later than September 30 of each calendar year.

663 The advisory committee shall annually hold at least 1 public hearing to receive public  
664 testimony to inform its efforts in developing and deploying grant programs.

665 Section 35JJJ. (a) There shall be established and set up on the books of the  
666 commonwealth a separate fund to be known as the Agricultural Innovation Fund, whose purpose  
667 shall be to finance grants for the commonwealth's agricultural and cranberry producers through  
668 the Agricultural Innovation Center that may add value to the producers products and services;  
669 provided further that the Agricultural Innovation Center shall develop an outreach program to  
670 identify and foster new, innovative ideas and approaches to adding value to the commonwealth's  
671 agricultural and cranberry economy; and provided further that the Agricultural Innovation Center  
672 may solicit requests from the commonwealth's agricultural and cranberry industry for funding  
673 and technical assistance in reclamation and revitalization of cranberry bogs; training, marketing,  
674 distribution, applied research, agri-tourism, aquaculture, forestry, processing, fiber and  
675 agricultural resource management research, development, poultry and red meat processing and  
676 construction of energy efficient agricultural buildings and structures; research, development and  
677 construction of energy efficient agricultural equipment; provided further that grants shall be  
678 administered in a manner developed by the advisory committee established under clause (b) of  
679 this section.

680 Amounts shall be credited to the fund pursuant to line item 2511-2000, provided that the  
681 fund may be supplemented through appropriation from the general fund or other available



682 sources including but not limited to any interest earned on monies in the fund; any funds from  
683 private sources including, but not limited to, gifts, grants and donations received by the  
684 commonwealth that are specifically designated to be credited to the fund, provided further that  
685 the department of fish and game shall also seek to the fullest extent any federal monies, matching  
686 funds, and grants.

687         The state treasurer shall deposit the moneys in the fund in accordance with section 34 of  
688 chapter 29 in a manner that will secure the highest interest available consistent with the safety of  
689 the fund and with the requirement that all amounts on deposit shall be available for immediate  
690 withdrawal at all times. The fund shall be expended at the direction of the commissioner of the  
691 department of agricultural resources in consultation with the secretary of energy and  
692 environmental affairs and the advisory committee established under clause (b) in this section,  
693 subject to approval by the secretary of administration and finance only for the purposes stated in  
694 this section and any unexpended balances in the fund at the end of the fiscal year shall not revert  
695 and shall be available for expenditures in the subsequent fiscal year.

696         (b) There shall be an advisory committee to be appointed by the governor consisting of  
697 13 members including the commissioner of the department of agricultural resources who shall  
698 serve as chair; 2 of whom with academic or research experience in the agriculture and cranberry  
699 economy and 10 members of geographically diverse regions of the commonwealth, with at least  
700 1 from the following sectors: horticulture, cranberry growing, dairy farming, raising livestock, or  
701 raising crops. The Agricultural Innovation Center shall consult with the advisory committee in  
702 matters related to the fund and in the implementation of this section.

703           The advisory committee shall file a report detailing the amount, types, and nature of  
704 grants made and impacts of such grants, said report shall be submitted to the clerks of the house  
705 and senate no later than September 30 of each calendar year.

706           The advisory committee shall annually hold at least 1 public hearing to receive public  
707 testimony to inform its efforts in developing and deploying grant programs.

708           SECTION 10. Section 10H of chapter 21A of the General Laws, as appearing in the 2016  
709 Official Edition, is hereby amended by striking out the sixth, seventh and eighth paragraphs, and  
710 inserting in place thereof the following 4 paragraphs:-

711           A person notified to appear before the clerk of a district court, as provided in said section  
712 10G, for any violation of section 17A, 18, 19, 30, 31, 33, 34, 35, 36, 51, 51A, 66, 69, 70, 71, 72,  
713 100C or 102 of chapter 130 may so appear within the time specified and pay a fine of \$100.

714           A person notified to appear before the clerk of a district court, as provided in said section  
715 10G, for any violation of section 13, 17, 21, 29, 37, 38, 38A, 39, 40, 41, 41A, 44, 44A, 44B, 47,  
716 49, 80, 81, 82, 92, 100A, 100B or 106 of chapter 130 may so appear within the time specified  
717 and pay a fine of \$200.

718           A person notified to appear before the clerk of a district court, as provided in said section  
719 10G, for any violation of section 23, 25, 67, 68, 75, 95 or 100D of chapter 130 may so appear  
720 within the time specified and pay a fine of \$400.

721           A person notified to appear before the clerk of a district court, as provided in said section  
722 10G, for any violation of section 17, 17A, 34, 35, 37, 40, 41, 41A, 44, 44A, 44B, 95, 100A,  
723 100B or 100C of chapter 130 may so appear within the time specified and pay, in addition to the

724 applicable base fine specified in this section for a violation of any of the sections listed above, a  
725 supplemental fine of \$10 per fish for a violation of each said section. For the purpose of this  
726 paragraph, the term “fish” shall be defined as provided in section 1 of chapter 130, except that it  
727 shall not include bi-valve shellfish.

728 SECTION 11. Said chapter 21A is hereby further amended by adding the following new  
729 section:-

730 Section 27. (a) There shall be established within the executive office of energy and  
731 environmental affairs a program to facilitate the transfer of development rights, as defined in  
732 section 1A of chapter 40A, through municipal ordinances or bylaws to protect conservation  
733 values and encourage development through market incentives. The secretary, in consultation  
734 with the secretary of housing and economic development and other agencies or offices as  
735 appropriate, shall manage and oversee the program, including the administration of the Transfer  
736 of Development Rights Revolving Fund established in section 35HHH of chapter 10. The  
737 secretary may promulgate regulations to carry out the provisions of this section.

738 (b) To be eligible for a loan from the Transfer of Development Rights Revolving Fund, a  
739 municipality shall:-

740 (1) establish a municipal transfer of development rights revolving fund under section  
741 53E½ of chapter 44 to be used to effectuate the purchase and sale of the transfer of development  
742 rights, as defined in section 1A of chapter 40A; and

743 (2) enact a transfer of development rights zoning bylaw or ordinance approved by the  
744 secretary, in consultation with the secretary of housing and economic development, that, at a  
745 minimum—

746 (i) enables the acquisition, retention, and disposition of the transfer of development  
747 rights;

748 (ii) provides reasonable assurance that areas designated for preservation through the  
749 transfer of development rights have ample natural resource, agricultural, recreational, historic, or  
750 other conservation value such that their protection will be of sufficient public benefit to meet the  
751 standards for approval of a conservation, agricultural preservation, watershed protection,  
752 preservation, or other use restriction as provided in the following paragraphs;

753 (iii) requires that the land from which development rights will be extinguished be subject  
754 to a permanent conservation, watershed preservation, agricultural preservation, or preservation  
755 restriction in accordance with sections 31 to 33, inclusive, of chapter 184, which shall be  
756 recorded with the registry of deeds or registered in the registry district of the land court for the  
757 county or district wherein the land lies; or, if the land is submitted for approval by the  
758 appropriate state official but does not qualify, or is otherwise not approved, for a restriction  
759 under these sections, shall be subject to a restrictive covenant extended in perpetuity in  
760 accordance with sections 26 to 30, inclusive, of said chapter 184, which shall be approved by the  
761 planning board and the city council or board of selectmen, as appropriate, held by the  
762 municipality or a non-profit organization permitted to hold restrictions pursuant to section 32 of  
763 said chapter 184, and as applicable duly recorded or registered;

764 (iv) provides reasonable assurance that areas designated for receipt of transferred  
765 development rights are properly sized based on the potential increase in growth that may result  
766 from the transfers to them, and that they are appropriate for additional growth based on their

767 location, availability of infrastructure or planned infrastructure development, and access to  
768 municipal services; and

769 (v) establishes a procedure for the planning board to issue development rights certificates,  
770 in a form specified by the secretary, indicating ownership of transferable development rights, and  
771 to provide for and document the creation, acquisition, disposition, exercise and redemption of  
772 transferable development rights, including: (1) procedures for the filing of development rights  
773 certificates with the municipal clerk and recording with the registry of deeds or registration in the  
774 registry district, as applicable, for both the land from which development rights are extinguished  
775 and the land to which such rights are transferred; (2) procedures for documenting the recording  
776 or registration of the original restriction or restrictive covenant as required in clause (iii); and (3)  
777 procedures, including limitations if any, for the exercise of transferable development rights in the  
778 event of subsequent amendments to zoning ordinances and bylaws affecting the development  
779 authorized by the transferable development right.

780 (c) To apply for a loan from the Transfer of Development Rights Revolving Fund, an  
781 eligible municipality shall submit an application that certifies, at a minimum, that the  
782 municipality will—

783 (1) follow the provisions of chapter 30B when acquiring or disposing of transferable  
784 development rights;

785 (2) commit, through approval of the local legislative body, to repay any loan from the  
786 Transfer of Development Rights Revolving Fund under the terms then specified;

787 (3) keep permanent records of all restrictions recorded and transferable development  
788 rights created, acquired, held, sold or disposed, and exercised, and report on these activities to  
789 the secretary in a manner directed by the secretary; and

790 (4) keep permanent records of all financial transactions involving the municipal transfer  
791 of development rights revolving fund and report on these transactions and fund balances to the  
792 secretary in a manner directed by the secretary.

793 (d) Loans from the Transfer of Development Rights Revolving Fund shall carry 0 per  
794 cent interest for the first 5 years from the date of origination, and the prime rate plus 1 per cent  
795 from the sixth to the tenth year from the date of origination. A municipality that has not repaid its  
796 loan within 10 years of the origination date shall be considered in default. In addition to other  
797 remedies specified under any loan agreement, if any municipality shall fail to pay to the  
798 Transferable Development Rights Revolving Fund when due and after demand any principal,  
799 interest or other charges payable under a loan or loan agreement, the secretary may certify to the  
800 state treasurer the amount owing to the Transferable Development Rights Revolving Fund by  
801 said municipality, and may request that the state treasurer reduce annual local aid to the recipient  
802 by the amount necessary to repay the principal, interest or other charges in arrears over 10 years.  
803 The state treasurer shall promptly pay over to the secretary for deposit in the Transferable  
804 Development Rights Revolving Fund without further appropriation any local aid distributions in  
805 the amounts requested by the secretary and otherwise certified to the state treasurer as payable to  
806 the municipality. The loan terms set forth in this subsection may be modified by regulations  
807 promulgated by the secretary; provided, however, that no such modification shall be made before  
808 January 1, 2022.

809 SECTION 12. Said chapter 21A is hereby further amended by adding the following new  
810 section:-

811 Section 28. As used in this section, the following words shall, unless the context clearly  
812 indicates otherwise, have the following meanings:-

813 ‘Department’, the department of environmental protection.

814 ‘Environmental justice’, the right to be protected from environmental pollution and to  
815 live in and enjoy a clean and healthful environment regardless of race, income, national origin, or  
816 English language proficiency. Environmental justice shall include the equal protection and  
817 meaningful involvement of all people with respect to the development, implementation, and  
818 enforcement of environmental laws, regulations, and policies and the equitable distribution of  
819 environmental benefits.

820 ‘Environmental benefits’, access to funding, open space, enforcement, technical  
821 assistance, training, or other beneficial resources disbursed by the executive secretariats and their  
822 agencies and offices.

823 ‘Environmental justice population’, (1) a neighborhood in which (i) the annual median  
824 household income is equal to or less than 65 per cent of the statewide median; (ii) minorities  
825 comprise 25 per cent or more of the population; or (iii) 25 per cent or more of households lack  
826 English language proficiency; or (2) may be defined by the executive office of energy and  
827 environmental affairs, or its subordinate agencies in an environmental justice strategy issued  
828 pursuant to this act; provided that any the definition shall meet at least 1 of the requirements of  
829 clauses (i) through (iii) of paragraph (1) of this definition.

830 'Equal protection', that no group of people, because of race, ethnicity, class, gender, or  
831 handicap bears an unfair share of environmental pollution from industrial, commercial, state and  
832 municipal operations or have limited access to natural resources, including waterfronts, parks  
833 and open space, and water resources.

834 'Lacking English language proficiency', refers to households that, according to federal  
835 census forms, do not have an adult proficient in English.

836 'MEPA', the Massachusetts Environmental Policy Act, sections 61 through 62H of  
837 chapter 30 of the General Laws.

838 'Neighborhood', a census block group as defined by the United States Census Bureau but  
839 not including people who live in college dormitories or people under formally authorized,  
840 supervised care or custody such as federal or state prisons.

841 'Secretariats', the executive offices of the commonwealth and their secretaries, including  
842 but not limited to the executive offices and secretaries of energy and environmental affairs,  
843 health and human services, and department of transportation.

844 'Supplemental environmental project' or 'SEP', environmentally beneficial projects, the  
845 implementation of which primarily benefits public health, safety and welfare, and the  
846 environment.

847 'Toxics Release Inventory' or 'TRI', the Toxics Release Inventory and Toxics Release  
848 Inventory Program of the United States Environmental Protection Agency.

849 'TRI Facility', any industrial or commercial facility subject to the regulations, policies, or  
850 reporting requirements of the Toxics Release Inventory Program of the United States



851 Environmental Protection Agency or comparable laws or regulations of the commonwealth for  
852 the management and control of pollutants or toxins that pose a significant risk to public health or  
853 the environment.

854 (b) There shall be an environmental justice advisory council (in this section referred to as  
855 the ‘advisory council’). The advisory council shall provide independent advice and  
856 recommendations to the governor, the secretary, and other secretariats about issues related to  
857 environmental justice and on policies and practices and specific actions that the commonwealth  
858 should implement to ensure that the objectives of this act are accomplished.

859 The advisory council shall consist of at least 9, but not more than 15 members, including  
860 a chair designated by the council members and approved by the governor. No less than 2  
861 members shall be appointed by the senate president and no less than 2 members by the speaker  
862 of the house of representatives. The governor shall appoint the remaining members.

863 The advisory council members shall be environmental justice stakeholders, including  
864 scientific, or other, experts in environmental or public health matters holding academic position  
865 in colleges, universities or other research institutions and who work regularly in, or conduct  
866 substantial research regarding environmental justice concerns; representatives of the  
867 environmental nonprofit sector; representatives of conservation commissions or boards of health;  
868 and residents or elected officials of environmental justice population neighborhoods. No fewer  
869 than 4 of the members appointed to the advisory council shall be residents of environmental  
870 justice population neighborhoods within the commonwealth.

871 A majority of the serving members of the advisory council shall be deemed a quorum.  
872 The advisory council shall establish such rules for conducting its activities and may amend such

873 rules as it deems reasonable, subject to the governor's approval and consistent with the  
874 provisions and purposes of this act.

875 The advisory council shall meet at such times and places as determined by the advisory  
876 council and its chair and shall submit an initial report to the governor within 6 months following  
877 the appointment of the advisory council's members. Thereafter the advisory council shall meet at  
878 least semi-annually and submit to the governor no less than 1 supplemental report that provides  
879 advice and recommendations per year.

880 The advisory council may hold public meetings, at its discretion or at the request of the  
881 governor or the secretary, for the purpose of fact-finding, receiving public comments, or  
882 conducting inquiries concerning environmental justice. The advisory council shall prepare for  
883 public review and include in its reports a summary of the comments and recommendations made  
884 at the public meetings.

885 The governor shall provide the advisory council with staffing and administrative support  
886 sufficient to accomplish the goals set out in this section.

887 (c) The department shall develop and implement a strategy prioritizing enforcement in  
888 neighborhoods with environmental justice populations. At the end of each calendar year, the  
889 department shall compile a report detailing the number and types of enforcement actions in  
890 neighborhoods with environmental justice populations.

891 The strategy shall also address ensuring equal compliance and enforcement for facilities  
892 subject to environmental regulatory programs or permitting requirements and located in or near  
893 environmental justice population neighborhoods; establishing a process for reviewing which  
894 MEPA thresholds apply for enhanced public participation and substantive review; ensuring

895 brownfield remediation in or near environmental justice population neighborhoods; and creating  
896 an online environmental justice repository of information about the commonwealth's  
897 environmental justice initiatives, available to the general public upon request.

898 (d) The department shall establish and maintain a Supplemental Environmental Project  
899 bank. Such bank shall maintain an inventory of environmentally beneficial projects in  
900 communities with environmental justice populations that may be funded by violators in lieu of  
901 paying penalties associated with the settlement of enforcement actions. SEPs shall conform to  
902 the department's policy on Supplemental Environmental Projects, ENF-07.001, as amended. The  
903 department shall establish and maintain a website portal where the public and potential SEP  
904 recipients may submit potential SEP projects to be considered for future settlements.

905 (e) The secretary shall, in consultation with the other secretariats and no less often than  
906 every 5 years, publish a progress report on environmental justice, incorporating the  
907 recommendations of the advisory council as appropriate, incorporating enforcement and SEP  
908 activities undertaken, reporting metrics on reduction of pollution in neighborhoods with  
909 environmental justice populations, and outlining further policy actions. The report shall be filed  
910 with the clerk of the house or representatives, the clerk of the senate, the chairs of the joint  
911 committee on environment, natural resources and agriculture, the chairs of the joint committee  
912 on public health, and the chairs of the joint committee of telecommunications, utilities, and  
913 energy.

914 (f) The department shall work with the department of public health, and using the best  
915 available science, establish health risk assessment guidelines and develop a mapping tool,  
916 accessible by the public that helps identify communities most affected by sources of pollution.

917 The tool should employ environmental, health, and socioeconomic information to produce scores  
918 for every census tract in the commonwealth. The department of public health shall prioritize the  
919 census tracts with the highest scores for health studies and developing strategies for reducing  
920 public health threats.

921 (g) The secretary shall direct each department, board, or other agency or program with  
922 jurisdiction over the permitting of any TRI facility to issue recommendations for ways to  
923 substantially decrease the further siting or expansion of TRI facilities within environmental  
924 justice population neighborhoods.

925 The secretary shall initiate a rule-making process that shall establish a cap on the total  
926 number of TRI facilities that may be sited or expanded within any environmental justice  
927 population neighborhood. That rule-making process shall prioritize and give substantial weight  
928 to achieving a substantial reduction of the risk of the exposure of residents of the neighborhood  
929 to toxins listed in the TRI Inventory and shall prioritize and give substantial weight to providing  
930 and preserving the access of the residents of the neighborhood to a clean and healthful  
931 environment regardless of race, income, national origin or English language proficiency.

932 (h) The secretary shall appoint a director of environmental justice for the secretariats. The  
933 director of environmental justice shall have such duties and authority as the secretary deems  
934 reasonable to ensure that the purposes of this act are carried out. The director shall liaise with the  
935 advisory council and other secretariats and may have any other duties that the secretary deems  
936 necessary to secure environmental justice. The secretary shall not permit the position of director  
937 of environmental justice to be vacant for more than 60 days.

938 All secretariats shall designate an environmental justice coordinator. The environmental  
939 justice coordinator shall be the main point of contact regarding environmental justice matters  
940 within that secretariat, shall liaise with the director of environmental justice, and shall be  
941 responsible for developing and implementing the environmental justice policy or strategy of that  
942 Secretariat, as created pursuant to this Act or any other law, regulation, or order.

943 (i) Except as otherwise provided for in this section, each secretariat shall develop a policy  
944 or strategy to promote environmental justice that are tailored to the specific authority, mission,  
945 and programs under their jurisdiction. Secretariat strategies shall include— (1) the identification  
946 of permitting or other regulatory authority governing development projects, brownfield  
947 remediation, industrial operations, and commercial facilities, which may impact environmental  
948 justice populations; and the description of protections for environmental justice populations in  
949 the review process; (2) the identification of economic development opportunities, environmental  
950 benefits, and other discretionary funding programs that do, or appropriately should, consider the  
951 needs of an environmental justice population in the award process; and (3) an enhanced public  
952 participation plan for environmental justice populations potentially affected by development  
953 projects, brownfield remediation, industrial operations, and commercial facilities that focuses  
954 secretariat resources on outreach activities that enhance public participation opportunities in  
955 environmental justice populations, including a plan for communicating in multiple languages and  
956 scheduling public meetings at locations and times convenient for neighborhood stakeholders. In  
957 determining whether a program protects or considers the needs of an environmental justice  
958 population, the policy or strategy may use an existing definition of ‘protected population’ or  
959 ‘priority population’ that varies from the definition under this section; provided that the intent of

960 this section is substantially met by such definition. Secretariat policies or strategies shall be  
961 reviewed every 5 years, and updated as needed.

962 (j) There shall be an interagency environmental justice working group that shall  
963 maximize state resources, research, and technical assistance to further the purposes of this  
964 section and of environmental justice in the commonwealth. Said working group shall consist of  
965 environmental justice coordinators, which serve as representatives of their respective secretariats  
966 to the interagency environmental justice working group.

967 The director of environmental justice of the executive office of energy and environmental  
968 affairs shall convene meetings of the interagency environmental justice working group and serve  
969 as chair. Said working group shall hold at least 1 meeting per year.

970 SECTION 13. Section 1 of chapter 21N of the General Laws, as appearing in the 2016  
971 Official Edition, is hereby amended by inserting before the definition of “Allowance” the  
972 following definition:-

973 “Adaptation”, adjustments in natural or human systems in response to actual or expected  
974 climatic stimuli and associated impacts, including but not limited to changes in processes,  
975 practices, and protocols to increase resiliency of built and natural structures, moderate potential  
976 damages, or benefit from opportunities associated with climate change.

977 SECTION 14. Said section 1 of said chapter 21N, as so appearing, is hereby further  
978 amended by inserting after the definition of “Greenhouse gas emissions source” the following  
979 definition:-

980 “Hazard mitigation”, actions that reduce or eliminate long-term risks caused by natural or  
981 man-made disasters.

982 SECTION 15. Said section 1 of said chapter 21N, as so appearing, is hereby further  
983 amended by inserting after the definition of “Secretary” the following definition:-

984 “State plan”, the integrated state climate adaptation and hazard mitigation plan which  
985 shall include the state hazard mitigation plan, required by the Robert T. Stafford Disaster Relief  
986 and Emergency Assistance Act, Public Law 93-288, codified as 42 U.S.C. section 5121 et seq.,  
987 and any subsequent revisions of the plan developed pursuant to this chapter.

988 SECTION 16. Said section 1 of said chapter 21N, as so appearing, is hereby further  
989 amended by adding the following definition:-

990 “Vulnerability assessment”, an evaluation of degree of susceptibility to, or ability to cope  
991 with, adverse effects of climate change, such as climate variability and extremes, including an  
992 evaluation of adaptive capacity and subsequent adaptation strategies and options for the asset,  
993 system, institution or other subject being assessed.

994 SECTION 17. Said chapter 21N is hereby amended by adding the following 2 sections:-

995 Section 10. (a) The secretary and the secretary of the executive office of public safety and  
996 security shall coordinate efforts across the commonwealth to strengthen the resiliency of  
997 communities, prepare for the impacts of climate change, and prepare for and mitigate damage  
998 from extreme weather events. The secretaries shall publish, every 5 years, a state plan that  
999 includes a statewide adaptation strategy incorporating: (1) observed and projected climate trends  
1000 based on the best available data, including but not limited to, extreme weather events, drought,

1001 coastal and inland flooding, sea level rise and increased storm surge, wildfire, and extreme  
1002 temperatures; (2) risk analysis and vulnerability assessment of: key physical assets and functions  
1003 of state government, municipalities, and local economies; natural resources; and the built  
1004 environment; provided, this analysis and assessment shall include key findings from  
1005 vulnerability assessments conducted pursuant to subsection (b); (3) an evaluation of the  
1006 commonwealth's capacity to respond and to adapt to climate change impacts and opportunities;  
1007 (4) guidance and strategies for state agencies and authorities, municipalities and regional  
1008 planning agencies to proactively address these impacts through adaptation and resiliency  
1009 measures, including changes to plans, by-laws, regulations, and policies; (5) clear goals,  
1010 expected outcomes, and a path to achieving results; (6) approaches for the commonwealth to  
1011 increase the resiliency of state government operations; (7) policies and strategies for ensuring  
1012 that adaptation and resiliency efforts complement and do not conflict with efforts to reduce  
1013 greenhouse gas emissions and contribute to meeting statewide emission limits, established  
1014 pursuant to this chapter; and (8) strategies that conserve and sustainably employ the natural  
1015 resources of the commonwealth.

1016 (b) The secretary and the secretary of the executive office of public safety and security  
1017 shall further: (1) establish and maintain a framework for each executive office established under  
1018 section 2 of chapter 6A to complete a vulnerability assessment for such office and each agency  
1019 under the jurisdiction of such office to be incorporated into the state plan; (2) establish and  
1020 maintain a framework enabling each municipality in the commonwealth that so chooses to  
1021 complete a vulnerability assessment that can be incorporated into the state plan; (3) implement  
1022 the state plan; and (4) incorporate information learned from implementing the state plan in plan



1023 updates, including the experiences of executive offices, agencies, and municipalities in assessing  
1024 and responding to climate change vulnerability.

1025 (c) The secretary of each executive office established under section 2 of chapter 6A shall  
1026 designate an employee to serve as the climate change coordinator of such office. Each climate  
1027 change coordinator shall, under the leadership of the executive office of energy and  
1028 environmental affairs and the executive office of public safety: (1) serve as such office's  
1029 principal liaison regarding climate change mitigation, adaptation, and resiliency efforts; (2) assist  
1030 in the development and implementation of the state plan; (3) work with agencies under the  
1031 jurisdiction of such office to complete vulnerability assessments for each agency and assist in  
1032 incorporating these assessments into the state plan, on a schedule determined by the executive  
1033 office of energy and environmental affairs and the executive office of public safety and security;  
1034 and (4) implement priority strategies and recommendations from the vulnerability assessment to  
1035 moderate risk from climate change.

1036 Section 11. (a) The secretary shall develop and support a municipal vulnerability  
1037 preparedness grant program. The program shall consist of: (1) financial assistance to  
1038 municipalities to complete a community-led resilience building process and vulnerability  
1039 assessment that enables climate change information and adaptation actions to be directly  
1040 incorporated into existing municipal plans, policies, and spending programs; (2) technical  
1041 planning guidance; (3) a statewide catalogue of municipal climate vulnerabilities and impacts  
1042 identified through the assessment process that may be incorporated into the state plan; and (4)  
1043 support for implementation projects to address vulnerabilities.

1044 (b) A grant of financial assistance issued under this section shall be used to advance  
1045 efforts to adapt land use, zoning, infrastructure, financial decision-making, policies and programs  
1046 to reduce the vulnerability of the built and natural environment to changing environmental  
1047 conditions that are a result of climate change.

1048 (c) The secretary shall develop and implement an outreach and education program about  
1049 climate change and its effects for low-income, environmental justice and urban communities to  
1050 increase participation in the grant program established in this section.

1051 SECTION 18. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby  
1052 amended by inserting after the definition of “Special permit granting authority” the following 2  
1053 definitions:-

1054 “Transfer of development rights zoning” or “TDR zoning”, zoning that authorizes  
1055 transfer of development rights by permitting landowners in specific preservation areas identified  
1056 as sending areas to sell their development rights to landowners in specific development districts  
1057 identified as receiving areas.

1058 “Transfer of development rights”, the process by which the owner of a parcel may  
1059 convey development rights, extinguishing those rights on the first parcel, and where the owner of  
1060 another parcel may obtain and exercise those rights in addition to the development rights already  
1061 existing on that second parcel.

1062 SECTION 19. Section 9 of said chapter 40A, as so appearing, is hereby amended by  
1063 inserting after the word “interests”, in line 34, the following words:- ; provided, however, that  
1064 nothing herein shall prohibit a zoning ordinance or by-law from allowing transfer of

1065 development rights to be permitted as of right, without the need for a special permit or other  
1066 discretionary zoning approval.

1067 SECTION 20. Section 6F of chapter 62 of the General Laws, as so appearing, is hereby  
1068 amended by inserting after the word “under,” in line 52, the following words:- subsections (a) or  
1069 (c) of.

1070 SECTION 21. Section 5 of chapter 65C, as so appearing, is hereby amended by striking  
1071 out subsection (c) and inserting in place thereof the following subsections:-

1072 (c) If the gross estate of a decedent, dying on or before December 31, 2018, includes real  
1073 property devoted to use as a farm for farming purposes, the estate may elect to value such  
1074 property in accordance with section 2032A of the Code, in effect on January 1, 1985. If a federal  
1075 return is required to be filed, such election shall be consistent with the election made for federal  
1076 estate tax purposes. All the substantive and procedural provisions of said section 2032A shall,  
1077 insofar as pertinent and consistent, apply to such election. The commissioner shall promulgate  
1078 regulations to carry out the provisions of this subsection.

1079 (d)(1) As used in this subsection, the following words shall have the following  
1080 meanings:-

1081 “Applicable date”, the date upon which the 10 year period that the estate shall be liable  
1082 for assessment under paragraph (4) of this subsection begins. For qualifying agricultural land and  
1083 associated land, the applicable date shall be the date of death of the decedent. For qualifying non-  
1084 committed land, the applicable date shall be 2 years from the date of death of the decedent.

1085           “Associated land”, land under the same ownership as and contiguous to qualifying  
1086 agricultural land and which, as of the date of death of the decedent, is not committed to  
1087 residential, industrial or commercial use. Land shall be deemed contiguous if it is separated from  
1088 other land under the same ownership only by a public or private way or waterway. Land under  
1089 the same ownership shall be deemed contiguous if it is connected to other land under the same  
1090 ownership by an easement for water supply. Any such land in excess of 100 per cent of the  
1091 acreage of qualifying agricultural land shall be deemed qualifying non-committed land.

1092           “Closely held agricultural land”, qualifying agricultural land, associated land and  
1093 qualifying non-committed land for which an election is made under this subsection.

1094           “Qualifying agricultural land”, land which meets the definition of forest land under  
1095 chapter 61, land actively devoted to agricultural, horticultural or agricultural and horticultural  
1096 uses under chapter 61A or recreational land under chapter 61B that is also used for farming or  
1097 agriculture, as defined in section 1A of chapter 128, and has been devoted to such use or uses for  
1098 at least 2 of the tax years immediately preceding the death of the decedent; provided, however,  
1099 that the land need not be classified by municipal assessors as forest land under chapter 61, land  
1100 actively devoted to agricultural, horticultural or agricultural and horticultural uses under chapter  
1101 61A or recreational land under chapter 61B to qualify for valuation as closely held agricultural  
1102 land under this subsection.

1103           “Qualifying non-committed land”, land which is not qualifying agricultural land and is  
1104 not committed to residential, industrial or commercial use, including associated land in excess of  
1105 100 per cent of the acreage of qualifying agricultural land.

1106 “Savings”, the difference between the estate taxes paid as a result of an election made  
1107 under this subsection and the estate taxes that would have otherwise been paid had the election  
1108 not been made.

1109 (2) If the gross estate of a decedent, dying on or after January 1, 2019, includes real  
1110 property that is qualifying agricultural land, associated land or qualifying non-committed land,  
1111 the estate may elect to value such property, or any portion thereof, as closely held agricultural  
1112 land pursuant to the valuation set by the farmland valuation advisory commission established  
1113 pursuant to section 11 of chapter 61A for the fiscal year of the most recent growing season. The  
1114 value of closely held agricultural land as determined pursuant to such election shall only be for  
1115 the purposes of computing the tax due under this chapter. Such election shall be subject to the  
1116 provisions of paragraphs (3) to (6), inclusive.

1117 (3) Unless the property is restricted by a non-development covenant that (i) is approved  
1118 by the commissioner of agriculture, (ii) is for the purposes of maintaining the land in agricultural  
1119 use, (iii) precludes non-agricultural development of the land, (iv) is recorded at the registry of  
1120 deeds in the counties or districts in which the property is located, and (v) does not expire within  
1121 10 years of the applicable date, the commissioner shall forthwith cause to be recorded in the  
1122 registry of deeds of the counties or districts in which the property is situated a statement which  
1123 shall constitute a lien upon the land covered by election under this subsection. The statement  
1124 shall include the owner or owners of record, the savings as a result of such election, the fair  
1125 market value of the property and a description of the land adequate for identification. Unless  
1126 such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser  
1127 or other transferee without actual knowledge of such lien. Upon application by any record owner,  
1128 such liens shall be released by the commissioner with respect to any property upon the facts

1129 being established by their records or by affidavits or otherwise that all assessments have been  
1130 paid, or it being more than 10 years past the applicable date, no assessment being due. All  
1131 recording fees paid under this subsection whether for statements of liens, certificates, releases, or  
1132 otherwise shall be borne by the owner of record of the land.

1133 Property restricted by an agricultural preservation restriction as defined by section 31 of  
1134 chapter 184 and signed by the commissioner of agriculture shall be deemed to be restricted by a  
1135 non-development covenant if the restriction (i) is approved by the commissioner of agriculture,  
1136 (ii) is for the purposes of maintaining the land in agricultural use, (iii) precludes non-agricultural  
1137 development of the land, (iv) is recorded at the registry of deeds in the counties or districts in  
1138 which the property is located and (v) does not expire within 10 years of the applicable date.

1139 (4)(i) When land valued as closely held agricultural land under this subsection, within a  
1140 period of 10 years from the applicable date, is sold for other use or no longer qualifies as closely  
1141 held agricultural land, the owner or owners shall immediately notify the commissioner of such  
1142 sale or change of use and an assessment shall be due the commonwealth. Such assessment shall  
1143 be calculated with interest based on the date of sale for other use or based on the last date of use  
1144 as closely held agricultural land as follows:

1145 The assessment shall be equal to 100 per cent of the savings if such date is within 1 year  
1146 of the applicable date; 90 per cent of the savings if such date is within 2 years, but more than 1  
1147 year, of the applicable date; 80 per cent of the savings if such date is within 3 years, but more  
1148 than 2 years, of the applicable date; 70 per cent of the savings if such date is within 4 years, but  
1149 more than 3 years, of the applicable date; 60 per cent of the savings if such date is within 5 years,  
1150 but more than 4 years, of the applicable date; 50 per cent of the savings if such date is within 6

1151 years, but more than 5 years, of the applicable date; 40 per cent of the savings if such date is  
1152 within 7 years, but more than 6 years, of the applicable date; 30 per cent of the savings if such  
1153 date is within 8 years, but more than 7 years, of the applicable date; 20 per cent of the savings if  
1154 such date is within 9 years, but more than 8 years, of the applicable date; 10 per cent of the  
1155 savings if such date is within 10 years, but more than 9 years, of the applicable date; and no  
1156 assessment shall be due if such date is more than 10 years from the applicable date.

1157           Such assessment shall also include interest calculated at a simple interest rate of 5 per  
1158 cent per annum on the savings from the applicable date.

1159           There shall be an additional assessment equal to 30 per cent of the savings if the date of  
1160 sale for other use or the last date of use while qualified as closely held agricultural land occurs  
1161 within 1 year of the applicable date; and 15 per cent of the savings if such date occurs within 2  
1162 years, but more than 1 year, of the applicable date.

1163           (ii) If an election has been made with respect to qualifying non-committed land which, on  
1164 the applicable date, fails to meet the definition of forest land under chapter 61, land actively  
1165 devoted to agricultural, horticultural or agricultural and horticultural uses under chapter 61A or  
1166 recreational land under chapter 61B that is also used for farming or agriculture, as defined in  
1167 section 1A of chapter 128, an assessment shall be due the commonwealth and payable by the  
1168 owner or owners within 30 days of the applicable date; provided, however, that the land need not  
1169 be classified by municipal assessors as forest land under chapter 61, land actively devoted to  
1170 agricultural, horticultural or agricultural and horticultural uses under chapter 61A or recreational  
1171 land under chapter 61B. Such assessment shall be equal to the sum of (A) 100 per cent of the  
1172 savings; (B) interest calculated at a simple interest rate of 5 per cent per annum on the savings

1173 from the date of death of the decedent; and (C) an additional assessment equal to 30 per cent of  
1174 the savings.

1175 (iii) Notwithstanding this paragraph, there shall be no assessment if the land involved, or  
1176 a lesser interest in the land, is acquired for a natural resource by the commonwealth or by a  
1177 nonprofit conservation organization; provided, however, that if any portion of the land is sold or  
1178 converted to commercial, residential or industrial use within 10 years after the applicable date by  
1179 a nonprofit conservation organization, an assessment shall be imposed against the nonprofit  
1180 conservation organization in the amount that would have been imposed at the time of acquisition  
1181 of the subject parcel by the nonprofit conservation organization had the transaction been subject  
1182 to an assessment or, in the case of qualifying non-committed land acquired by a nonprofit  
1183 conservation organization before the applicable date, the amount that would have been imposed  
1184 on the applicable date under clause (ii).

1185 (iv) In the case of sale for other use of closely held agricultural land, other than  
1186 qualifying non-committed land sold for other use before the applicable date, assessments  
1187 imposed by this subsection shall be due and payable by the grantor at the time of transfer of the  
1188 property by deed or other instrument of conveyance. In the case of qualifying non-committed  
1189 land sold for other use before the applicable date, assessments imposed by this subsection shall  
1190 be due and payable by the grantor on the applicable date. In the case of change to a non-  
1191 qualifying use, assessments imposed by this subsection shall be due and payable by the owner or  
1192 owners within 30 days of the last date of use as closely held agricultural land, regardless of the  
1193 date on which the commissioner was notified by said owner or owners of such change of use.



1194 (v) An assessment shall be imposed on only that portion of land on which the use has  
1195 changed. If, by conveyance or other action of the owner thereof, a portion of land which is  
1196 valued as closely held agricultural land under this subsection is separated for other use, the land  
1197 so separated shall be subject to liability for assessment, interest and additional assessment under  
1198 this paragraph based on the proportion which the acreage of the land so separated bears to the  
1199 total acreage of land valued as closely held agricultural land under this subsection.

1200 (5) All buildings located on land which is valued as closely held agricultural land under  
1201 this subsection and all land occupied by a dwelling or regularly used for family living shall not  
1202 be valued as provided under this subsection.

1203 (6) The commissioner shall promulgate regulations as necessary to carry out the  
1204 provisions of this subsection.

1205 SECTION 22. Section 25 of chapter 90B of the General Laws, as so appearing, is hereby  
1206 amended by inserting after the word “way,” in line 44, the following words:- , or upon but to the  
1207 extreme right of such travelled portion.

1208 SECTION 23. The fourth paragraph of said section 25 of said chapter 90B, as so  
1209 appearing, is hereby amended by adding the following sentence:- This paragraph shall also apply  
1210 to any portion of a public way designated by the governmental entity with jurisdiction over such  
1211 public way, with approval of the chief of police of the municipality in which such portion lies, to  
1212 permit travel by a recreational vehicle from 1 authorized operating area to another, or permit  
1213 access by a recreational vehicle to essential services such as fuel, food, and lodging from an  
1214 authorized operating area. The designated portion shall be the minimum distance necessary to  
1215 permit such travel or access, but shall not exceed 4 miles.

1216 SECTION 24. Chapter 129 of the General Laws is hereby amended by striking out  
1217 section 18, as so appearing, and inserting in place thereof the following section:-

1218 Section 18. (a) Each inspector shall comply with and enforce all orders and regulations  
1219 directed to them by the director.

1220 (b) The director shall establish mandatory training programs for all municipal animal  
1221 inspectors. Such training shall be designed to ensure that inspections are conducted on a  
1222 consistent basis and that inspectors are educated on matters including, but not limited, to animal  
1223 health and welfare. Every municipal animal inspector shall complete such training within 90  
1224 days of appointment, and every 2 years thereafter. The director may require additional training  
1225 for animal inspectors as needed.

1226 (c) An inspector who refuses or neglects to comply with this section shall be punished by  
1227 a fine of not more than \$500.

1228 SECTION 25. Said chapter 129 is hereby further amended by striking out section 25, as  
1229 so appearing, and inserting in place thereof the following section:-

1230 Section 25. Each inspector shall keep a record of all inspections made of animals  
1231 pursuant to this chapter. The director shall provide forms in any such manner, electronic format  
1232 or medium necessary to implement this section, including any forms or records to be utilized and  
1233 kept by inspectors, which shall be retained for no more than 10 years in an electronic database  
1234 implemented and maintained by the director. The director shall file a report with the department  
1235 of agricultural resources outlining the process, timeline, and steps for designing and  
1236 implementing the database by January 6, 2020.

1237 SECTION 26. Section 2 of chapter 130 of the General Laws, as so appearing, is hereby  
1238 amended by striking out the fourth and fifth paragraphs and inserting in place thereof the  
1239 following paragraph:-

1240 Whoever violates any provision of this chapter or regulation made under the authority of  
1241 this chapter, unless otherwise provided, shall be: (a) punished by a fine of not less than \$400 or  
1242 more than \$10,000, or by imprisonment in the house of correction for not more than 2 ½ years,  
1243 or both; or (b) liable for a civil penalty not to exceed \$10,000 for each such violation. Such civil  
1244 penalty may be assessed in an action brought on behalf of the commonwealth in the superior or  
1245 district court.

1246 SECTION 27. Section 13 of said chapter 130, as so appearing, is hereby amended by  
1247 striking out the third paragraph.

1248 SECTION 28. Said chapter 130 is hereby further amended by striking out section 18, as  
1249 so appearing, and inserting in place thereof the following section:-

1250 Section 18. No person shall, without right, enter in or upon any building or other structure  
1251 or any area of land, flats or water, set apart and used by or under authority of the director for  
1252 conducting scientific experiments or investigations or for propagation or protection of fish, or  
1253 contrary to regulations, fish in waters so set apart and used after the director has caused printed  
1254 notices of such occupation and use and the purposes thereof to be placed in a conspicuous  
1255 position upon any such building or other structure or adjacent to any such area of land, flats or  
1256 water, or injure or deface any such building or other structure or any notice posted as aforesaid,  
1257 or injure or deface any property used in such experiments or investigations or for such purposes,  
1258 or otherwise interfere therewith.

1259 SECTION 29. Section 19 of said chapter 130, as so appearing, is hereby amended by  
1260 striking out the fifth paragraph.

1261 SECTION 30. The sixth paragraph of said section 19 of said chapter 130, as so  
1262 appearing, is hereby amended by striking out the third sentence.

1263 SECTION 31. Section 21 of said chapter 130, as so appearing, is hereby amended by  
1264 striking out the fifth paragraph.

1265 SECTION 32. Said chapter 130 is hereby further amended by striking out section 23, as  
1266 so appearing, and inserting in place thereof the following section:-

1267 Section 23. Except in the case of emergency imperiling life or property or an unavoidable  
1268 accident or except in accordance with the terms of a permit issued pursuant to state or federal  
1269 water pollution control laws, no person shall, from any source: put, throw, discharge or suffer or  
1270 permit to be discharged or escape into any coastal waters any oil, poisonous or other injurious  
1271 substance, including but not limited to, sawdust, shavings, garbage, ashes, acids, sewage and  
1272 dye-stuffs, whether simple, mixed or compound, or heated effluent, which directly or indirectly  
1273 materially injure fish, fishspawn or seed therein, or takes any such fish by such means; or kill or  
1274 destroy fish in such waters by the use of dynamite or other explosives, or take any such fish in  
1275 such waters by such means; or explode dynamite or other explosive in such waters.

1276 SECTION 33. Section 29 of said chapter 130, as so appearing, is hereby amended by  
1277 striking out the second paragraph and inserting in place thereof the following paragraph:-

1278 No person shall construct or maintain a weir, pound net or a fish trap in the tide water  
1279 except in accordance with the requirements of this section.

1280 SECTION 34. Section 30 of said chapter 130, as so appearing, is hereby amended by  
1281 striking out the second sentence.

1282 SECTION 35. Said chapter 130 is hereby amended by striking out section 31, as so  
1283 appearing, and inserting in place thereof the following section:-

1284 Section 31. No person shall, without the consent of the owner, take, use, destroy, injure  
1285 or molest any weir, pound net, fish trap, seine, set net or lobster or crab pot or other fishing gear,  
1286 or any fish car or other contrivance used for the purpose of storing fish, including any such  
1287 fishing gear which is swept ashore by storm or tide or other natural causes and deposited upon  
1288 the shore, beaches or flats, whether public or private, or take fish therefrom without the consent  
1289 of the owner.

1290 SECTION 36. Section 33 of said chapter 130, as so appearing, is hereby amended by  
1291 striking out the sixth sentence.

1292 SECTION 37. Section 34 of said chapter 130, as so appearing, is hereby amended by  
1293 striking out the first sentence and inserting in place thereof the following sentence:- Between  
1294 March 15 and the following June 15 of any year, no person shall catch or take any smelt from the  
1295 waters of the commonwealth, or buy, receive, sell or offer or expose for sale, transport or possess  
1296 a smelt so taken.

1297 SECTION 38. Section 35 of said chapter 130, as so appearing, is hereby amended by  
1298 striking out the first paragraph and inserting in place thereof the following paragraph:-

1299 No person shall take or attempt to take a smelt in any other manner than by angling. This  
1300 section shall not apply to smelt inadvertently taken in a seine or net during the time and in the

1301 manner in which fishing is allowed for perch, herring or alewives; provided, that such smelt so  
1302 taken shall be immediately liberated alive in the waters from which taken.

1303 SECTION 39. Section 36 of said chapter 130, as so appearing, is hereby amended by  
1304 striking out the second sentence and inserting in place thereof the following sentence:- No person  
1305 shall violate the provisions of this section or molest or disturb smelt or their spawn within such  
1306 closed areas.

1307 SECTION 40. The fourth paragraph of section 37 of said chapter 130, as so appearing, is  
1308 hereby amended by striking out the first sentence.

1309 SECTION 41. Section 38 of said chapter 130, as so appearing, is hereby amended by  
1310 striking out, in lines 82 to 84, the words “, and upon failure to do so shall be punished by a fine  
1311 of not less than twenty-five nor more than one hundred dollars or imprisonment for one month or  
1312 both”.

1313 SECTION 42. Section 38A of said chapter 130, as so appearing, is hereby amended by  
1314 striking out the third paragraph.

1315 SECTION 43. Section 39 of said chapter 130, as so appearing, is hereby amended by  
1316 striking out the second sentence.

1317 SECTION 44. Section 40 of said chapter 130, as so appearing, is hereby amended by  
1318 striking out the second sentence.

1319 SECTION 45. Section 47 of said chapter 130, as so appearing, is hereby amended by  
1320 striking out the third sentence.

1321 SECTION 46. Said chapter 130 is hereby amended by striking out section 49, as so  
1322 appearing, and inserting in place thereof the following section:-

1323 Section 49. No carrier shall knowingly receive or carry from place to place any lobster or  
1324 lobster meat in barrels, boxes or other containers not marked as provided in section 47.

1325 SECTION 47. Section 51 of said chapter 130, as so appearing, is hereby amended by  
1326 striking out the second sentence.

1327 SECTION 48. Section 51A of said chapter 130, as so appearing, is hereby amended by  
1328 striking out the third sentence.

1329 SECTION 49. Section 52 of said chapter 130, as so appearing, is hereby amended by  
1330 inserting after the word “therefore”, in line 61, the following words:-

1331 ; provided, however, that such city or town shall not charge a veteran, as defined in  
1332 clause Forty-third of section 7 of chapter 4, who is a resident of the commonwealth, a fee greater  
1333 than the fee charged to a resident of such city or town.

1334 SECTION 50. Said chapter 130 is hereby further amended by striking out section 66, as  
1335 so appearing, and inserting in place thereof the following section:-

1336 Section 66. No person shall willfully injure, deface, destroy or remove any mark or  
1337 bound used to define the extent of any shellfish license or grant, or place any unauthorized mark  
1338 thereon, or tie or fasten any boat or vessel thereto. Any person who violates this section shall be  
1339 liable in tort for double damages and costs to the licensee or transferee injured by such act.

1340 SECTION 51. Said chapter 130 is hereby further amended by striking out section 67, as  
1341 so appearing, and inserting in place thereof the following section:-

1342           Section 67. No person shall work a dredge, oyster tongs or rakes, or any other implement  
1343 for the taking of shellfish of any description upon any shellfish grounds or beds covered by a  
1344 license granted under section 57 or corresponding provisions of earlier laws, or in any way  
1345 disturb the growth of the shellfish thereon, or discharge any substance which may directly or  
1346 indirectly injure the shellfish upon any such grounds or beds, without the consent of the licensee  
1347 or transferee, as the case may be, or, while upon or sailing over any such grounds or beds, cast,  
1348 haul, or have overboard any such dredge, tongs, rake or other implement for the taking of  
1349 shellfish of any description, under any pretense or for any purpose, without the consent of the  
1350 licensee or transferee.

1351           SECTION 52. Section 68 of said chapter 130, as so appearing, is hereby amended by  
1352 striking out the second paragraph and inserting in place thereof the following paragraph:-

1353           No person shall, without the consent of the licensee or transferee, dig or take any  
1354 shellfish or shells from any waters, flats or creeks described in any license granted under section  
1355 57, or corresponding provisions of earlier laws, during the continuance of such license or of any  
1356 renewal thereof.

1357           SECTION 53. Section 70 of said chapter 130, as so appearing, is hereby amended by  
1358 striking out the seventh sentence.

1359           SECTION 54. Section 71 of said chapter 130, as so appearing, is hereby amended by  
1360 striking out the second sentence.

1361           SECTION 55. Section 72 of said chapter 130, as so appearing, is hereby amended by  
1362 striking out the second sentence.



1363 SECTION 56. The second paragraph of section 75 of said chapter 130, as so appearing, is  
1364 hereby amended by striking out the first and second sentences and inserting in place thereof the  
1365 following sentence:-

1366 Whoever, without a permit as provided in this section or contrary to the provisions of  
1367 such permit, digs or takes shellfish for any purpose from any area determined under section 74 or  
1368 section 74A or under corresponding provisions of earlier laws to be contaminated, while such  
1369 determination is in force, or knowingly transports or causes to be transported or has in their  
1370 possession or offers for sale shellfish so dug or taken, shall be punished by imprisonment in a  
1371 house of correction for not more than 2 ½ years or imprisonment in the state prison for not more  
1372 than 3 years; a fine of not less than \$500 and not more than \$10,000; or by both such fine and  
1373 imprisonment.

1374 SECTION 57. Section 80 of said chapter 130, as so appearing, is hereby amended by  
1375 striking out, in line 73, the words “ten dollars” and inserting in place thereof the following  
1376 figure:- \$400.

1377 SECTION 58. Section 81 of said chapter 130, as so appearing, is hereby amended by  
1378 striking out, in lines 21 and 22, the words “one hundred nor more than ten thousand dollars” and  
1379 inserting in place thereof the following words:- \$400 nor more than \$10,000.

1380 SECTION 59. Section 82 of said chapter 130, as so appearing, is hereby amended by  
1381 striking out, in line 18, the words “one hundred” and inserting in place thereof the following  
1382 figure:- \$400.

1383 SECTION 60. Section 92 of said chapter 130, as so appearing, is hereby amended by  
1384 striking out the first and second paragraphs and inserting in place thereof the following  
1385 paragraph:-

1386 No person shall sell, exchange, transport or deliver, or offer or expose for sale, exchange  
1387 or delivery, or have in their custody or possession with intent to sell, exchange, transport or  
1388 deliver, any scallops or sea scallops which have been soaked and shall tag such scallops in  
1389 accordance with regulations promulgated by the director.

1390 SECTION 61. Said chapter 130 is hereby further amended by striking out section 95, as  
1391 so appearing, and inserting in place thereof the following section:-

1392 Section 95. No person shall take, kill, haul onshore, disturb, injure, hinder, or obstruct the  
1393 passage of any herring, alewives, or other swimming marine food fish in a fishery created by a  
1394 city or town, without permission thereof, or that of its lessees; in a fishery legally created by a  
1395 corporation, without the permission of such corporation; or in a public fishery regulated and  
1396 controlled by a city or town, contrary to its regulations.

1397 Proceedings under this section shall be commenced within 30 days after the commission  
1398 of the offence.

1399 SECTION 62. Section 99 of said chapter 130 is hereby repealed.

1400 SECTION 63. Section 100A of said chapter 130, as appearing in the 2016 Official  
1401 Edition, is hereby amended by striking out the second sentence.

1402 SECTION 64. Section 100B of said chapter 130, as so appearing, is hereby amended by  
1403 striking out the second sentence.

1404 SECTION 65. Section 100C of said chapter 130, as so appearing, is hereby amended by  
1405 striking out the second sentence.

1406 SECTION 66. Section 100D of said chapter 130, as so appearing, is hereby amended by  
1407 striking out the third paragraph.

1408 SECTION 67. Said chapter 130 is hereby further amended by striking out section 102, as  
1409 so appearing, and inserting in place thereof the following section:-

1410 Section 102. No person shall harvest for sale or engage in the aquaculture of marine  
1411 plants except in accordance with any regulations adopted by the director and subject to a permit  
1412 or written approval issued by the director.

1413 SECTION 68. Section 103 of said chapter 130 is hereby repealed.

1414 SECTION 69. Subdivision (2) of section 2D of chapter 132A of the General Laws, as so  
1415 appearing, is hereby amended by adding the following sentence:-

1416 The commissioner may also offer discounts or waive charges or fees for parking passes  
1417 for veterans, as defined in section 6A of chapter 115.

1418 SECTION 70. The fourth paragraph of section 44 of chapter 85 of the acts of 1994, as  
1419 most recently amended by section 127 of chapter 46 of the acts of 2015, is hereby further  
1420 amended by inserting after the words “in the city of Canton” the following words:-

1421 , Randolph Avenue Stables, so called, at 1333 Randolph Avenue in the Blue Hills State  
1422 Reservation in the town of Milton, 7 Brainard Street, in the Stonybrook State Reservation in the  
1423 Hyde Park section of the city of Boston.

1424 SECTION 71. Notwithstanding any general or special law to the contrary, the  
1425 commissioner of conservation and recreation may expend, without further appropriation, sums  
1426 collected and held in accordance with chapter 673 of the acts of 1950 on repairs, replacements  
1427 and improvements to the facilities and buildings on the Dilboy Stadium property in the city of  
1428 Somerville.

1429 SECTION 72. Notwithstanding section 30 of chapter 29 of the General Laws or section  
1430 65 of chapter 30 of the General Laws, a portion of the funds authorized under this act may be  
1431 used for the costs associated with the purchase of title insurance and services for title  
1432 examinations, reports and certifications; provided, that any executive department or state agency  
1433 expending such funds shall maximize efforts and utilize all available means to minimize use of  
1434 capital funds for such purposes.

1435 SECTION 73. Notwithstanding any general or special law to the contrary, any executive  
1436 department or state agency expending funds authorized in this act shall maximize efforts and  
1437 utilize all available means to minimize use of capital funds to pay for services rendered by  
1438 agency employees or by consultants.

1439 SECTION 74. Notwithstanding any general or special law to the contrary, upon  
1440 acquiring any fee interest in land for purposes pursuant to Article XCVII of the Amendments to  
1441 the Constitution, all state agencies, commissions and boards expending or receiving state funds  
1442 under this act shall obtain the approval of the secretary of energy and environmental affairs  
1443 before implementing or endorsing any prohibition of fishing, hunting or trapping on that land  
1444 and shall provide the secretary with written justification of the prohibition.

1445 SECTION 75. The sums made available pursuant to sections 2 to 2E, inclusive, shall be  
1446 available for expenditure in the 5 fiscal years following June 30 of the calendar year in which the  
1447 appropriation is made and any portion of such appropriation representing encumbrances  
1448 outstanding on the records of the state comptroller's office at the close of the fifth fiscal year  
1449 may be applied to the payment thereof any time thereafter.

1450 SECTION 76. Each agency acquiring land or an interest in land under this act may  
1451 expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the  
1452 purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable  
1453 expenses directly associated with the acquisition of land or interests in land subsequently  
1454 conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency.  
1455 The secretary of energy and environmental affairs shall determine by regulation what shall  
1456 constitute reasonable expenses. If the commonwealth does not take title to the property through  
1457 no fault of the nonprofit organization or the commonwealth, the commonwealth may reimburse  
1458 the nonprofit organization for reasonable expenses associated with due diligence. An  
1459 organization receiving a reimbursement under this section shall convey the land or interest in  
1460 land to the agency for an amount not to exceed the actual purchase price paid by the organization  
1461 for the land or interest in land in addition to any reimbursement received under this section.

1462 SECTION 77. To provide for the continued availability of certain bond-funded spending  
1463 authorizations which otherwise would expire, the unexpended balances of the following capital  
1464 accounts are hereby extended through June 30, 2023, for the purposes of and subject to the  
1465 conditions stated for these items in the original authorizations and any amendments to such  
1466 authorizations: 2000-2010, 2000-2011, 2000-2012, 2000-2013, 2000-2014, 2000-2015, 2000-  
1467 2016, 2000-2017, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-

1468 2024, 2000-2025, 2000-2026, 2000-2028, 2000-2029, 2000-2035, 2000-6966, 2000-6967, 2000-  
1469 6969, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7022, 2000-7023, 2000-  
1470 7024, 2000-7025, 2000-7026, 2000-7028, 2000-7029, 2000-7031, 2000-7051, 2000-7052, 2000-  
1471 7053, 2000-7054, 2000-7055, 2000-7056, 2000-7057, 2000-7058, 2000-7059, 2000-7060, 2000-  
1472 7061, 2000-7062, 2000-7063, 2000-7066, 2000-7070, 2200-2011, 2200-2014, 2200-2015, 2200-  
1473 2017, 2200-2019, 2200-7011, 2200-7012, 2200-7013, 2200-7014, 2200-7015, 2200-7017, 2200-  
1474 7018, 2200-7021, 2200-7023, 2200-7025, 2200-7991, 2240-8820, 2250-8820, 2250-8822, 2300-  
1475 2010, 2300-2011, 2300-2012, 2300-2014, 2300-2017, 2300-7010, 2300-7011, 2300-7013, 2300-  
1476 7014, 2300-7016, 2300-7017, 2300-7018, 2300-7020, 2300-7021, 2300-7023, 2300-7024, 2300-  
1477 7025, 2300-7026, 2300-7027, 2300-7028, 2500-7011, 2500-7012, 2500-7013, 2500-7014, 2500-  
1478 7023, 2500-7024, 2800-0103, 2800-0109, 2800-0611, 2800-2019, 2800-7011, 2800-7012, 2800-  
1479 7013, 2800-7015, 2800-7016, 2800-7017, 2800-7018, 2800-7019, 2800-7022, 2800-7027, 2800-  
1480 7031, 2800-7032, 2800-7035, 2800-7097, 2800-7098, 2800-7107, 2800-7108, 2800-7109, 2810-  
1481 3302, 2810-7872, 2810-8802, 2820-1420, 2820-2011, 2820-2012, 2820-8861, 2840-2013, 2840-  
1482 2014, 2840-2019, 2840-2023, 2840-7017, 2840-7024, 2840-7026, 2840-7027, 2840-7993, 2850-  
1483 6967, 2850-9951, 2890-2023, 2890-2040, 2890-7010, 2890-7011, 2890-7020, 2890-7035, 6720-  
1484 1350, 6720-1335, 7100-3022, 9300-3909, 9300-7010, 9300-7030, 9300-7031, 9300-7909, 9300-  
1485 7918, 9300-7919.

1486 SECTION 78. The rule making process required by section 12 of this act shall be  
1487 completed by June 30, 2019.

1488 SECTION 79. The first state plan required by section 17 of this act shall be completed by  
1489 September 16, 2018.

1490 SECTION 80. Any person serving as an inspector of animals on the date of enactment  
1491 shall, within 1 year of enactment, complete all state-funded training that the director of animal  
1492 health determines is required for newly appointed inspectors of animals under the authority of  
1493 section 22.

1494 SECTION 81. Section 10 and sections 26 to 48, inclusive, and sections 50 to 68,  
1495 inclusive shall take effect 90 days after the effective date of this act.

1496 SECTION 82. The executive office of energy and environmental affairs shall submit an  
1497 annual report detailing the progress of any projects funded through the authorizations of this act  
1498 to the chairs of the joint committee on environment, natural resources and agriculture; the chairs  
1499 of the senate and house committees on bonding; and the clerks of the house of representatives  
1500 and the senate. The report shall include, but not be limited to, description of the project or  
1501 projects, previous year planned spending, previous year spending, current year planned spending,  
1502 current year spending to date, original estimated project cost, total project cost to date, type of  
1503 spending, type of asset, and predicted useful life of the project once completed. The initial report  
1504 shall be submitted no later than December 30, 2018, and subsequent reports shall be submitted  
1505 no later than June 30 of every year thereafter for a period of 10 years after the effective date of  
1506 this act.

1507 SECTION 83. Notwithstanding any general or special law to the contrary, the director of  
1508 the division of marine fisheries, in consultation with the commissioner of the department of fish  
1509 and game, shall, by June 14, 2019, conduct and publish a study of the current lobster fishery and  
1510 provide a recommendation as to the advisability of enacting statutory and regulatory changes to  
1511 allow the processing of lobster parts, other than lobster tails weighing 3 ounces or more, for sale

1512 in the commonwealth. The study shall include an economic and market analysis of potential  
1513 impacts and benefits, assessment of potential state and federal law enforcement issues associated  
1514 with a change in legislation or regulations, an assessment on the impacts of such changes on  
1515 inter-jurisdictional fisheries management and a review and analysis of the potential biological  
1516 and population dynamics of the species known as *Homarus americanus* as a result of such  
1517 changes.