

HOUSE No. 4599

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 13, 2018.

The committee on Ways and Means, to whom was referred the Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (House, No. 4438), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4599) [Bond Issue: General Obligation Bonds: \$2,955,833,000.00].

For the committee,

JEFFREY SÁNCHEZ.

HOUSE No. 4599

The Commonwealth of Massachusetts

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

An Act promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for climate change adaptation and the immediate preservation and improvement of the environmental and energy assets of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. 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

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Office of the Secretary

1100-3000 For a program to provide grants and low-interest loans to owners or operators of a dispensing facility, as defined in section 1 of chapter 21J of the General Laws, that retails gasoline and other petroleum products, for the purpose of replacing and modernizing existing single-walled underground petroleum storage tank equipment and related leak detection equipment, and to reduce the risk of pollution from potential leakage; provided that program grants and loans shall be made available for costs, including but not limited to, engineering, tank removal, construction and infrastructure replacement, to install double-walled underground petroleum storage tank equipment and related leak detection equipment; provided further, that the installation of such underground storage tank and leak inspection equipment funded under the program shall comply with any applicable law and regulation of the commonwealth and the federal government; provided further, that such program grants and loans shall be made available only to small-business owners or operators of any eligible dispensing facility not located on land owned by the commonwealth; provided further, that priority for providing grants and loans under the program shall be for any eligible dispensing facility that is located in a rural area; provided further, that the secretary of administration and finance shall make available the funds under this item to the Massachusetts Development Finance Agency to administer the grant and loan program; and provided further, that the Massachusetts Development Finance Agency in consultation with the department of environmental protection shall, no later than January 31, 2019, adopt standards to implement the program, including general guidelines and requirements for owners and operators to make application for such grants and loans, and the criteria used to evaluate applications to provide grants and loans under the program.....\$2,000,000

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EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary

2000-7071 For improvements and replacements to the infrastructure and holdings of the executive office of energy and environmental affairs and its departments and divisions; provided, that these improvements and replacements may include, but shall not be limited to, buildings, equipment, vehicles and communication and technology equipment; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan; and provided further, that any expenditures for communication and technology equipment under this item shall be considered in consultation with the secretary of technology services and security.....\$10,500,000

2000-7072 For grant programs for land, soil, water and natural resource conservation; open space preservation; watershed remediation; coastal resource protection; recreation; environmental equity and wildlife and endangered species protection, including, but not limited to, the local acquisition for natural diversity grant program, the parkland acquisition and renovation for communities grant program, conservation partnership grant programs including programs to support landscape-scale land conservation projects, the drinking water supply protection grant program, grant programs to assist and provide funding to conservation districts, and grants to support local, regional and state land use planning and management capabilities to advance smart growth efforts, all pursuant to rules or regulations adopted by the secretary of energy and environmental affairs to effectuate this item; provided, that the secretary of energy

55 and environmental affairs may provide guidance for planning, prioritization, selection and
56 implementation of projects in furtherance of the goals of climate change mitigation and
57 adaptation and consistent with the integrated state hazard mitigation and climate change
58 adaptation plan; provided further, that all projects shall provide appropriate public access as
59 determined by the secretary; provided further, that no less than \$4,750,000 shall be expended for
60 a flood management study of the Assawompset pond complex that is a part of the Taunton river
61 watershed, comprising the towns of Freetown, Lakeville, Middleborough, Rochester, and the city
62 of New Bedford, including, but not limited to, an analysis of existing conditions and
63 recommendations for flood management and mitigation, ecological sustainability and river flow
64 improvements, and relating to the water flows of the Nemasket river into the Taunton river and
65 related water storage and flooding issues of Assawompset and Long pond; provided further, that
66 \$5,000,000 shall be expended for improvements to Fredericks park in the city of Revere;
67 provided further, that no less than \$300,000 shall be expended to Bay Coast Rowing Center, Inc.
68 for the refurbishment and upgrade of an existing boat house building to house a community
69 boating program in the city of Fall River; provided further, that \$1,500,000 shall be expended for
70 the installation of a high-efficiency irrigation system and the planting of native trees, shrubs,
71 groundcover, and restoration of the historic hedge row to promote water conservation, manage
72 stormwater and reduce runoff at Tanglewood in the town of Lenox; provided further, that
73 \$300,000 shall be expended for bog bridging and trail construction, rehabilitation, and
74 accessibility in Kennedy park in the town of Lenox; provided further, that \$100,000 shall be
75 expended to construct a community garden in Mission Hill; provided further, that \$400,000 shall
76 be expended to the Great Barrington Land Conservancy, Inc. for improvements and upkeep of
77 the W.E.B. DuBois river garden park and for improvements, upkeep, and extension of the

78 Housatonic river walk; provided further \$200,000 shall be expended for improvements around
79 the Cook pond in the city of Fall River.....\$ 165,000,000

80 2000-7073 For the design, construction, reconstruction, rehabilitation, retrofitting,
81 repair or removal of coastal infrastructure and resiliency measures, including, but not limited to,
82 seawalls, jetties, revetments, and retaining walls, beach nourishment, living shorelines and other
83 nature-based solutions; provided, that costs payable from this item may include, but shall not be
84 limited to, the costs of engineering and other technical assistance and planning services essential
85 to these projects rendered by the office of coastal zone management in the executive office of
86 energy and environmental affairs, the office of waterways in the department of conservation and
87 recreation and other commonwealth employees or consultants; provided further, that grants and
88 loans may be made to local government units to carry out this item; provided further, that the
89 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
90 selection and implementation of projects in furtherance of the goals of climate change mitigation
91 and adaptation and consistent with the integrated state hazard mitigation and climate change
92 adaptation plan; provided further, that \$4,000,000 shall be expended to repair and replace the
93 failing seawall along Winthrop parkway in the city of Revere; and provided further, that
94 \$15,000,000 shall be expended for the hydraulic modeling, analysis and evaluation of flooding
95 vulnerabilities and the design, permitting and construction of upgrades to coastal infrastructure to
96 mitigate coastal flooding in the town of Winthrop, including, but not limited to, seawall
97 construction and repair, upgrades and improvements to flood drainage infrastructure and
98 increasing flood storage\$60,000,000

99 2000-7074 For the design, construction, reconstruction, rehabilitation, retrofitting,
100 repair or removal of municipally owned dams, publicly owned dams and other dams for which

101 emergency action or statewide hazard mitigation is required and for inland flood control projects
102 and projects for any related facilities and equipment, including, but not limited to, seawalls,
103 jetties, revetments, and retaining walls, beach nourishment and other nature-based solutions on
104 publicly owned land or related to state or municipal climate change adaptation and preparedness
105 or for which emergency action or statewide hazard mitigation is required; provided, that the
106 secretary of energy and environmental affairs shall give priority to dams and flood control
107 projects that pose the greatest risk to public health or safety, or to the environment; provided
108 further, that funds shall be available for a program of planning, permitting and construction of
109 fish ways and other aquatic habitat improvements, including the removal or breaching of selected
110 dams and impoundments on state-owned land and waterways; provided further, that the
111 secretary may provide guidance for planning, prioritization, selection and implementation of
112 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
113 with the integrated state hazard mitigation and climate change adaptation plan; and provided
114 further, that projects shall be considered in consultation with the municipality hosting the asset to
115 be repaired and those municipalities impacted by the project.....\$75,000,000

116 2000-7075 For the acquisition of land and interests in land by the executive office of
117 energy and environmental affairs and its departments and divisions and for associated costs,
118 including planning, study, due diligence, title and appraisal services, site restoration, monitoring
119 and stewardship, including, but not limited to, acquisitions for open space, recreation,
120 conservation, wildlife and endangered species protection, and forest land protection, for related
121 costs and activities in support of conservation goals, including, but not limited to, capitalization
122 of the Transfer of Development Rights Revolving Fund established under section 35FFF of
123 chapter 10 of the General Laws; provided, that funds under this item may be used to develop and

124 implement a stewardship program on lands under the care and control of the executive office or
125 its departments and divisions or subject to conservation restrictions or other related interests in
126 land purchased through this item, including, but not limited to, resource and land use monitoring,
127 signage, boundary delineation and monitoring, preparation of baseline documentation,
128 stewardship planning, ecological monitoring and enforcement of conservation or other related
129 restrictions or detection and resolution of encroachments on land and rights in land, and repair of
130 damage to property related to illegal uses, including off-road vehicle trespass; provided further,
131 that funds may be used for inventory, restoration and reclamation of acquired land, including
132 demolition of structures, removal of debris, eradication of non-native species and other services
133 essential to these reclamation efforts; provided further, that the secretary of energy and
134 environmental affairs may provide guidance for preservation, maintenance, and acquisition of
135 land and interests in land in furtherance of the goals of climate change mitigation and adaptation
136 and consistent with the integrated state hazard mitigation and climate change adaptation plan and
137 may expend funds under this item for such purposes; and provided further, that projects shall be
138 considered in consultation with the municipality hosting the asset to be repaired and those
139 municipalities impacted by the project.....\$12,000,000

140 *Department of Environmental Protection*

141 2200-7022 For investment in water and air quality protection, including but not
142 limited to investments necessary to meet the legislative and regulatory requirements of the
143 Rivers Protection Act, the federal and state Clean Water Acts and the Massachusetts Wetlands
144 Protection Act; to provide for integrated energy and environmental projects to optimize and
145 preserve environmental quality and public health and provide for appropriate protection,
146 restoration, management and best use of air, energy, water and land resources, assets and

147 infrastructure, including upgrades to laboratory equipment; to provide for research, studies and
148 the collection of data to support investment in environmental assets, including sampling and
149 analysis of water and air quality, monitoring cumulative environmental impacts in environmental
150 justice communities, the development of geographic information system maps for wetlands
151 conservancy and tidelands, stormwater infrastructure and public water supplies, the development
152 of water quality analyses known as total maximum daily loads, the assessment of water quality
153 health and impaired use of waterways, and projects related to nonpoint and point sources of
154 water pollution and the wetlands circuit rider program; to provide for local grants and research
155 for implementation of the commonwealth's sustainable water management initiative, including
156 grants and research to provide the data necessary for municipalities to invest in efficient and
157 effective mitigation practices to restore and preserve the commonwealth's water resources, assets
158 and infrastructure; to provide for sustainable water management initiative related research and
159 implementation projects conducted by the department of fish and game and its divisions; to
160 provide for the department's statewide air monitoring network, upgrades of air monitoring
161 equipment to comply with federal requirements, implementation of a water quality monitoring
162 network and eelgrass mapping to track water quality improvements; to provide for investments
163 in water quality restoration of degraded estuarine habitat for projects deemed consistent with a
164 current area-wide water resources management plan adopted under section 208 of the federal
165 Clean Water Act; to fund pilot projects that test innovative and green wastewater management
166 technologies and approaches; for sustainable technologies at wastewater treatment facilities; for
167 long-term monitoring and stewardship of restoration projects developed under the oversight of
168 natural resources damages trustees; to provide grants and technical assistance to public water
169 suppliers for energy efficiency improvements for drinking water systems; to provide for

170 municipal grants for water and air quality protection, including to support training and workforce
 171 development for drinking water and wastewater treatment facilities; to support the preparation
 172 and implementation of geographic response plans for the commonwealth’s inland waterways;
 173 and to provide grants to municipalities to support compliance with the federal Municipal
 174 Separate Storm Sewer System permit; provided, that the secretary of energy and environmental
 175 affairs may provide guidance for planning, prioritization, selection and implementation of
 176 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
 177 with the integrated state hazard mitigation and climate change adaptation plan; provided further,
 178 that no less than \$250,000 shall be expended for the Nash Road Water Quality Improvement
 179 project in the city of New Bedford for the weed eradication, mitigation of storm water impacts,
 180 and refurbishment of frontage at Nash road pond; provided further, that no less than \$550,000
 181 shall be expended for the Lake Street Ponds Water Quality Improvement project located in the
 182 town of Acushnet, part of the New Bedford reservoir system, for area specific evaluation,
 183 nitrogen mitigation, evaluation of storm water impacts, and weed eradication; and provided
 184 further, that \$5,000,000 shall be expended for repairs and other related improvements to culverts
 185 along Route 57 in the towns of Sandisfield, Monterey, and New
 186 Marlborough.....\$95,000,000

187 2200-7024 For discovery, assessment, containment, monitoring, cleanup and closure
 188 of existing or closed solid waste facilities causing or threatening to cause pollution as authorized
 189 by section 4 of chapter 21H of the General Laws; and for capital expenditure associated with
 190 composting and recycling programs consistent with the comprehensive statewide solid waste
 191 master plan authorized by section 21 of chapter 16 of the General Laws.....\$7,500,000

192 2200-7016 For the assessment, containment, monitoring, cleanup, control, removal of
193 or response actions concerning oil or hazardous materials or for any other actions necessary to
194 implement chapter 21E of the General Laws and the Massachusetts Contingency Plan; provided
195 further, that no less than \$1,000,000 shall be expended for the remediation, restoration and
196 removal of hazardous materials at the old New England Log Homes site in the town of Great
197 Barrington.....\$40,000,000

198 *Department of Fish and Game*

199 2300-0421 For the acquisition of land and interests in land by the department of fish
200 and game and for associated costs, including planning, studies, due diligence, title and appraisal
201 services, site restoration and stewardship; provided further, that such lands may be purchased
202 after approval by the commissioner of fish and game; provided further, that funds may be
203 expended on the development and implementation of a stewardship program on lands under the
204 care and control of the department of fish and game and its divisions, either in rights in land or
205 through conservation easements or conservation restrictions including, but not limited to,
206 resource and land use monitoring, baseline documentation report creation, signage, boundary
207 marking and monitoring, stewardship planning, stewardship personnel, stewardship database
208 development, ecological monitoring and enforcement of conservation easements or conservation
209 restrictions or detection and resolution of encroachments on land owned and rights in land and
210 repair of damage related to illegal off-road vehicle trespass; provided further, that funds may be
211 used for inventory, restoration and reclamation of acquired land, including demolition of
212 structures, removal of debris, eradication of nonnative species and other services essential to
213 these reclamation efforts; and provided further, that projects under such program may be carried

214 out with other governmental agencies and entities, nonprofit and conservation organizations and
215 public and private land owners.....\$30,000,000

216 2300-7019 For planning, design, engineering, construction, reconstruction,
217 renovation, repair, demolition, acquisition, enhancements, improvements, removal and
218 replacement of the infrastructure, facilities and equipment under the care and control of the
219 department of fish and game and its divisions, including, but not limited to buildings and other
220 structures, education centers, district headquarters, hatchery facilities, offices, storage buildings,
221 shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels, and site
222 clearance; provided, that any such facilities supported by this item may incorporate energy
223 efficiency and renewable technologies to decrease energy use and greenhouse gas emissions,
224 such as solar, wind and geothermal power; provided further, that funds shall also be available for
225 investments for protection, remediation and restoration of aquatic and marine fisheries, wildlife
226 species, land and marine plants, and the habitats that support them; provided further, that the
227 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
228 selection and implementation of projects in furtherance of the goals of climate change mitigation
229 and adaptation and consistent with the integrated state hazard mitigation and climate change
230 adaptation plan; provided further, that \$25,000 shall be expended to conduct a feasibility study
231 on the eradication of zebra mussels at Laurel lake in the town of Lee; and provided further,
232 \$800,000 shall be expended for the reconstruction, improvements, and accessibility to the boat
233 ramp, parking lot, and shorefishing facility at Laurel lake in the town of
234 Lee.....\$50,000,000

235 2300-7022 For river and wetland restoration programs in the division of ecological
236 restoration, riverways program and the commissioner’s office within the department of fish and

237 game; provided, that funds authorized in this item may be utilized for river, wetland and river
238 corridor revitalization, ecological restoration and protection of aquatic ecosystems and functions
239 throughout the commonwealth including, but not limited to, dam and barrier removal, instream
240 improvements, flow, water quality, riverine habitat, protection of high quality riparian and
241 wetland habitat, assessment and mitigation of threats from climate change, flooding and
242 improving recreational opportunities; provided further, that these costs may include, but shall not
243 be limited to, equipment to implement these programs; provided further, that the commissioner
244 or a designee may enter into cooperative agreements with state and federal government agencies
245 and municipalities, may contract for services related to this item including, but not limited to,
246 engineering and monitoring, and may award grants to public and nonpublic entities to foster and
247 carry out this item.....\$55,000,000

248 *Department of Agricultural Resources*

249 2500-7021 For the purpose of developing and implementing programs designed to
250 address agricultural economic and environmental sustainability, including the development and
251 implementation of farm viability plans and other technical and engineering assistance, urban
252 agriculture, research, industry promotion, technology transfer and education and to facilitate
253 improvements to agricultural infrastructure, energy conservation and efficiency, and climate
254 change adaptation and resiliency; provided further, that \$4,000,000 shall be expended on
255 programs to promote urban agriculture, including, grants to municipalities and nonprofit
256 organizations to acquire land for urban agriculture and for related infrastructure, equipment and
257 technical assistance, subject to the requirement that such expenditures benefit recipient
258 communities by promoting community, access to locally grown food, job creation, small
259 business development, agricultural training and youth development; provided further, that funds

260 shall be available to provide for short-term land covenants; provided further, that a grant
261 program shall be established to provide grants to public and nonpublic entities for the
262 development and implementation of new procedures for energy conservation and efficiency and
263 for renewable and alternative energy sources to assist the agricultural community to grow and
264 develop; provided further, funds shall be available for a program to assist in the preservation and
265 rehabilitation of facilities and land resources of agricultural fairs through short-term preservation
266 covenants, grants, demonstration projects and other means; provided further, that funds in this
267 item may be expended for infrastructure and equipment upgrades to prevent or reduce food
268 safety risk, programs to control invasive species and provide pesticide disposal; provided further,
269 that funds in this item may be expended for the agricultural environmental enhancement program
270 on the abatement of all forms of pollution generated from agricultural activities; provided
271 further, that funds in this item may be allocated by the commissioner through competitive grants
272 pursuant to rules or regulations adopted by the commissioner to implement this item; provided
273 further, that \$5,000,000 be expended for the purposes of the University of Massachusetts
274 Cranberry Station at East Wareham section of the town of Wareham for the design, construction,
275 retrofitting and outfitting of enhanced laboratory space, including associated equipment and
276 support to improve research performed by the station dealing with concerns including, but not
277 limited to (i) water quality and quantity; (ii) integrated pest management; and (iii) pollinator
278 health and minimization of nutrient and pesticide use with the goal to reduce environmental
279 impacts and to enhance the sustainability of cranberry production in the commonwealth;
280 provided further, that such funds may be carried over from year to year with subsequent
281 appropriations; and provided further, that use of such funds shall be done with the advice and

282 consent of the advisory board of the Cranberry Health Research Center at the University of
283 Massachusetts.....\$50,000,000

284 2511-0122 For a program to acquire agricultural preservation restrictions under
285 sections 23 to 26, inclusive, of chapter 20 of the General Laws; provided, that any person or
286 entity that receives funds from this item shall be encouraged to participate in any programs of the
287 department of agricultural resources that may be suggested by the commissioner of agricultural
288 resources; provided further, that funds may be used for the implementation of a stewardship
289 program on agricultural preservation restriction lands including, but not limited to, resource and
290 land use monitoring, boundary delineation and monitoring, stewardship planning, ecological
291 monitoring and enforcement of agricultural preservation restrictions on existing and newly
292 acquired agricultural preservation restriction properties and the creation of new opportunities that
293 seek to enhance the sustainability and viability of such properties.....\$20,000,000

294 *Department of Conservation and Recreation*

295 2000-7079 For natural resource restoration and protection and in compliance with
296 laws and regulations, and for purposes of improvements and costs associated with site
297 assessment, containment, cleanup, control, disposal, removal or exchange of or response actions
298 concerning hazardous materials or substances.....\$75,500,000

299 2800-1121 For the acquisition of land and interests in land by the department of
300 conservation and recreation and for associated costs, including planning, study, due diligence,
301 title and appraisal services, site restoration and stewardship, including but not limited to, coastal
302 land acquisition and securing of access to protected coastal lands, and lands to provide for the
303 inland movement of coastal habitats; provided, that funds may be used for development and

304 implementation of a stewardship program on lands under the care and control of the department
305 including, but not limited to, resource and land use monitoring, signage, boundary delineation
306 and monitoring, preparation of baseline documentation, stewardship planning, ecological
307 monitoring and enforcement of conservation restrictions or detection and resolution of
308 encroachments on land owned and rights in land and repair of damage to property related to
309 illegal uses, including off-road vehicle trespass; and provided further, that funds may be used for
310 inventory, restoration and reclamation of acquired land, including demolition of structures,
311 removal of debris, eradication of non-native species and other services essential to these
312 reclamation efforts.....\$40,000,000

313 2800-7020 For natural resource restoration and protection, including protection and
314 rehabilitation of lakes, ponds, rivers and streams and associated watersheds, and for
315 improvements and costs associated with site assessment, containment, cleanup, control, removal
316 of or response actions concerning hazardous materials or substances at forests, parks,
317 reservations, waterbodies and other properties of the department of conservation and recreation;
318 provided, that the secretary of energy and environmental affairs may provide guidance for
319 planning, prioritization, selection and implementation of projects in furtherance of the goals of
320 climate change mitigation and adaptation and consistent with the integrated state hazard
321 mitigation and climate change adaptation plan.....\$20,000,000

322 2800-7014 For the design, construction, reconstruction, improvement or rehabilitation
323 of department or navigable coastal and inland waterways projects including, but not limited to,
324 design, permitting, operation, maintenance of waterways, operation and maintenance of state
325 piers, coastal protection, dredging, river and stream cleaning, coastal structure maintenance,
326 piers, dune stabilization, culvert repair, renourishment, erosion control, and implementing

327 nature-based solutions, waterfront access and transportation improvements and improvements to
328 related facilities and equipment; provided, that funds from this item may be expended to support
329 state coordination with a cooperative federal-state program with the United States Geological
330 Survey in the federal Department of Interior, for continuous data collection and analysis
331 regarding water resources; and provided further, that the secretary of energy and environmental
332 affairs may provide guidance for planning, prioritization, selection and implementation of
333 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
334 with the integrated state hazard mitigation and climate change adaptation plan; and provided
335 further that \$2,500,000 shall be expended for repairs to the Sales creek culvert and related
336 improvements in the city of Revere.....\$21,000,000

337 2800-7025 For the design, construction, reconstruction, rehabilitation, retrofitting,
338 repair or removal of state-owned dams for which emergency action or statewide hazard
339 mitigation is required and for inland flood control projects and projects for any related facilities
340 and equipment, including, but not limited to, seawalls, jetties, revetments, and retaining walls,
341 with equal consideration given to beach nourishment and nature-based solutions on state-owned
342 land or related to state climate change adaptation and preparedness or for which emergency
343 action or statewide hazard mitigation is required; provided, that the department of conservation
344 and recreation shall give priority to dams and flood control projects that pose the greatest risk to
345 public health or safety, or to the environment; provided further, that funds shall be available for a
346 program of planning, permitting and construction of fish ways and other aquatic habitat
347 improvements, including the removal or breaching of selected dams and impoundments on state-
348 owned land and waterways; provided, that such projects shall include those which maintain or
349 improve coastal access; and provided further, that the secretary of energy and environmental

350 affairs may provide guidance for planning, prioritization, selection and implementation of
351 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
352 with the integrated state hazard mitigation and climate change adaptation
353 plan.....\$105,000,000

354 2840-7025 For the planning, design, construction, reconstruction, repair, removal,
355 demolition, improvement, furnishing, equipping or rehabilitation of department reservations,
356 forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate parks,
357 swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts, ball
358 fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic sites,
359 beaches and related facilities, storage buildings, office buildings, visitor centers, fire towers,
360 maintenance facilities and other park buildings and structures, and equipment, including
361 upgrades to information technology equipment to be considered in consultation with the
362 secretary of technology services and security, and for the planning, design, acquisition,
363 construction, reconstruction, repair, removal, improvement or rehabilitation of department bike
364 paths, greenways, recreational trails and related facilities and equipment; provided, that the
365 secretary of energy and environmental affairs may provide guidance for planning, prioritization,
366 selection and implementation of projects in furtherance of the goals of climate change mitigation
367 and adaptation and consistent with the integrated state hazard mitigation and climate change
368 adaptation plan; provided further, that the department of conservation and recreation may expend
369 funds in this item for technical assistance and grants to cities and towns in accordance with rules
370 or regulations adopted by the department to implement this item; provided further, that in the
371 expenditure of funds under this item, the commissioner will prioritize public health and safety
372 and capital maintenance needs of commonwealth facilities; provided further, that \$10,000,000

373 shall be expended for repairs and improvements to the Revere beach reservation, including, but
374 not limited to re-nourishment of Revere beach, repairs to any failing seawalls, transportation
375 improvements and restorations to pavilions and period lighting structures; provided further, that
376 \$800,000 shall be expended for planning and infrastructure improvements to mitigate flooding
377 issues in the Riverside, Point of Pines, and Beachmont neighborhoods in the city of Revere;
378 provided further, that \$3,000,000 shall be expended for the construction of the Roslindale
379 Gateway Path; provided further, that \$1,000,000 shall be expended for the planning and
380 construction of a park in the Mildred C. Hailey apartments in the Jamaica Plain neighborhood of
381 Boston.....\$420,000,000

382 2890-7034 For the planning, design, construction, reconstruction, repair,
383 improvement or rehabilitation of department of conservation and recreation parkways,
384 boulevards, multi-use trails, internal state park roads and recreational trails, pedestrian bridges
385 and related appurtenances and equipment including, but not limited to, the costs of planning,
386 design and engineering and other services for those projects rendered by commonwealth
387 employees or by consultants; provided, that funds may be expended for pedestrian and bicycle
388 safety, traffic calming, landscape improvements, street lighting, safety equipment, and
389 accessibility; provided further, that all work funded by this item shall be carried out according to
390 standards developed by the department pursuant to historic parkways preservation treatment
391 guidelines to protect the scenic and historic integrity of the bridges and parkways under its
392 control; provided further, that the secretary of energy and environmental affairs may provide
393 guidance for planning, prioritization, selection and implementation of projects in furtherance of
394 the goals of climate change mitigation and adaptation and consistent with the integrated state
395 hazard mitigation and climate change adaptation plan; provided further, that \$3,000,000 shall be

396 expended for improvements to the intersection of Walter street and Centre street in the
397 Roslindale neighborhood of Boston; provided further, that \$2,000,000 shall be expended for
398 improvements to the Southwest Corridor park in the city of Boston; and provided further, that no
399 more than \$2,000,000 shall be expended for phase 4 of the Quequechan river rail trail to connect
400 the urban river trail to Father Travassos park in the city of Fall River.....\$160,000,000

401 SECTION 2A.

402 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

403 *Office of the Secretary*

404 2000-7080 For implementation of the integrated state hazard mitigation and climate
405 change adaptation plan; provided, that the secretary of energy and environmental affairs shall
406 give priority to critical actions and strategies identified in the plan.....\$100,000,000

407 2000-7081 For the municipal vulnerability preparedness grant program to support and
408 provide technical assistance for cities and towns to complete climate-related vulnerability
409 assessments, develop action-oriented resiliency plans, and complete integrated climate change
410 adaptation plans and local hazard mitigation plans; and to implement local and regional
411 adaptation solutions identified through such plans, including changes to policies, bylaws, and
412 plans, municipal infrastructure improvements, nature-based climate adaptation strategies and
413 repairs to address vulnerability and improve resiliency.....\$75,000,000

414 2000-7084 To capitalize the Global Warming Solutions Trust Fund established in
415 section 35GGG of chapter 10 of the General Laws.....\$5,000,000

416 2000-7085 For the climate change science and data program to support the
417 development and maintenance of data including statewide, basin scale, and other relevant climate
418 change projections and data, the establishment of datasets to track and monitor ongoing impacts
419 from climate change, and the maintenance and expansion of the climate change clearinghouse
420 data and tools available to cities and towns and the regional planning agencies that support them;
421 provided, that any expenditures for communication and technology equipment under this item
422 shall be considered in consultation with the secretary of technology services and
423 security.....\$10,000,000

424 *Department of Environmental Protection*

425 2200-7019 For the Massachusetts electric vehicle incentive program to provide grants
426 to public entities to acquire passenger plug-in vehicles for fleets, install charging stations for
427 public electric vehicles, and promote the establishment of vehicle charging stations; provided
428 further, that \$5,000,000 shall be expended for the Massachusetts electric vehicle incentive
429 program to provide matching grants to employers to install electric vehicle charging stations at
430 workplaces.....\$9,000,000

431 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

432 *Office of the Secretary*

433 8000-2007 For the development and support of climate-oriented emergency response
434 and natural hazard preparedness programs and climate change coordination with the executive
435 office of energy and environmental affairs.....\$6,000,000

436 SECTION 2B.

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

SECTION 2C.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary

2000-7064 For a program to be administered by the secretary of energy and environmental affairs to acquire land for the purposes of open space, recreation and conservation, to be protected pursuant to Article 97 of the Amendments to the Constitution, which lands are located near or adjacent to the mean high water mark of coastal areas, on coastal barrier beaches, or in coastal high risk flooding zones and which lands or structures thereon have suffered or are projected to be subject to repeated damage from flooding, storm surges, wave action, or erosion caused by ocean waves or waters, or are otherwise impacted or projected to be impacted catastrophically by extreme weather events, astronomical high tides or elevated sea

459 levels related to climate change, and cause a substantial risk to public health, public safety or the
460 environment; provided that funds may be used to purchase adjoining coastal parcels next to such
461 acquired land or any other Article 97 coastal land to achieve the purposes of this item; provided
462 further, that grants may be made to cities and towns to acquire such coastal lands for the
463 purposes of this item, and may as a condition of any grant require the municipality to hold title to
464 the acquired land jointly with the commonwealth under the terms of the grant; and provided
465 further, that funds from this item shall not be used to compensate land owners for lands taken by
466 eminent domain..... \$20,000,000

467 2000-7077 For the acquisition, development, construction and improvement of parks
468 in urban and suburban neighborhoods currently underserved with parks, and which are consistent
469 with attainment of environmental equity, including community engagement and planning related
470 to these parks; provided, that funds shall be available for the completion of urban forestry and
471 tree planting projects, assessment and remediation of brownfield and grayfield sites intended for
472 reuse as parks, drafting of architectural renderings, construction documents and other technical
473 documents necessary for parks construction, acquisition of land or interests in land, including
474 rail-banked corridors, for the creation of parks pursuant to Article 97 of the Amendments to the
475 Constitution of the Commonwealth and for the construction, rehabilitation and improvement of
476 parks including, but not limited to, all related facilities, landscaping, monuments and features,
477 parking areas and roadways; provided, that the secretary of energy and environmental affairs
478 may issue grants to public and nonpublic entities to implement these projects; and provided
479 further, that the secretary may provide guidance for planning, prioritization, selection of parks to
480 promote environmental equity and in furtherance of the goals of climate change mitigation and

481 adaptation and consistent with the integrated state hazard mitigation and climate change
482 adaptation plan.....\$60,000,000

483 2000-7078 For investment in trails to include planning, engineering, design,
484 permitting, construction, repair, technical assistance and improvement of trails and the
485 acquisition of property interests for trail purposes; provided, that funds may be granted at the
486 discretion of the secretary of energy and environmental affairs to public and non-public entities
487 including municipalities, regional planning agencies, and non-profit organizations, or expended
488 directly by the executive office of energy and environmental affairs and its departments and
489 division; provided further, that trails are to be broadly defined to include water, recreational,
490 multi-use, and motorized for use by recreational and snow vehicles, and may be paved,
491 improved, natural surface, or on-road for limited distances when necessary to make key
492 connections; provided further that any project funded under this item is to be open to the public;
493 provided further, that wherever practicable property interests acquired are to be permanently
494 conserved such that the trail thereon is permanently accessible to the public, but may be long-
495 term leases where necessary to advance trail projects; provided further, that a match from the
496 funding recipient, which may include in-kind match, may be required at the discretion of the
497 secretary of energy and environmental affairs; and provided further, that funds expended from
498 this item for the cost of employees shall not exceed 5 per cent of funds expended from this item
499 in any fiscal year.....\$25,000,000

500 *Department of Conservation and Recreation*

501 2800-7023 For a forestry and tree planting program for projects throughout the
502 commonwealth, including, but not limited to, the evaluation and planning of forestry and tree

503 planting projects, tree stock and planting and the care and protection of trees and forests;
504 provided, that the secretary of energy and environmental affairs shall give priority to the planting
505 of trees in areas experiencing heat island effects, underserved with tree cover, affected by severe
506 weather events or insect infestation, in areas where aquifers, recharge areas, wells, reservoirs and
507 other water bodies are located that will improve and protect water quality as part of a natural
508 ecosystem, and in furtherance of environmental equity, climate change mitigation, adaptation
509 and resiliency strategies; provided, that the secretary may provide guidance for coordination
510 between municipal and utility stakeholders on incorporating utility gas leaks data into planning
511 for street tree planting projects and for testing street tree pits for methane before planting;
512 provided further, that funds from this item may be expended to provide technical assistance and
513 support to landowners to engage in sustainable forest management and long-term conservation
514 practices and to undertake projects and activities to protect the ecological integrity of the
515 commonwealth’s forestlands under the forest vision plan; provided further, that \$2,000,000 shall
516 be expended for tree planting in the city of Boston.....\$25,000,000

517 SECTION 2D.

518 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

519 6121-1315 For the complete streets program established pursuant to chapter 90I of the
520 General Laws for complete streets grants to municipalities; and provided further, that no more
521 than \$200,000 shall be expended for the repair and construction to eliminate the excessive
522 drainage where the Route 24 northbound exit 8A abuts the Fall River Industrial Park in the city
523 of Fall River;.....\$55,000,000

524 6121-1715 For projects on the interstate and non-interstate federal highway system;
525 provided, that funds may be expended for the costs of these projects including, but not limited to
526 the non-participating portions of these projects and the costs of engineering and other services
527 essential to these projects; provided further, that notwithstanding this act or any other general or
528 special law to the contrary, the department shall not enter into any obligations for projects which
529 are eligible to receive federal funds under this act unless state matching funds exist which have
530 been specifically authorized and are sufficient to fully fund the corresponding state portion of the
531 federal commitment to fund these obligations; and provided, further, that the department shall
532 only enter into obligations for projects under this act based upon a prior or anticipated future
533 commitment of federal funds and the availability of corresponding state funding authorized and
534 appropriated for this use by the general court for the class and category of project for which this
535 obligation applies..... \$992,000,000

536 SECTION 3. To meet the expenditures necessary in carrying out section 2, the state
537 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
538 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
539 \$1,513,500,000. All such bonds issued by the commonwealth shall be designated on their face,
540 Environmental Loan Act of 2018, and shall be issued for a maximum term of years, not
541 exceeding 20 years, as the governor may recommend to the general court under section 3 of
542 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
543 June 30, 2043. All interest and payments on account of principal on these obligations shall be
544 payable from the General Fund. Bonds and interest thereon issued under this section shall,
545 notwithstanding any other provision of this act, be general obligations of the commonwealth.

546 SECTION 4. To meet the expenditures necessary in carrying out section 2A, the state
547 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
548 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
549 \$205,000,000. All such bonds issued by the commonwealth shall be designated on their face,
550 Climate Change Preparedness Loan Act of 2018, and shall be issued for a maximum term of
551 years, not exceeding 20 years, as the governor may recommend to the general court under
552 section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not
553 later than June 30, 2043. All interest and payments on account of principal on these obligations
554 shall be payable from the General Fund. Bonds and interest thereon issued under this section
555 shall, notwithstanding any other provision of this act, be general obligations of the
556 commonwealth.

557 SECTION 5. To meet the expenditures necessary in carrying out section 2B, the state
558 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
559 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
560 \$60,333,000. All such bonds issued by the commonwealth shall be designated on their face,
561 Clean Water Loan Act of 2018, and shall be issued for a maximum term of years, not exceeding
562 20 years, as the governor may recommend to the general court under section 3 of Article LXII of
563 the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043.
564 All interest and payments on account of principal on these obligations shall be payable from the
565 General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any
566 other provision of this act, be general obligations of the commonwealth.

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

569 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
570 \$130,000,000. All such bonds issued by the commonwealth shall be designated on their face,
571 Commonwealth 21st Century Parks and Trails Act of 2018, and shall be issued for a maximum
572 term of years, not exceeding 20 years, as the governor may recommend to the general court
573 under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be
574 payable not later than June 30, 2043. All interest and payments on account of principal on these
575 obligations shall be payable from the General Fund. Bonds and interest thereon issued under this
576 section shall, notwithstanding any other provision of this act, be general obligations of the
577 commonwealth.

578 SECTION 7. To meet the expenditures necessary in carrying out section 2D, the state
579 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
580 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
581 \$1,047,000,000. All such bonds issued by the commonwealth shall be designated on their face,
582 Highway and Streets Projects Act of 2018, and shall be issued for a maximum term of years, not
583 exceeding 10 years, as the governor may recommend to the general court under section 3 of
584 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
585 June 30, 2033. All interest and payments on account of principal on these obligations shall be
586 payable from the General Fund. Bonds and interest thereon issued under this section shall,
587 notwithstanding any other provision of this act, be general obligations of the commonwealth.

588 SECTION 8. Chapter 10 of the General Laws is hereby amended by inserting after
589 section 35FFF, inserted by section 1 of chapter 91 of the acts of 2018, the following 2 sections:-

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

600 (b) Amounts credited to the fund may be used, without further appropriation, to provide
601 grants or loans to governmental, quasi-governmental or non-profit entities for costs incurred in
602 relation to implementation of the Global Warming Solutions Act, chapter 298 of the acts of
603 2008, as subsequently amended; the Clean Energy and Climate Plan published by the executive
604 office of energy and environmental affairs, as subsequently amended; and other state and local
605 strategies for climate change mitigation and adaptation. Such expenditures may include, but are
606 not limited to: (i) payment of costs associated with planning, monitoring, and managing carbon
607 reduction measures; (ii) development and deployment of mitigation strategies and best practices
608 to reduce carbon emissions; (iii) planning, monitoring and managing strategies to adapt to and
609 prepare for the impacts of climate change; (iv) priority adaptation projects with potential co-
610 benefits for climate change mitigation, environmental protection, public health, or other factors,
611 as determined by the secretary of energy and environmental affairs; and (v) pilot projects for new
612 technologies or strategies to support carbon emission reductions. The amounts expended from

613 the fund during any fiscal year for the costs of employees shall not exceed 5 per cent of total
614 funds expended from the fund in that fiscal year. Monies deposited into the fund that are
615 unexpended at the end of the fiscal year shall not revert to the General Fund and shall be
616 available for expenditure in the subsequent fiscal year.

617 Section 35HHH. (a) There shall be established and set up on the books of the
618 commonwealth a separate fund to be known as the Transfer of Development Rights Revolving
619 Fund into which shall be deposited: (i) any revenues or other financing sources directed to the
620 fund by appropriation; (ii) bond revenues or other monies authorized by the general court and
621 specifically designated to be credited to the fund; (iii) any income derived from the investment of
622 amounts credited to the fund or repayment of loans from the fund; (iv) funds from public or
623 private sources, including, but not limited to, gifts, federal or private grants, donations, rebates
624 and settlements received by the commonwealth that are specifically designated to be credited to
625 the fund; and (v) all other amounts credited or transferred into the fund from any other source.
626 The fund shall be administered by the secretary of energy and environmental affairs.

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

632 SECTION 9. Section 10H of chapter 21A of the General Laws, as appearing in the 2016
633 Official Edition, is hereby amended by striking out the sixth, seventh and eighth paragraphs, and
634 inserting in place thereof the following 4 paragraphs:-

635 A person notified to appear before the clerk of a district court, as provided in said section
636 10G, for any violation of sections 17A, 18, 19, 30, 31, 33, 34, 35, 36, 51, 51A, 66, 69, 70, 71, 72,
637 100C or 102 of chapter 130 may so appear within the time specified and pay a fine of \$100.

638 A person notified to appear before the clerk of a district court, as provided in said section
639 10G, for any violation of sections 13, 17, 21, 29, 37, 38, 38A, 39, 40, 41, 41A, 44, 44A, 44B, 47,
640 49, 80, 81, 82, 92, 100A, 100B or 106 of chapter 130 may so appear within the time specified
641 and pay a fine of \$200.

642 A person notified to appear before the clerk of a district court, as provided in said section
643 10G, for any violation of sections 23, 25, 67, 68, 75, 95 or 100D of chapter 130 may so appear
644 within the time specified and pay a fine of \$400.

645 A person notified to appear before the clerk of a district court, as provided in said section
646 10G, for any violation of sections 17, 17A, 34, 35, 37, 40, 41, 41A, 44, 44A, 44B, 95, 100A,
647 100B or 100C of chapter 130 may so appear within the time specified and pay, in addition to the
648 applicable base fine specified in this section for a violation of any of the sections listed above, a
649 supplemental fine of \$10 per fish for a violation of each said section. For the purpose of this
650 paragraph, the term “fish” shall be defined as provided in section 1 of chapter 130, except that it
651 shall not include bi-valve shellfish.

652 SECTION 10. Said chapter 21A of the General Laws is hereby amended by adding the
653 following 2 sections:-

654 Section 27. (a) There shall be established within the executive office of energy and
655 environmental affairs a program to facilitate the transfer of development rights, as defined in
656 section 1A of chapter 40A, through municipal ordinances or bylaws to protect conservation

657 values and encourage development through market incentives. The secretary, in consultation
658 with the secretary of housing and economic development and other agencies or offices as
659 appropriate, shall manage and oversee the program, including the administration of the Transfer
660 of Development Rights Revolving Fund established in section 35HHH of chapter 10. The
661 secretary may promulgate regulations to carry out the provisions of this section.

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

664 (1) establish a municipal transfer of development rights revolving fund under section
665 53E½ of chapter 44 to be used to effectuate the purchase and sale of the transfer of development
666 rights, as defined in section 1A of chapter 40A; and

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

670 (i) enables the acquisition, retention, and disposition of the transfer of development
671 rights;

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

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

688 (iv) provides reasonable assurance that areas designated for receipt of transferred
689 development rights are properly sized based on the potential increase in growth that may result
690 from the transfers to them, and that they are appropriate for additional growth based on their
691 location, availability of infrastructure or planned infrastructure development, and access to
692 municipal services; and

693 (v) establishes a procedure for the planning board to issue development rights certificates,
694 in a form specified by the secretary, indicating ownership of transferable development rights, and
695 to provide for and document the creation, acquisition, disposition, exercise and redemption of
696 transferable development rights, including: (1) procedures for the filing of development rights
697 certificates with the municipal clerk and recording with the registry of deeds or registration in the
698 registry district, as applicable, for both the land from which development rights are extinguished
699 and the land to which such rights are transferred; (2) procedures for documenting the recording

700 or registration of the original restriction or restrictive covenant as required in clause (iii); and (3)
701 procedures, including limitations if any, for the exercise of transferable development rights in the
702 event of subsequent amendments to zoning ordinances and bylaws affecting the development
703 authorized by the transferable development right.

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

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

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

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

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

717 (d) Loans from the Transfer of Development Rights Revolving Fund shall carry 0 per
718 cent interest for the first 5 years from the date of origination, and the prime rate plus 1 per cent
719 from the sixth to the tenth year from the date of origination. A municipality that has not repaid its
720 loan within 10 years of the origination date shall be considered in default. In addition to other

721 remedies specified under any loan agreement, if any municipality shall fail to pay to the
722 Transferable Development Rights Revolving Fund when due and after demand any principal,
723 interest or other charges payable under a loan or loan agreement, the secretary may certify to the
724 state treasurer the amount owing to the Transferable Development Rights Revolving Fund by
725 said municipality, and may request that the state treasurer reduce annual local aid to the recipient
726 by the amount necessary to repay the principal, interest or other charges in arrears over 10 years.
727 The state treasurer shall promptly pay over to the secretary for deposit in the Transferable
728 Development Rights Revolving Fund without further appropriation any local aid distributions in
729 the amounts requested by the secretary and otherwise certified to the state treasurer as payable to
730 the municipality. The loan terms set forth in this subsection may be modified by regulations
731 promulgated by the secretary; provided, however, that no such modification shall be made before
732 January 1, 2022.

733 SECTION 11. Section 1 of chapter 21N of the General Laws, as appearing in the 2016
734 Official Edition, is hereby amended by inserting after the definition of “Alternative compliance
735 mechanism” the following definition:-

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

740 SECTION 12. Said section 1 of said chapter 21N, as so appearing, is hereby further
741 amended by inserting after the definition of “Greenhouse gas emissions source” the following
742 definition:-

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

745 SECTION 13. Said section 1 of said chapter 21N, as so appearing, is hereby further
746 amended by inserting after the definition of “Secretary” the following definition:-

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

751 SECTION 14. Said section 1 of said chapter 21N, as so appearing, is hereby further
752 amended by adding the following definition:-

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

757 SECTION 15. Said chapter 21N is hereby amended by adding the following 2 sections:-

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

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

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

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

788 (c) The secretary of each executive office established under section 2 of chapter 6A shall
789 designate an employee to serve as the climate change coordinator of such office. Each climate
790 change coordinator shall, under the leadership of the executive office of energy and
791 environmental affairs and the executive office of public safety: (1) serve as such office's
792 principal liaison regarding climate change mitigation, adaptation, and resiliency efforts; (2) assist
793 in the development and implementation of the state plan; (3) work with agencies under the
794 jurisdiction of such office to complete vulnerability assessments for each agency and assist in
795 incorporating these assessments into the state plan, on a schedule determined by the executive
796 office of energy and environmental affairs and the executive office of public safety and security;
797 and (4) implement priority strategies and recommendations from the vulnerability assessment to
798 moderate risk from climate change.

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

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

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

814 SECTION 16. Section 1A of chapter 40A of the General Laws, as so appearing, is hereby
815 amended by inserting after the definition of “Special permit granting authority” the following 2
816 definitions:-

817 “Transfer of development rights zoning” or “TDR zoning”, zoning that authorizes
818 transfer of development rights by permitting landowners in specific preservation areas identified
819 as sending areas to sell their development rights to landowners in specific development districts
820 identified as receiving areas.

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

825 SECTION 17. Section 9 of said chapter 40A, as so appearing, is hereby amended by
826 inserting after the word “interests”, in line 34, the following words:- ; provided however, that
827 nothing herein shall prohibit a zoning ordinance or by-law from allowing transfer of

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

830 SECTION 18. Section 6F of chapter 62 of the General Laws, as so appearing, is hereby
831 amended by inserting after the word “under,” in line 52, the following words:- subsections (a) or
832 (c) of.

833 SECTION 19. Section 5 of chapter 65C, as so appearing, is hereby amended by striking
834 out subsection (c) and inserting in place thereof the following subsections:-

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

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

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

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

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

857 “Qualifying agricultural land”, land which meets the definition of forest land under
858 chapter 61, land actively devoted to agricultural, horticultural or agricultural and horticultural
859 uses under chapter 61A or recreational land under chapter 61B that is also used for farming or
860 agriculture, as defined in section 1A of chapter 128, and has been devoted to such use or uses for
861 at least 2 of the tax years immediately preceding the death of the decedent; provided, however,
862 that the land need not be classified by municipal assessors as forest land under chapter 61, land
863 actively devoted to agricultural, horticultural or agricultural and horticultural uses under chapter
864 61A or recreational land under chapter 61B to qualify for valuation as closely held agricultural
865 land under this subsection.

866 “Qualifying non-committed land”, land which is not qualifying agricultural land and is
867 not committed to residential, industrial or commercial use, including associated land in excess of
868 100 per cent of the acreage of qualifying agricultural land.

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

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

880 (3) Unless the property is restricted by a non-development covenant that (i) is approved
881 by the commissioner of agriculture, (ii) is for the purposes of maintaining the land in agricultural
882 use, (iii) precludes non-agricultural development of the land, (iv) is recorded at the registry of
883 deeds in the counties or districts in which the property is located and (v) does not expire within
884 10 years of the applicable date, the commissioner shall forthwith cause to be recorded in the
885 registry of deeds of the counties or districts in which the property is situated a statement which
886 shall constitute a lien upon the land covered by election under this subsection. The statement
887 shall include the owner or owners of record, the savings as a result of such election, the fair
888 market value of the property and a description of the land adequate for identification. Unless
889 such a statement is recorded the lien shall not be effective with respect to a bona fide purchaser
890 or other transferee without actual knowledge of such lien. Upon application by any record owner,
891 such liens shall be released by the commissioner with respect to any property upon the facts

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

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

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

908 The assessment shall be equal to 100 per cent of the savings if such date is within 1 year
909 of the applicable date; 90 per cent of the savings if such date is within 2 years, but more than 1
910 year, of the applicable date; 80 per cent of the savings if such date is within 3 years, but more
911 than 2 years, of the applicable date; 70 per cent of the savings if such date is within 4 years, but
912 more than 3 years, of the applicable date; 60 per cent of the savings if such date is within 5 years,
913 but more than 4 years, of the applicable date; 50 per cent of the savings if such date is within 6

914 years, but more than 5 years, of the applicable date; 40 per cent of the savings if such date is
915 within 7 years, but more than 6 years, of the applicable date; 30 per cent of the savings if such
916 date is within 8 years, but more than 7 years, of the applicable date; 20 per cent of the savings if
917 such date is within 9 years, but more than 8 years, of the applicable date; 10 per cent of the
918 savings if such date is within 10 years, but more than 9 years, of the applicable date; and no
919 assessment shall be due if such date is more than 10 years from the applicable date.

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

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

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

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

938 (iii) Notwithstanding this paragraph, there shall be no assessment if the land involved, or
939 a lesser interest in the land, is acquired for a natural resource by the commonwealth or by a
940 nonprofit conservation organization; provided, however, that if any portion of the land is sold or
941 converted to commercial, residential or industrial use within 10 years after the applicable date by
942 a nonprofit conservation organization, an assessment shall be imposed against the nonprofit
943 conservation organization in the amount that would have been imposed at the time of acquisition
944 of the subject parcel by the nonprofit conservation organization had the transaction been subject
945 to an assessment or, in the case of qualifying non-committed land acquired by a nonprofit
946 conservation organization before the applicable date, the amount that would have been imposed
947 on the applicable date under clause (ii) of this paragraph.

948 (iv) In the case of sale for other use of closely held agricultural land, other than
949 qualifying non-committed land sold for other use before the applicable date, assessments
950 imposed by this subsection shall be due and payable by the grantor at the time of transfer of the
951 property by deed or other instrument of conveyance. In the case of qualifying non-committed
952 land sold for other use before the applicable date, assessments imposed by this subsection shall
953 be due and payable by the grantor on the applicable date. In the case of change to a non-
954 qualifying use, assessments imposed by this subsection shall be due and payable by the owner or
955 owners within 30 days of the last date of use as closely held agricultural land, regardless of the
956 date on which the commissioner was notified by said owner or owners of such change of use.

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

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

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

968 SECTION 20. Section 25 of chapter 90B of the General Laws, as so appearing, is hereby
969 amended by inserting after the word “way,” in line 44, the following words:- , or upon but to the
970 extreme right of such travelled portion,.

971 SECTION 21. The fourth paragraph of said section 25 of said chapter 90B, as so
972 appearing, is hereby amended by adding the following sentence:- This paragraph shall also apply
973 to any portion of a public way designated by the governmental entity with jurisdiction over such
974 public way, with approval of the chief of police of the municipality in which such portion lies, to
975 permit travel by a recreational vehicle from 1 authorized operating area to another, or permit
976 access by a recreational vehicle to essential services such as fuel, food, and lodging from an
977 authorized operating area. The designated portion shall be the minimum distance necessary to
978 permit such travel or access, but shall not exceed 4 miles.

979 SECTION 22. Chapter 129 of the General Laws is hereby amended by striking out
980 section 18, as so appearing, and inserting in place thereof the following section:-

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

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

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

991 SECTION 23. Said chapter 129 is hereby further amended by striking out section 25, as
992 so appearing, and inserting in place thereof the following section:-

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

1000 SECTION 24. Section 2 of chapter 130 of the General Laws, as so appearing, is hereby
1001 amended by striking out the fourth and fifth paragraphs and inserting in place thereof the
1002 following paragraph:-

1003 Whoever violates any provision of this chapter or regulation made under the authority of
1004 this chapter, unless otherwise provided, shall be: (a) punished by a fine of not less than \$400 or
1005 more than \$10,000, or by imprisonment in the house of correction for not more than 2 ½ years,
1006 or both; or (b) liable for a civil penalty not to exceed \$10,000 for each such violation. Such civil
1007 penalty may be assessed in an action brought on behalf of the commonwealth in the superior or
1008 district court.

1009 SECTION 25. Section 13 of said chapter 130, as so appearing, is hereby amended by
1010 striking out the third paragraph.

1011 SECTION 26. Said chapter 130 is hereby further amended by striking out section 18, as
1012 so appearing, and inserting in place thereof the following section:-

1013 Section 18. No person shall, without right, enter in or upon any building or other structure
1014 or any area of land, flats or water, set apart and used by or under authority of the director for
1015 conducting scientific experiments or investigations or for propagation or protection of fish, or
1016 contrary to regulations, fish in waters so set apart and used after the director has caused printed
1017 notices of such occupation and use and the purposes thereof to be placed in a conspicuous
1018 position upon any such building or other structure or adjacent to any such area of land, flats or
1019 water, or injure or deface any such building or other structure or any notice posted as aforesaid,
1020 or injure or deface any property used in such experiments or investigations or for such purposes,
1021 or otherwise interfere therewith.

1022 SECTION 27. Section 19 of said chapter 130, as so appearing, is hereby amended by
1023 striking out the fifth paragraph.

1024 SECTION 28. The sixth paragraph of said section 19 of said chapter 130, as so
1025 appearing, is hereby amended by striking out the third sentence.

1026 SECTION 29. Section 21 of said chapter 130, as so appearing, is hereby amended by
1027 striking out the fifth paragraph.

1028 SECTION 30. Said chapter 130 is hereby amended by striking out section 23, as so
1029 appearing, and inserting in place thereof the following section:-

1030 Section 23. Except in the case of emergency imperiling life or property or an unavoidable
1031 accident or except in accordance with the terms of a permit issued pursuant to state or federal
1032 water pollution control laws, no person shall, from any source: put, throw, discharge or suffer or
1033 permit to be discharged or escape into any coastal waters any oil, poisonous or other injurious
1034 substance, including but not limited to, sawdust, shavings, garbage, ashes, acids, sewage and
1035 dye-stuffs, whether simple, mixed or compound, or heated effluent, which directly or indirectly
1036 materially injure fish, fishspawn or seed therein, or takes any such fish by such means; or kill or
1037 destroy fish in such waters by the use of dynamite or other explosives, or take any such fish in
1038 such waters by such means; or explode dynamite or other explosive in such waters.

1039 SECTION 31. Section 29 of said chapter 130, as so appearing, is hereby amended by
1040 striking out the second paragraph and inserting in place thereof the following paragraph:-

1041 No person shall construct or maintain a weir, pound net or a fish trap in the tide water
1042 except in accordance with the requirements of this section.

1043 SECTION 32. Section 30 of said chapter 130, as so appearing, is hereby amended by
1044 striking out the second sentence.

1045 SECTION 33. Said chapter 130 is hereby amended by striking out section 31, as so
1046 appearing, and inserting in place thereof the following section:-

1047 Section 31. No person shall, without the consent of the owner, take, use, destroy, injure
1048 or molest any weir, pound net, fish trap, seine, set net or lobster or crab pot or other fishing gear,
1049 or any fish car or other contrivance used for the purpose of storing fish, including any such
1050 fishing gear which is swept ashore by storm or tide or other natural causes and deposited upon
1051 the shore, beaches or flats, whether public or private, or take fish therefrom without the consent
1052 of the owner.

1053 SECTION 34. Section 33 of said chapter 130, as so appearing, is hereby amended by
1054 striking out the sixth sentence.

1055 SECTION 35. Section 34 of said chapter 130, as so appearing, is hereby amended by
1056 striking out the first sentence and inserting in place thereof the following sentence:- Between
1057 March 15 and the following June 15 of any year, no person shall catch or take any smelt from the
1058 waters of the commonwealth, or buy, receive, sell or offer or expose for sale, transport or possess
1059 a smelt so taken.

1060 SECTION 36. Section 35 of said chapter 130, as so appearing, is hereby amended by
1061 striking out the first paragraph and inserting in place thereof the following paragraph:-

1062 No person shall take or attempt to take a smelt in any other manner than by angling. This
1063 section shall not apply to smelt inadvertently taken in a seine or net during the time and in the

1064 manner in which fishing is allowed for perch, herring or alewives; provided, that such smelt so
1065 taken shall be immediately liberated alive in the waters from which taken.

1066 SECTION 37. Section 36 of said chapter 130, as so appearing, is hereby amended by
1067 striking out the second sentence and inserting in place thereof the following sentence:- No person
1068 shall violate the provisions of this section or molest or disturb smelt or their spawn within such
1069 closed areas.

1070 SECTION 38. The fourth paragraph of section 37 of said chapter 130, as so appearing, is
1071 hereby amended by striking out the first sentence.

1072 SECTION 39. Section 38 of said chapter 130, as so appearing, is hereby amended by
1073 striking out, in lines 82 to 84, the words “, and upon failure to do so shall be punished by a fine
1074 of not less than twenty-five nor more than one hundred dollars or imprisonment for one month or
1075 both”.

1076 SECTION 40. Section 38A of said chapter 130, as so appearing, is hereby amended by
1077 striking out the third paragraph.

1078 SECTION 41. Section 39 of said chapter 130, as so appearing, is hereby amended by
1079 striking out the second sentence.

1080 SECTION 42. Section 40 of said chapter 130, as so appearing, is hereby amended by
1081 striking out the second sentence.

1082 SECTION 43. Section 47 of said chapter 130, as so appearing, is hereby amended by
1083 striking out the third sentence.

1084 SECTION 44. Said chapter 130 is hereby amended by striking out section 49, as so
1085 appearing, and inserting in place thereof the following section:-

1086 Section 49. No carrier shall knowingly receive or carry from place to place any lobster or
1087 lobster meat in barrels, boxes or other containers not marked as provided in section 47.

1088 SECTION 45. Section 51 of said chapter 130, as so appearing, is hereby amended by
1089 striking out the second sentence.

1090 SECTION 46. Section 51A of said chapter 130, as so appearing, is hereby amended by
1091 striking out the third sentence.

1092 SECTION 47. Section 52 of said chapter 130, as so appearing, is hereby amended by
1093 inserting after the word “therefore”, in line 61, the following words:-

1094 ; provided, however, that such city or town shall not charge a veteran, as defined in
1095 clause Forty-third of section 7 of chapter 4, who is a resident of the commonwealth, a fee greater
1096 than the fee charged to a resident of such city or town.

1097 SECTION 48. Said chapter 130 is hereby amended by striking out section 66, as so
1098 appearing, and inserting in place thereof the following section:-

1099 Section 66. No person shall willfully injure, deface, destroy or remove any mark or
1100 bound used to define the extent of any shellfish license or grant, or place any unauthorized mark
1101 thereon, or tie or fasten any boat or vessel thereto. Any person who violates this section shall be
1102 liable in tort for double damages and costs to the licensee or transferee injured by such act.

1103 SECTION 49. Said chapter 130 is hereby amended by striking out section 67, as so
1104 appearing, and inserting in place thereof the following section:-

1105 Section 67. No person shall work a dredge, oyster tongs or rakes, or any other implement
1106 for the taking of shellfish of any description upon any shellfish grounds or beds covered by a
1107 license granted under section 57 or corresponding provisions of earlier laws, or in any way
1108 disturb the growth of the shellfish thereon, or discharge any substance which may directly or
1109 indirectly injure the shellfish upon any such grounds or beds, without the consent of the licensee
1110 or transferee, as the case may be, or, while upon or sailing over any such grounds or beds, cast,
1111 haul, or have overboard any such dredge, tongs, rake or other implement for the taking of
1112 shellfish of any description, under any pretense or for any purpose, without the consent of the
1113 licensee or transferee.

1114 SECTION 50. Section 68 of said chapter 130, as so appearing, is hereby amended by
1115 striking out the second paragraph and inserting in place thereof the following paragraph:-

1116 No person shall, without the consent of the licensee or transferee, dig or take any
1117 shellfish or shells from any waters, flats or creeks described in any license granted under section
1118 57, or corresponding provisions of earlier laws, during the continuance of such license or of any
1119 renewal thereof.

1120 SECTION 51. Section 70 of said chapter 130, as so appearing, is hereby amended by
1121 striking out the seventh sentence.

1122 SECTION 52. Section 71 of said chapter 130, as so appearing, is hereby amended by
1123 striking out the second sentence.

1124 SECTION 53. Section 72 of said chapter 130, as so appearing, is hereby amended by
1125 striking out the second sentence.

1126 SECTION 54. The second paragraph of section 75 of said chapter 130, as so appearing, is
1127 hereby amended by striking out the first 2 sentences and inserting in place thereof the following
1128 sentence:-

1129 Whoever, without a permit as provided in this section or contrary to the provisions of
1130 such permit, digs or takes shellfish for any purpose from any area determined under section 74 or
1131 section 74A or under corresponding provisions of earlier laws to be contaminated, while such
1132 determination is in force, or knowingly transports or causes to be transported or has in their
1133 possession or offers for sale shellfish so dug or taken, shall be punished by imprisonment in a
1134 house of correction for not more than 2 ½ years or imprisonment in the state prison for not more
1135 than 3 years; a fine of not less than \$500 and not more than \$10,000; or by both such fine and
1136 imprisonment.

1137 SECTION 55. Section 80 of said chapter 130, as so appearing, is hereby amended by
1138 striking out, in line 73, the words “ten dollars” and inserting in place thereof the following
1139 figure:- \$400.

1140 SECTION 56. Section 81 of said chapter 130, as so appearing, is hereby amended by
1141 striking out, in lines 21 to 22, the words “one hundred nor more than ten thousand dollars” and
1142 inserting in place thereof the following words:- \$400 nor more than \$10,000.

1143 SECTION 57. Section 82 of said chapter 130, as so appearing, is hereby amended by
1144 striking out, in line 18, the words “one hundred” and inserting in place thereof the following
1145 figure:- \$400.

1146 SECTION 58. Section 92 of said chapter 130, as so appearing, is hereby amended by
1147 striking out the first 2 paragraphs and inserting in place thereof the following paragraph:-

1148 No person shall sell, exchange, transport or deliver, or offer or expose for sale, exchange
1149 or delivery, or have in their custody or possession with intent to sell, exchange, transport or
1150 deliver, any scallops or sea scallops which have been soaked and shall tag such scallops in
1151 accordance with regulations promulgated by the director.

1152 SECTION 59. Said chapter 130 is hereby amended by striking out section 95, as so
1153 appearing, and inserting in place thereof the following section:-

1154 Section 95. No person shall take, kill, haul onshore, disturb, injure, hinder, or obstruct the
1155 passage of any herring, alewives, or other swimming marine food fish in a fishery created by a
1156 city or town, without permission thereof, or that of its lessees; in a fishery legally created by a
1157 corporation, without the permission of such corporation; or in a public fishery regulated and
1158 controlled by a city or town, contrary to its regulations.

1159 Proceedings under this section shall be commenced within 30 days after the commission
1160 of the offence.

1161 SECTION 60. Section 99 of said chapter 130 is hereby repealed.

1162 SECTION 61. Section 100A of said chapter 130, as appearing in the 2016 Official
1163 Edition, is hereby amended by striking out the second sentence.

1164 SECTION 62. Section 100B of said chapter 130, as so appearing, is hereby amended by
1165 striking out the second sentence.

1166 SECTION 63. Section 100C of said chapter 130, as so appearing, is hereby amended by
1167 striking out the second sentence.

1168 SECTION 64. Section 100D of said chapter 130, as so appearing, is hereby amended by
1169 striking out the third paragraph.

1170 SECTION 65. Said chapter 130 is hereby amended by striking out section 102, as so
1171 appearing, and inserting in place thereof the following section:-

1172 Section 102. No person shall harvest for sale or engage in the aquaculture of marine
1173 plants except in accordance with any regulations adopted by the director and subject to a permit
1174 or written approval issued by the director.

1175 SECTION 66. Section 103 of said chapter 130 is hereby repealed.

1176 SECTION 67. Subdivision (2) of section 2D of chapter 132A of the General Laws, as so
1177 appearing, is hereby amended by adding the following sentence:-

1178 The commissioner may also offer discounts or waive charges or fees for parking passes
1179 for veterans, as defined in section 6A of chapter 115.

1180 SECTION 68. Item 2300-0100 of section 2 of chapter 47 of the Acts of 2017 is hereby
1181 amended by inserting after the word “county” the following words:- , provided further, that said
1182 \$1,000,000 shall not revert but shall be made available for the purposes of this project until June
1183 30, 2019.

1184 SECTION 69. The fourth paragraph of section 44 of chapter 85 of the acts of 1994, as
1185 most recently amended by section 127 of chapter 46 of the acts of 2015, is hereby further
1186 amended by inserting after the words “in the city of Canton” the following words:-

1187 Randolph Avenue Stables, so called, at 1333 Randolph Avenue in the Blue Hills State
1188 Reservation in the town of Milton, 7 Brainard Street, in the Stonybrook State Reservation in the
1189 Hyde Park neighborhood of the city of Boston.

1190 SECTION 70. Notwithstanding any general or special law to the contrary, the
1191 commissioner of conservation and recreation may expend, without further appropriation, sums
1192 collected and held in accordance with chapter 673 of the acts of 1950 on repairs, replacements
1193 and improvements to the facilities and buildings on the Dilboy Stadium property in the city of
1194 Somerville.

1195 SECTION 71. Notwithstanding section 30 of chapter 29 of the General Laws or section
1196 65 of chapter 30 of the General Laws, a portion of the funds authorized under this act may be
1197 used for the costs associated with the purchase of title insurance and services for title
1198 examinations, reports and certifications; provided, that any executive department or state agency
1199 expending such funds shall maximize efforts and utilize all available means to minimize use of
1200 capital funds for such purposes.

1201 SECTION 72. Notwithstanding any general or special law to the contrary, any executive
1202 department or state agency expending funds authorized in this act shall maximize efforts and
1203 utilize all available means to minimize use of capital funds to pay for services rendered by
1204 agency employees or by consultants.

1205 SECTION 73. Notwithstanding any general or special law to the contrary, upon
1206 acquiring any fee interest in land for purposes pursuant to Article XCVII of the Amendments to
1207 the Constitution, all state agencies, commissions and boards expending or receiving state funds
1208 under this act shall obtain the approval of the secretary of energy and environmental affairs

1209 before implementing or endorsing any prohibition of fishing, hunting or trapping on that land
1210 and shall provide the secretary with written justification of the prohibition.

1211 SECTION 74. The sums made available pursuant to sections 2 to 2D, inclusive, shall be
1212 available for expenditure in the 5 fiscal years following June 30 of the calendar year in which the
1213 appropriation is made and any portion of such appropriation representing encumbrances
1214 outstanding on the records of the state comptroller's office at the close of the fifth fiscal year
1215 may be applied to the payment thereof any time thereafter.

1216 SECTION 75. Each agency acquiring land or an interest in land under this act may
1217 expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the
1218 purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable
1219 expenses directly associated with the acquisition of land or interests in land subsequently
1220 conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency.
1221 The secretary of energy and environmental affairs shall determine by regulation what shall
1222 constitute reasonable expenses. If the commonwealth does not take title to the property through
1223 no fault of the nonprofit organization or the commonwealth, the commonwealth may reimburse
1224 the nonprofit organization for reasonable expenses associated with due diligence. An
1225 organization receiving a reimbursement under this section shall convey the land or interest in
1226 land to the agency for an amount not to exceed the actual purchase price paid by the organization
1227 for the land or interest in land in addition to any reimbursement received under this section.

1228 SECTION 76. To provide for the continued availability of certain bond-funded spending
1229 authorizations which otherwise would expire, the unexpended balances of the following capital
1230 accounts are hereby extended through June 30, 2023, for the purposes of and subject to the

1231 conditions stated for these items in the original authorizations and any amendments to such
1232 authorizations: 2000-2010, 2000-2011, 2000-2012, 2000-2013, 2000-2014, 2000-2015, 2000-
1233 2016, 2000-2017, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-
1234 2024, 2000-2025, 2000-2026, 2000-2028, 2000-2029, 2000-2035, 2000-6966, 2000-6967, 2000-
1235 6969, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7022, 2000-7023, 2000-
1236 7024, 2000-7025, 2000-7026, 2000-7028, 2000-7029, 2000-7031, 2000-7051, 2000-7052, 2000-
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1244 7023, 2500-7024, 2800-0103, 2800-0109, 2800-0611, 2800-2019, 2800-7011, 2800-7012, 2800-
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1251 SECTION 77. The first state plan required by section 15 of this act shall be completed by
1252 September 16, 2018.

1253 SECTION 78. Any person serving as an inspector of animals on the date of enactment
1254 shall, within 1 year of enactment, complete all state-funded training that the director of animal
1255 health determines is required for newly appointed inspectors of animals under the authority of
1256 section 22.

1257 SECTION 79. Section 9, and sections 24 to 66, inclusive, shall take effect 90 days after
1258 the effective date of this act.

1259 SECTION 80. The executive office of energy and environmental affairs shall submit an
1260 annual report detailing the progress of any projects funded through the authorizations of this act
1261 to the chairs of the joint committee on environment, natural resources and agriculture; the chairs
1262 of the senate and house committees on bonding; and the clerks of the house of representatives
1263 and the senate. The report shall include, but not be limited to, description of the project or
1264 projects, previous year planned spending, previous year spending, current year planned spending,
1265 current year spending to date, original estimated project cost, total project cost to date, type of
1266 spending, type of asset, and predicted useful life of the project once completed. The initial report
1267 shall be submitted no later than December 30, 2018, and subsequent reports shall be submitted
1268 no later than June 30 of every year thereafter for a period of 10 years after the effective date of
1269 this act.