

SENATE No. 2347

The Commonwealth of Massachusetts

—————
In the Year Two Thousand Fourteen
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SENATE, Thursday, July 31, 2014

The committee on Ways and Means, to whom was referred the House Bill to promote the sustainable economic development of the former Weymouth Naval Air Station for the benefit of the towns of Abington, Rockland, and Weymouth, the NAS South Weymouth Region and the Commonwealth (House, No. 4372); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2347.

For the committee,
Stephen M. Brewer

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1 SECTION 1. Chapter 301 of the acts of 1998, as amended by section 37 of chapter 303
2 of the acts of 2008, is hereby further amended by striking out sections 1 to 36, inclusive, and
3 inserting in place thereof the following 36 sections:-

4 Section 1. It is hereby found that the closure of the Naval Air Station hereinafter referred
5 to as NAS South Weymouth, by the United States Government in September of 1997 is
6 detrimental to the economic welfare of the citizens of the commonwealth and, in particular, the
7 towns of Abington and Rockland and the city known as the town of Weymouth. The closure of
8 this military installation imposes upon the commonwealth and its citizens an increased fiscal
9 burden in addition to that incurred by the commonwealth on account of the closure of various
10 other military installations in the commonwealth. It is further found that the full redevelopment
11 of NAS South Weymouth remains essential for the benefit of the towns of Abington, Rockland
12 and Weymouth, the region and the commonwealth and, to that end, this act shall reconstitute the
13 South Shore Tri-Town Development Corporation, or SSTDC, as the Southfield Redevelopment
14 Authority, reinforce municipal control over land use and development decisions affecting
15 Abington, Rockland and Weymouth that constitute NAS South Weymouth and strengthen the
16 alignment of interests between the authority, the towns and the master developer as defined
17 herein. Therefore, it is the purpose of this act to promote the expeditious and orderly conversion

18 and redevelopment of NAS South Weymouth for nonmilitary purposes including, but not limited
19 to, commercial, housing, industrial, institutional, educational, governmental, recreational,
20 conservation or manufacturing uses in order to prevent blight, economic dislocation and
21 additional unemployment and to aid and strengthen the local economy, the regional economy and
22 the economy of the commonwealth. In order to achieve these objectives, it is deemed necessary
23 and appropriate to continue the structure of SSTDC, as renamed and reconstituted pursuant to
24 this act, with full powers and authority to carry out this act.

25 Section 2. It shall be the goal of this act to promote the expeditious acquisition and
26 redevelopment of NAS South Weymouth while addressing the economic, social and
27 environmental needs of the region. Except as otherwise provided in this act, this goal shall be
28 accomplished in a manner consistent with the Reuse Plan prepared by the Naval Air Station
29 planning committee and approved by a majority vote of the town meetings of the towns of
30 Abington, Rockland and Weymouth, on March 23, 1998, March 16, 1998 and March 4, 1998,
31 respectively, and approved by the commonwealth, the United States Department of Defense and
32 the Master Developer. The redevelopment is designed to minimize and mitigate negative off-
33 base impacts on the area such as those on water resources, air quality, traffic and noise, and to
34 limit the impacts to those necessary to achieve community reuse goals and objectives. The
35 redevelopment shall be integrated with the United States government's cleanup of hazardous
36 materials on the base to ensure effective, expeditious and efficient environmental remediation
37 and protection of public health and welfare in accordance with federal and state law and
38 regulation.

39 Section 3. There is hereby created a body politic and corporate, to be known as the
40 Southfield Redevelopment Authority, to carry out this act. The authority is hereby deemed to be

41 a public instrumentality and the exercise by the authority of the powers conferred by this act
42 shall be deemed and held to be the performance of public functions. The authority shall be
43 included within the definition of a “local government unit or local governmental unit”, as defined
44 in section 1 of chapter 29C of the General Laws, and its bonds and notes shall be included within
45 the definition of “local governmental obligations”, as defined in said section 1 of said chapter
46 29C. The authority shall be included within the definition of a “governmental entity” for
47 purposes of owning public infrastructure improvements pursuant to chapter 293 of the acts of
48 2006. The authority shall be an “eligible applicant” and a municipality for the purposes of the
49 General Laws and the authority, the town of Rockland, the town of Weymouth and the town of
50 Abington shall be eligible for any financial or other assistance from the Massachusetts School
51 Building Authority and the Massachusetts Department of Transportation pursuant to chapter 90
52 of the General Laws.

53 To achieve its primary purpose of securing the redevelopment of NAS South Weymouth
54 to the greatest benefit of the towns of Abington, Rockland and Weymouth, the authority shall be
55 guided in its financing activities with the goal of maximizing the fiscal benefit to the towns
56 stemming from the redevelopment. The authority, during its existence, and the master
57 developer, giving consideration to its economic interests, shall pursue the redevelopment of the
58 underutilized land within NAS South Weymouth in a manner that maximizes the opportunity for
59 generating revenue for the towns that exceeds the costs that the towns incur for the provision of
60 those municipal services that the towns are obligated to provide to NAS South Weymouth
61 pursuant to this act. The authority shall, to the maximum extent feasible and consistent with the
62 zoning by-laws, dispose of all of the property within the NAS South Weymouth redevelopment
63 area through sale or other transfer prior to the authority's termination as provided in section 33.

64 Section 4. As used in this act, the following words shall have the following meanings
65 unless the context requires otherwise:

66 (a) “Abington appointee”, the member of the board appointed by the town of Abington.

67 (b) “Advisory board”, the advisory board to the authority established in section 11.

68 (c) “Affordable and workforce housing plan”, the Affordable and Workforce Housing
69 Plan for NAS South Weymouth, as adopted by South Shore Tri-Town Development Corporation
70 on January 24, 2011.

71 (d) “Affordable and workforce housing regulations”, the NAS South Weymouth
72 Affordable and Workforce Housing Regulations, as adopted by South Shore Tri-Town
73 Development Corporation on January 24, 2011.

74 (e) “Agency”, the Massachusetts Development Finance Agency, a Massachusetts body
75 politic and corporate established in section 2 of chapter 23G of the General Laws, which is the
76 successor-in-interest to the government land bank under chapter 289 of the acts of 1998.

77 (f) “Authority”, the authority established in section 3 and, as the context requires, the
78 South Shore Tri-Town Development Corporation created pursuant to the prior enabling act.

79 (g) “Base rate”, the ad valorem property tax rate levied by the town in which the subject
80 property is located.

81 (h) “Base revenue”, revenue generated through assessment and collection of the base
82 rate.

83 (i) “Board”, the board of directors of the Southfield Redevelopment Authority
84 established in section 9.

85 (j) “Bond termination date”, the latest date on which all amounts outstanding under
86 bonds or notes issued by the authority pursuant to this act or by the agency pursuant to section 6
87 of chapter 293 of the acts of 2006, including all obligations of the authority undertaken in
88 connection with the issuance of such bonds of the agency, have been paid in full, which date
89 shall be no later than December 31, 2065.

90 (k) “Central redevelopment area”, the geographic area shown as the “central
91 redevelopment area” on the zoning map.

92 (l) “Chamber appointee”, the member of the board appointed pursuant to section 9(a)(vi).

93 (m) “Commercial development”, all nonresidential, nonrecreational and noninstitutional
94 land uses permissible under the zoning by-laws, including retail, general office, medical office
95 and industrial uses.

96 (n) “Commercial minimum”, 900,000 gross square feet of commercial development.

97 (o) “Consecutive water agreement”, the “Memorandum of Agreement for Consecutive
98 Public Water System” entered into between the authority and the town of Weymouth as of
99 October 22, 2010.

100 (p) “DDA”, the “NAS South Weymouth Amended and Restated Disposition and
101 Development Agreement” entered into between South Shore Tri-Town Development
102 Corporation and LNR South Shore, LLC on March 24, 2008, as most recently amended by the
103 Tenth Amendment thereto, dated December 28, 2010.

104 (q) “Dedicated Commercial Zone”, a contiguous 30-acre area within the central
105 redevelopment area capable of accommodating development of at least the balance of the
106 commercial minimum.

107 (r) “Dissolution and administration agreement”, the dissolution and administration
108 agreement authorized pursuant to section 33.

109 (s) “Executive”, the mayor of Weymouth or the boards of selectmen of the towns of
110 Abington and Rockland, as applicable.

111 (t) “Infrastructure” , all infrastructure included in the pproject.

112 (u) “Labor appointee”, the member of the board appointed pursuant to clause (iv) of
113 subsection (a) of section 9.

114 (v) “Major zoning revision”, a “substantial revision” to the zoning by-laws as that term is
115 defined and used in the existing zoning by-laws.

116 (w) “Master developer”, the master developer designated under the DDA.

117 (x) “Master plan”, the master plan submitted by the master developer to South Shore Tri-
118 Town Development Corporation and the towns on March, 7, 2005, as amended.

119 (y) “Minor zoning revision”, any revision to the zoning by-laws that does not constitute a
120 major zoning revision as defined herein.

121 (z) “NAS South Weymouth”, the military base formerly known as the Naval Air Station
122 South Weymouth, which was disestablished in accordance with the recommendation of the 1995
123 Base Realignment and Closure Commission, pursuant to 10 U.S.C. § 2687, as amended.

124 (aa) “NAS South Weymouth redevelopment area”, the geographic area delineated in the
125 plans and maps referenced in section 5.

126 (bb) “NAS South Weymouth region”, (i) towns as defined in this act; (ii) all
127 municipalities contiguous to the towns; and (iii) all municipalities contiguous to the
128 municipalities in subsection (ii); provided, however, that the NAS South Weymouth region shall
129 not include the city of Boston.

130 (cc) “Parkway”, the east-west parkway connecting Weymouth street in the town of
131 Rockland to state highway route 18, Main street, in the town of Weymouth.

132 (dd) “Parkway financing MOA”, the Memorandum of Agreement on Financing for the
133 South Shore Tri-Town Development Corporation’s Parkway entered into as of March 4, 2010 by
134 and between the commonwealth and South Shore Tri-Town Development Corporation, as
135 amended by the First Amendment thereto dated June 15, 2010.

136 (ee) “Perimeter area”, the geographic area designated as the “perimeter area” on the
137 existing zoning map.

138 (ff) “Permanent water and wastewater infrastructure”, (i) water supply, treatment and
139 distribution; and (ii) sewer collection, treatment and disposal capacity for the pproject that does
140 not exist as of the effective date of this act and that is financed, designed, constructed, operated
141 and maintained by the master developer pursuant to, and to the extent provided in, section 15.

142 (gg) “Phase I water and wastewater agreement”, the Memorandum of Agreement for
143 Provision of Water and Wastewater Service entered into on March 7, 2008 by and between the

144 Town of Weymouth and South Shore Tri-Town Development Corporation, as amended by
145 Amendment #1 to same effective July 1, 2012.

146 (hh) “Pledged revenue”, property tax revenue subject to the pledge established in that
147 certain Trust Indenture between South Shore Tri-Town Development Corporation and Wells
148 Fargo Bank, N.A., as Trustee, dated as of August 1, 2010 and relating to South Shore Tri-Town
149 Development Corporation Infrastructure Development Revenue Bonds, Series 2010A, as the
150 same may be amended from time to time.

151 (ii) “Prior enabling act”, chapter 301 of the acts of 1998.

152 (jj) “project”, the acquisition, development, improvement, construction, expansion,
153 reduction, destruction and renovation of all real and personal property and infrastructure,
154 buildings, structures, utilities and utility services located on, conducted within or otherwise
155 directly associated with the NAS South Weymouth redevelopment area, which shall be owned by
156 the authority, the towns, the commonwealth or any other political subdivision or public
157 instrumentality of the commonwealth including, but not limited to, all infrastructure for the
158 provision of gas; cable television; telephone; storm drainage systems; dams; sewage treatment
159 plants; sewers; water and well systems; roads; highways; bridges; culverts; tunnels; streets;
160 sidewalks; lighting; parking, including garages; schools; public safety; public works and
161 administration buildings; parks; cultural and performing arts facilities; recreational facilities;
162 transportation stations and related facilities; shuttle transportation equipment; fiber and
163 telecommunication systems; facilities to produce and distribute electricity, including alternate
164 energy sources such as co-generation and solar installations; the investigation and remediation
165 associated with the cleanup of actual or perceived environmental contamination in accordance

166 with applicable governmental regulations; and all other programs, services, systems and other
167 activities associated therewith, located on, conducted within or otherwise directly associated with
168 the NAS South Weymouth redevelopment area.

169 (kk) “Resident appointees”, the members of the board appointed pursuant to clause (v) of
170 subsection (a) of section 9.

171 (ll) “Residential maximum”, 2,855 residential housing units, allocated at the master
172 developer’s discretion between the residential unit types contemplated in the reuse plan.

173 (mm) “Reuse plan”, the Reuse Plan for Naval Air Station South Weymouth as approved
174 by South Shore Tri-Town Development Corporation on May 5, 2005 and as defined and referred
175 to in the prior enabling act.

176 (nn) “Rockland appointees”, the members of the board appointed by the town of
177 Rockland.

178 (oo) “Secretary”, the secretary of administration and finance.

179 (pp) “Senior housing minimum”, 400 units of housing made available for sale or rental
180 exclusively to persons age 55 or over and allowing for occupancy in any such unit of only one 1
181 person under 55 years of age.

182 (qq) “Series 2010A bonds”, the South Shore Tri-Town Development Corporation
183 Infrastructure Development Revenue Bonds, Series 2010A issued pursuant to the Trust
184 Indenture, dated as of August 1, 2010, between South Shore Tri-Town Development Corporation
185 and Wells Fargo Bank, N.A., as Trustee.

186 (rr) “Southfield rate”, ad valorem property tax rate levied within NAS South Weymouth
187 pursuant to section 19, in excess of the base rate and at only that level necessary to fund the
188 operations of the authority as determined by the board pursuant to said section 19, subject to the
189 approval of the department of revenue.

190 (ss) “Southfield revenue”, revenue generated in a single tax year through the assessment
191 and collection of the Southfield rate.

192 (tt) “Taxation plan”, the plan established pursuant to section 19.

193 (uu) “Town appointees”, the Abington, Rockland and Weymouth appointees,
194 collectively.

195 (vv) “Towns”, the towns of Abington and Rockland and the city known as the town of
196 Weymouth.

197 (ww) “Trust Indenture”, the trust indenture referred to in the definition of “pledged
198 revenue”.

199 (xx) “Weymouth appointees”, the members of the board appointed by the town of
200 Weymouth.

201 (yy) “Zoning by-laws”, the “zoning and land use by-laws for NAS South Weymouth,”
202 both in the form existing as of the effective date of this act, “existing zoning by-laws” and as they
203 may be revised in accordance with this act.

204 (zz) “Zoning map”, the zoning district map referenced in section 4.3 of the existing
205 zoning by-laws, both in the form existing as of the effective date of this act, “existing zoning
206 map”, and as it may be revised in accordance with this act.

207 Section 5. The NAS South Weymouth redevelopment area shall be comprised of the
208 central redevelopment area and the perimeter area and shall include the lands, including all
209 easements, reservations and rights appurtenant thereto, and all buildings, structures, utilities and
210 improvements located thereon, comprised of the former military base of that name presently
211 located in the towns of Abington, Rockland and Weymouth and now or formerly within the
212 ownership, control and jurisdiction of the United States, including those portions of the base
213 property that have been transferred as of the effective date of this act to the United States Coast
214 Guard and Federal Aviation Administration. Plans and descriptions detailing the precise
215 boundaries and configuration of the NAS South Weymouth redevelopment area, including the
216 precise boundaries of the land of NAS South Weymouth transferred to the United States Coast
217 Guard and Federal Aviation Administration, the precise boundaries of the land of each town
218 located within the NAS South Weymouth redevelopment area and the precise boundaries of the
219 central redevelopment area and perimeter area, were filed with the secretary and recorded in the
220 Plymouth registry of deeds as plan number 760 in plan book 42 and the Norfolk registry of deeds
221 as plan number 525 in plan book 467.

222 Section 6. Except as otherwise provided in, directed by or limited by this act, the
223 authority shall have all of the powers necessary or convenient to carry out the purposes and
224 provisions of this act, including the power to:

225 (a) exercise the rights provided to municipal governments and agencies under federal
226 laws and regulations and under the Constitution, laws and regulations of the commonwealth
227 subject to section 31 of chapter 44 of the General Laws;

228 (b) sue and be sued in all courts and to initiate or participate in actions and proceedings,
229 whether judicial, administrative, arbitratve or otherwise;

230 (c) adopt a seal and alter such seal at its pleasure and use it by causing it or a facsimile to
231 be affixed or impressed or reproduced in any manner;

232 (d) own, acquire, manage, operate, convey or lease infrastructure improvements or any
233 facilities for the project, including the distribution of public utilities including, but not limited to,
234 electricity, gas, water, waste water and sewer and sewage treatment and disposal, refuse
235 collection and disposal, telecommunications and cable services;

236 (e) develop, own, manage, operate, regulate or lease wells to procure water from
237 productive aquifers underlying the NAS South Weymouth redevelopment area in accordance
238 with sections 38 and 39A of chapter 40 of the General Laws and determine and collect or
239 authorize the collection on its behalf of assessments and other charges related to constructing and
240 maintaining such systems, as provided in said chapter 40; provided, however, that the
241 procurement of such water shall not materially adversely affect the supply of water available to a
242 town;

243 (f) own, manage, operate, regulate, convey or lease facilities of common sewers and main
244 drains and facilities for wastewater and sewage treatment and disposal and determine and collect
245 or authorize the collection on its behalf, or on behalf of the master developer, of assessments and
246 other charges related to financing, laying out, constructing, operating and maintaining such
247 systems, as provided in this act and pursuant to chapter 83 of the General Laws;

248 (g) own, manage, operate, regulate or lease surface water reservoirs within the NAS
249 South Weymouth redevelopment area or connect to or otherwise purchase or lease water from

250 the water system of a town, any other municipality or any other governmental or quasi-
251 governmental agency or any other public or private entity for the provision of water within the
252 NAS South Weymouth redevelopment area, and manage, operate, regulate, convey or lease any
253 and all systems for the delivery of such water within the NAS South Weymouth redevelopment
254 area; provided, however, that the procurement of such water shall not materially adversely affect
255 the supply of water available to any of the towns;

256 (h) exercise the power of eminent domain within the NAS South Weymouth
257 redevelopment area as provided in chapters 79, 79A, 80 and 80A of the General Laws;

258 (i) appoint, prescribe the qualifications and fix the compensation of employees and pay
259 the same out of funds of the authority;

260 (j) appoint legal counsel and fix compensation for such services rendered to the authority;

261 (k) appoint qualified boards, commissions, committees or subcommittees, including those
262 responsible for zoning, subdivision and other land use or permitting approvals whose members
263 need not be directors of the board, and individuals, in addition to the advisory board established
264 pursuant to section 11, to serve as unpaid advisors under such terms and conditions as it may
265 deem necessary; provided, however, that such boards, commissions, committees, subcommittees
266 and individuals may be reimbursed for incidental expenses determined by the authority to be
267 necessary and incurred while performing the business of the authority;

268 (l) acquire, hold and dispose of personal property within the NAS South Weymouth
269 redevelopment area for its corporate purposes;

270 (m) acquire easements and other interests in land directly associated with the NAS South
271 Weymouth redevelopment area in connection with the project;

272 (n) purchase, receive, take by grant, gift, devise, bequest, lease, or otherwise acquire,
273 own, hold, improve, employ, use or otherwise manage real and personal property or any interest
274 therein, whether tangible or intangible, for its purposes, located within the NAS South
275 Weymouth redevelopment area, except for any federally-owned property of the former NAS
276 South Weymouth which shall be or has been transferred to the United States Coast Guard and
277 Federal Aviation Administration; provided, however, that when any of the excepted property is
278 declared to be surplus to the needs of the United States government, the authority may obtain any
279 and all like interest in the property as described herein;

280 (o) sell, convey, lease, exchange, transfer, or otherwise dispose of all or any of its real or
281 personal property or any interest therein, using procedures adopted by the authority;

282 (p) apply for and, for the purposes of this act, accept gifts, loans, grants of property,
283 funds, money, materials, labor, supplies or services from a person or from the United States
284 government or its departments or agencies or from an agency of the commonwealth or a political
285 subdivision thereof, or make agreements with respect to any such gifts, loans or grants, and to do
286 any and all things necessary, useful, desirable or convenient in connection with procuring,
287 accepting or disposing of such gifts, loans or grants;

288 (q) purchase, take, receive, subscribe for, or otherwise acquire, hold, make a tender offer
289 for, vote, employ, sell, lend, lease, exchange, transfer or otherwise dispose of, mortgage, pledge
290 or grant a security interest in, use or otherwise deal in and with, bonds and other obligations,

291 shares or other securities or interests therein issued by others, whether engaged in a similar or
292 different business or activity;

293 (r) make and execute agreements, contracts, project labor agreements and other
294 instruments necessary or convenient in the exercise of the powers and functions of the authority
295 under this act, including contracts with a person, firm, corporation, municipality, commonwealth
296 agency, governmental unit or other entity, foreign or domestic;

297 (s) assess and collect taxes, assessments, special assessments, betterments and fees within
298 the NAS South Weymouth redevelopment area under the General Laws and the powers granted
299 by this act, in order to generate revenues to pay the cost of operations of the authority, amounts
300 due on outstanding indebtedness of the authority, maintenance of the property, environmental
301 remediation and monitoring of the property and the maintenance of the project, infrastructure
302 improvements within or associated with the NAS South Weymouth redevelopment area in
303 accordance with this act, the General Laws, and zoning by-laws, including the funding
304 provisions thereof and for all other purposes for which cities and towns may assess and collect
305 such taxes, assessments, special assessments, betterments and fees, and distribute revenues in
306 accordance with section 19. In connection with the foregoing, the authority shall have all the
307 powers and authority of cities and towns under chapters 59, 60, 60A, 61B and section 3A of
308 chapter 64G of the General Laws, and any powers that require adoption by cities and towns if
309 adopted by the authority;

310 (t) administer land use, subdivision, zoning and wetland protection controls and
311 associated permitting, approval and entitlement activities within the central redevelopment area,
312 and to enter into agreements with the towns whereby any such activities which the authority may

313 determine shall be more effectively administered by a town shall be within such town's
314 administration, subject to such town's agreement to enter into such agreement(s); provided,
315 further, that any town's administration of such activities pursuant to any such agreement(s) shall
316 be consistent with any expedited permitting standards or requirements then-applicable to the
317 authority's conduct of such activities. Except as otherwise expressly provided in the zoning by-
318 laws: (i) in the administration of the activities authorized under this section in the central
319 redevelopment area, the authority may take action and issue permits, approvals, orders of
320 conditions, and other land-use entitlements in accordance with the procedures and standards
321 from time to time applicable to municipalities and their boards, commissions and agencies so
322 authorized to take such action or to issue any such permit, order of conditions, approval or other
323 entitlement under the General Laws; provided, however, that the regulations developed and
324 adopted by the authority under section 14 may provide for expedited permitting under which the
325 time frames for action applicable to municipalities and their boards, commissions and agencies
326 under the provisions of the General Laws are shortened; and (ii) all such actions, including a
327 failure to take action, and such permits, approvals, orders of conditions or other land-use
328 entitlements shall have the legal effect and duration as provided in the General Laws, except for
329 any shortened time frames expressly provided in such regulations. Upon termination of the
330 authority under section 33, the authority to administer such activities shall be vested in the towns
331 in accordance with the dissolution and administration agreement and the General Laws, but no
332 permit, approval, or other entitlement issued by the authority prior thereto pursuant to this act or
333 pursuant to the prior enabling act or any activity undertaken or improvement made in accordance
334 therewith shall be affected thereby. As further provided in subsection (i) of section 14, any
335 municipal powers which do not involve the administration by the authority of such land use,

336 subdivision, zoning and wetland controls and related entitlement activities shall remain with the
337 towns in which the applicable real property is located unless expressly granted to said authority
338 in this act or elsewhere;

339 (u) develop, adopt, amend, implement and enforce by-laws and regulations for the
340 general administration of the NAS South Weymouth redevelopment area pursuant to sections 21
341 to 33, inclusive, of chapter 40 of the General Laws or as otherwise permitted by law;

342 (v) borrow money at such rate or rates of interest as the authority may determine; issue its
343 notes, bonds or other obligations to evidence such indebtedness, and secure any of its obligations
344 by pledging any of its assessments, betterment fees, rents, fees or other revenues or by mortgage
345 or pledge of all or any of its property, or any interest therein, tangible or intangible, whether then
346 owned or thereafter acquired, as provided in this act and exercise all other rights and powers of
347 cities and towns under chapter 44 of the General Laws; provided, however, that chapter 44 shall
348 not be applicable to the manner of voting or the limitations as to the amount and time of payment
349 or other details of debts incurred by the authority and, in the event of a conflict between the
350 provisions of this act and chapter 44, the provisions of this act shall apply;

351 (w) arrange for guaranties of its notes, bonds or other obligations by the federal
352 government, the commonwealth, the towns or by any private insurer or otherwise, and to pay any
353 premiums therefor;

354 (x) issue such short and long term notes, bonds or other obligations, whether or not the
355 interest to the holders is exempt from taxation;

356 (y) purchase notes, bonds or other obligations of the authority at such price or prices, in
357 such manner, and upon such terms, as the authority may determine;

358 (z) invest and reinvest its funds in such investments as may be lawful for fiduciaries in
359 the commonwealth, and take and hold property as security for the payment of funds so invested,
360 as provided in section 55 of chapter 44 of the General Laws;

361 (aa) procure insurance against any loss in connection with its property or the project in
362 such amounts and from such insurers, including the federal government, and directors and
363 officers liability insurance, as it may deem necessary or desirable, and to pay any premiums
364 therefor;

365 (bb) enter into and perform contracts, project labor agreements, and other agreements,
366 whether or not they may be deemed to constitute indebtedness under applicable law, for the joint
367 or separate planning, financing, construction, purchase, operation, maintenance, use, sharing
368 costs of, ownership, mortgaging, leasing, sale, disposal of, or other participation in facilities,
369 products or services of any person who engages in business on property owned or controlled by
370 the authority;

371 (cc) maintain a principal office within the NAS South Weymouth redevelopment area;

372 (dd) make any inquiry, investigation, survey, feasibility study or other study which the
373 authority may deem necessary or advisable to enable it to carry out effectively this act;

374 (ee) apply to the appropriate agencies and officials of the federal government and the
375 commonwealth for licenses, permits or approvals, as are ordinarily applied for by cities and
376 towns, of its plans or the project as it may deem necessary or advisable, and to accept such
377 licenses, permits or approvals as may be tendered to it by such agencies or officials, upon such
378 terms and conditions as it may deem appropriate;

379 (ff) make by-laws and establish committees for the management and regulation of its
380 affairs as it may deem necessary or advisable and, subject to agreement with bondholders, make
381 rules pursuant to its own procedures for the use of the project and its property, and establish and
382 collect assessments, rentals, fees and all other charges for the use of the project under the
383 jurisdiction of the authority and for services or commodities sold, furnished or supplied by the
384 authority;

385 (gg) contract for the environmental remediation, construction, operation or maintenance
386 of any part of the project, or for services to be performed thereon, and rent parts thereof and
387 grant concessions thereon, on such terms and conditions as the authority may determine, in
388 accordance with the zoning by-laws; provided, however, that any such transaction shall be
389 exempt from the public bidding and procurement requirements applicable to bodies politic and
390 corporate of the commonwealth imposed by general or special law, including without limitation,
391 the requirements of chapters 7, 30 and chapter 149 of the General Laws, but excluding sections
392 28 and 29 of said chapter 149, and regulations promulgated thereunder so long as the authority
393 has, pursuant to an affirmative vote and by stating the public convenience and necessity therefor,
394 exempted any such transaction from such requirement;

395 (hh) designate the depositories of its money within the commonwealth;

396 (ii) establish its fiscal year to commence on July 1 and end on June 30 of each year and
397 change the fiscal year from time to time as the authority may deem necessary and appropriate;

398 (jj) take such other actions and exercise such other powers as it may deem necessary,
399 advisable and convenient in the furtherance of the purposes of this act;

400 (kk) apply for and be eligible for any and all available financial and other assistance
401 without further approval of any agency of the commonwealth pursuant to chapters 40R and 40S
402 of the General Laws and similar statutes of the General Laws as a town would be so eligible
403 pursuant to said chapters 40R and 40S; provided, however, that the NAS South Weymouth
404 redevelopment area shall be deemed to be an approved smart growth zoning district under said
405 chapter 40R, entitling the authority to all funds available under said chapters 40R and 40S in
406 connection therewith, including without limitation density bonus payments and zoning incentive
407 payments; and provided further, that the designation of the NAS South Weymouth
408 redevelopment area as a smart growth zoning district shall have no effect on the ability of the
409 towns to otherwise obtain approvals for other land under said chapter 40R;

410 (ll) maintain, regulate, and otherwise own, manage and operate any street, public way or
411 public use of a private way within the NAS South Weymouth redevelopment area, including any
412 sewers, drains, sidewalks and other utilities and infrastructure located in any streets and ways,
413 until such time any such street, public way, or public use of a private way is transferred to a
414 town, the master developer, or other third party pursuant to this act or pursuant to land
415 disposition agreements entered into between the authority, the United States Navy, or the master
416 developer; and

417 (mm) assume responsibility for maintaining, monitoring and conducting other activities
418 imposed by any condition of any license, permit or approval, or by any institutional control
419 arising under any environmental law or regulation with respect to the project.

420 Section 7. The authority shall not be obligated to maintain, operate, improve or provide
421 services, including police and fire protection, for those portions of the NAS South Weymouth

422 which remain in federal ownership, nor shall the authority bear any responsibility or be liable for
423 any injury, damage or loss arising out of or in connection with any activities which may occur on
424 such federal property, nor as a result of any improvements, damage, deterioration or
425 environmental hazards occurring thereon.

426 Section 8. In addition to any other duties set forth in this act, the authority shall
427 coordinate with, and provide information to, the United States and any officials or employees
428 thereof, regarding any matter relating to the ownership, condition, closure, conversion,
429 redevelopment or future use or operations of the NAS South Weymouth redevelopment area as
430 required by the Defense Base Realignment and Closure Act. Notwithstanding any other
431 provision of law, the authority shall be the only person or entity in the commonwealth authorized
432 to negotiate, purchase or otherwise obtain on behalf of itself, the commonwealth or any of its
433 political subdivisions, any fee ownership, easement, lease, license or other interest in any
434 property in or on the NAS South Weymouth redevelopment area from the United States, except
435 that a governmental entity of the commonwealth may acquire an interest from the authority to
436 such property, if such acquisition and use of the property by a governmental entity of the
437 commonwealth is consistent with the zoning by-laws.

438 Section 9. (a) The powers and management of the authority, which include all rights and
439 powers of a town council or board of selectmen or mayor of a city or town except as otherwise
440 provided in, directed by, or limited by this act, shall be vested in a board of 9 directors to be
441 appointed as follows: (i) 1 member appointed by the board of selectmen of the town of Abington;
442 (ii) 2 members appointed by the board of selectmen of the town of Rockland; (iii) 2 members
443 appointed by the mayor of the town of Weymouth; (iv) 1 member, who is an experienced labor
444 representative and selected by the president of the Norfolk County Labor Council; (v) 2 members,

445 each of whom shall have legal residency at NAS South Weymouth, one of whom shall be
446 appointed by the Southfield Neighborhood Association and one of whom shall be appointed
447 jointly by the mayor of the town of Weymouth and board of selectmen of Rockland from 4
448 candidates nominated by the Southfield Neighborhood Association, provided, however, that if
449 such mayor and board have not jointly appointed a candidate within 14 days of becoming
450 eligible to make such appointment, the board of the authority shall appoint this member by an
451 affirmative vote of at least 5 members from the 4 candidates nominated under this clause; and
452 (vi) 1 member, who shall be a member of the board of the South Shore Chamber of Commerce,
453 selected by said chamber. The board shall appoint a chairman from among its members who
454 shall serve in that capacity at the pleasure of the board.

455 (b) The terms of all 5 members serving on the board as constituted pursuant to the prior
456 enabling act shall be terminated, and such existing board shall be deemed dissolved, on the latter
457 of (i) the date that is 30 days following the effective date of this act and (ii) the date on which a
458 new board composed in accordance with section 9 is fully appointed which such full
459 appointment shall occur no later than 60 days following the effective date of this act. Until the
460 dissolution of the existing board pursuant to this section 9, the existing board shall continue to
461 manage the business and affairs of the authority in the ordinary course and in a manner
462 consistent with this act. Members of the existing board shall be eligible, following dissolution of
463 the existing board, to serve additional terms on the board pursuant to this act. One town
464 appointee from each town shall initially be appointed for a five (5) year term, and all other
465 members shall be appointed for an initial term of three (3) years. Each of the chamber, labor,
466 resident, and town appointees shall thereafter serve terms of 3 years apiece. Any town appointee
467 may also be removed from the board by the executive of the town from which he or she was

468 appointed for reasons deemed by such executive to be sufficient and proper. The resident
469 appointee appointed by the Southfield Neighborhood Association may be removed from the
470 board by the Southfield Neighborhood Association. The other resident appointee may be
471 removed from the board by a vote of the executive authority of town of Weymouth and Rockland
472 for reasons deemed to be sufficient and proper; provided, however, that if the appointee is
473 appointed by the board of the authority, the appointee may only be removed by a majority vote
474 of the board of the authority.

475 The labor representative or chamber representative may be removed by a vote of the
476 executive authority of at least two (2) of the towns. All board members shall be eligible for
477 reappointment to additional terms at the expiration of their current terms. Vacancies shall be
478 filled, as applicable, by the respective appointing authority for each such vacancy. Any action
479 taken by the Authority as such board was seated pursuant to the prior enabling act to remove or
480 terminate the master developer shall be null and void.

481 (c) The town appointees shall have demonstrated expertise and education and experience
482 in 1 or more of the following areas: real estate development, housing, finance, planning, or
483 engineering. The towns shall cooperate to assure the appointment of directors from as many of
484 the foregoing disciplines as possible. The chamber and labor appointees shall have demonstrated
485 expertise in large-scale real estate development and demonstrated expertise in 1 or more of the
486 following areas: housing, finance, business, planning, environment, transportation or municipal
487 government.

488 (d) Five members of the board shall constitute a quorum. The board may act only when a
489 quorum is present, and then only by a majority of those actually voting, which must in all events
490 include at least four affirmative votes.

491 (e) Directors may receive compensation as determined from time to time by the advisory
492 board established by section 11. Directors shall receive reimbursement of such incidental
493 expenses determined by the board to be necessary; provided, however, that the annual
494 compensation of the directors shall not exceed \$6,250 or 80 per cent of the total combined
495 average of the annual salaries of the town councilors of the town of Weymouth, whichever is
496 higher.

497 (f) Directors shall be residents of the commonwealth. No director or employee of the
498 authority shall be a local elected public official of the town of Abington, Rockland or
499 Weymouth, except that residents of the towns of Abington and Rockland who participate in their
500 respective town meetings shall not be restricted from service as a director or employee of the
501 authority. Each resident appointee shall maintain a legal residence within NAS South
502 Weymouth, and each town appointee shall maintain a legal residence in his or her appointing
503 town, at all times during his or her respective term on the board. Any resident or town appointee
504 who fails to maintain his or her legal residence as required shall be automatically disqualified
505 from further service on the board without need for further action by the board or the relevant
506 appointing authority.

507 (g) Public employees or appointed officials of the federal government and the
508 commonwealth and its political subdivisions may serve as directors of the authority so long as

509 their service as director does not constitute a conflict of interest with their duties as public
510 employees or appointed officials.

511 (h) Directors shall be subject to chapter 268A of the General Laws.

512 (i) The directors may, from time to time, by majority vote designate employees of the
513 authority, consultants and other individuals to participate on boards, commissions, committees
514 and other organizations established by the authority or otherwise related to the project as a
515 representative of the directors.

516 (j) The directors may, from time to time, by majority vote, authorize a person, other than
517 a majority of the board, to issue endorsements, certificates and other ministerial documents in
518 furtherance of actions taken by the board.

519 (k) The officers and directors of the authority shall have the full protections afforded by
520 section 13 of chapter 258 of the General Laws to the same extent as municipal officers in a city
521 or town which has accepted said section 13 of said chapter 258.

522 (l) Sections 18 to 25, inclusive, of chapter 30A of the General Laws shall apply to the
523 authority.

524 Section 10. If a director, or member of his immediate family shall be interested either
525 directly or indirectly, or shall be a director, officer or employee of or have an ownership interest
526 in a firm or authority interested directly or indirectly, in a contract or other matter involving the
527 authority, such interest shall be disclosed to the board and shall be set forth in the minutes of the
528 board. The member having such interest shall not participate on behalf of the authority in any
529 proceeding or decision relating to such contract or matter. For the purpose of this section,

530 immediate family shall include spouse, parent, parent-in-law, brother, brother-in-law, sister,
531 sister-in-law, son, son-in-law, daughter, daughter-in-law and the parent or child of any of such
532 individuals. Notwithstanding the foregoing, or the provisions of chapter 268A of the General
533 Laws, an interest of a resident appointee or of a member of the immediate family of a resident
534 appointee arising solely on account of the appointee's or immediate family member's residing at
535 NAS South Weymouth shall not be disqualifying and shall not be deemed an impermissible
536 conflict of interest.

537 Section 11. (a) There shall be an advisory board to the authority consisting of: (i) 1 voting
538 representative appointed by the town of Abington and 1 voting representative appointed by the
539 town of Hingham; (ii) 2 voting representatives appointed by the town of Rockland and 2 voting
540 representatives appointed by the mayor of Weymouth; (iii) 1 voting representative of the
541 Metropolitan Area Planning Council who shall be a member of and be designated by the board of
542 the council and who shall reside in Norfolk county; (iv) 1 voting representative of the Old
543 Colony Planning Council who shall be a member of and be designated by the board of the
544 council and who shall reside in Plymouth county; and (iv) 3 voting representatives to be
545 appointed by the governor, 1 of whom shall be the secretary or a designee, 1 of whom shall be
546 the secretary of housing and economic development or a designee and 1 of whom shall have
547 demonstrated skill and expertise in matters relating to real estate development. The members of
548 the advisory board representing a town shall be appointed by, and serve at the pleasure of, the
549 mayor of the town of Weymouth or board of selectmen of each such other town. The members of
550 the advisory board appointed by the Metropolitan Area Planning Council and the Old Colony
551 Planning Council shall serve at the pleasure of the councils. The members of the advisory board
552 appointed by the governor shall serve at the pleasure of the governor.

553 (b) The total voting membership of the advisory board shall be 11 votes, equally
554 weighted. The advisory board may act at regular periodic meetings called in accordance with its
555 by-laws or at a special meeting called by the authority or by 6 or more members of the advisory
556 board. A quorum of the advisory board shall consist of 6 representatives. The advisory board
557 may act by the affirmative vote of a majority of the representatives present that constitute a
558 quorum.

559 (c) For the conduct of its business the advisory board shall adopt and may revise and
560 amend its own by-laws. The advisory board shall annually elect from among its members a
561 chairperson, a vice chairperson and a secretary and such other officers as the advisory board may
562 determine. Each such officer shall serve in such capacity at the pleasure of the advisory board
563 and may be removed from such position by majority vote of the advisory board. In the event of a
564 vacancy, the appointing authority shall fill the vacancy for the unexpired term. Each member of
565 the advisory board shall serve without compensation but may be reimbursed for all reasonable
566 expenses incurred in the performance of his or her duties as approved by the advisory board and
567 the authority.

568 (d) The purposes of the advisory board shall be as follows: (i) to review the annual report
569 of the authority and to prepare comments thereon for the benefit of the authority, the governor
570 and the towns, and to make such examinations of the reports on the authority's records and
571 affairs as the advisory board deems appropriate; (ii) to hold regular meetings twice annually with
572 the board of directors of the authority and, at the discretion of the advisory board and with the
573 concurrence of the board of directors of the authority, special meetings with the board of
574 directors of the authority as it deems necessary and appropriate on matters relating to the
575 authority, and to hold meetings at other times as the advisory board may determine; (iii) to make

576 recommendations to the authority on any budget; (iv) to make recommendations to the governor,
577 the general court and the towns regarding the authority, its programs, and the project; and (v) to
578 determine, from time to time, compensation for the directors pursuant to section 9.

579 (e) The authority shall provide such reasonable administrative and staff support to the
580 advisory board as may be necessary for the efficient discharge of the advisory board's
581 responsibilities pursuant to this act.

582 (f) Notwithstanding the provisions of chapter 268A of the General Laws, an interest of an
583 advisory board member or of a member of the immediate family of an advisory board member
584 arising solely on account of the member's or immediate family member's residing at NAS South
585 Weymouth shall not be disqualifying and shall not be deemed an impermissible conflict of
586 interest.

587 Section 12. The board may from time to time hire employees and engage outside vendors
588 or consultants, or both, as necessary to achieve the orderly functioning of the authority.
589 Employees of the authority shall not be subject to the provisions of chapter 30 or section 45, 46,
590 51 or 52 of chapter 31 of the General Laws. Employees of the authority shall be subject to the
591 provisions of chapter 268A of the General Laws. Compensation for employees of the authority
592 shall be set by the board.

593 Section 13. The board may hire, fix and pay compensation, prescribe duties and
594 qualifications and establish personnel policies without regard to any personnel or civil service
595 law or personnel or civil service rule of the commonwealth. The employees of the authority
596 shall not be classified employees of the commonwealth. An individual employed by the
597 authority shall be deemed an employee at will and shall serve at the pleasure of the authority.

598 Section 14. (a)(1) The reuse plan is rescinded and terminated in its entirety and is to be of
599 no further force and effect.

600 (2) The master plan is rescinded and terminated in its entirety as of the effective
601 date of this subsection, and is to be of no further force and effect.

602 (3) Notwithstanding the foregoing: (i) the provisions in the reuse plan regulating
603 the phasing of residential and commercial development within the project shall be deemed to be
604 abrogated and of no further force and effect as of the effective date of this act; and (ii) the
605 provisions in the reuse plan governing the provision of “affordable” housing or “Workforce”
606 housing, as such terms are defined in the affordable and workforce housing plan and the
607 affordable and workforce housing regulations, are deemed abrogated and of no further force and
608 effect as of the effective date of this act, and shall be replaced, as of the effective date of this act,
609 by the requirements of clause (2) of subsection (b) of section 14.

610 (4) The zoning by-laws shall remain in effect, subject to their modification
611 pursuant to the procedures set forth in this section. Such zoning by-laws, as they be modified in
612 accordance with this from time to time, shall supersede the zoning by-laws of the towns with
613 respect to land in the NAS South Weymouth redevelopment area.

614 (b) Notwithstanding the termination of the reuse plan pursuant to subsection (a) of
615 section 14, the following elements of the reuse plan, as they may be modified below, shall
616 remain applicable to the project:

617 (1) the commercial minimum, the residential maximum, and the senior housing
618 minimum as defined in section 4. The zoning by-laws shall be administered and amended as
619 necessary to enforce and effectuate the commercial minimum, the senior housing minimum, and

620 the residential maximum; provided, however, that nothing in this act shall be construed to
621 prevent each town, acting in its sole discretion and consistent with other law, to allow (i)
622 Commercial Development within the portion of the NAS South Weymouth redevelopment area
623 within its municipal borders to exceed an amount that would cause the total amount of
624 commercial development within NAS South Weymouth to exceed 2,000,000 square feet, or (ii)
625 senior housing development within its portion of the NAS South Weymouth redevelopment area
626 to be developed to an extent that would cause either the senior housing minimum or the
627 residential maximum to be exceeded on a project-wide basis; and provided further that no town
628 shall administer or amend the zoning by-laws in a manner that prevents the development of the
629 residential maximum;

630 (2) notwithstanding anything to the contrary contained in this act or any other
631 general or special law or bylaw or regulation of the authority, or in any existing agreement
632 between the master developer and the authority or any other entity, of the residential units at
633 NAS South Weymouth, a minimum of 10 per cent shall meet the requirements of “affordable”
634 housing or “workforce” housing, as such terms are defined in the affordable and workforce
635 housing plan and the affordable and workforce housing regulations. Affordable or workforce
636 housing constructed within NAS South Weymouth prior to the effective date of this act shall be
637 counted towards the aggregate 10 per cent minimum requirement;

638 (3) the project shall be planned and built-out consistent with the “smart growth”
639 and “sustainable” principles articulated in the reuse plan;

640 (4) passive and active recreational facilities shall be included in the further
641 development of NAS South Weymouth, with such facilities to be of the type identified in the

642 reuse plan; provided, however, that notwithstanding the generality of the preceding sentence, the
643 master developer shall not be required to construct or operate a golf course; and

644 (5) the master developer shall submit to the authority no later than 7 months after
645 the passage of this act an open space preservation plan that shall be consistent with any amenities
646 plan agreed upon by the master developer and any of the 3 towns, which shall include a schedule
647 for the removal of all existing runways, taxiways, traffic control towers and other infrastructure
648 located on any land zoned open space as of the effective date of this act.

649 (c) Major zoning revisions shall not be effective until the town in which the land that is
650 the subject of such revision is located approves the revision. No town shall consider a major
651 zoning revision except at the initiative of the applicable town executive, the master developer,
652 the town's planning board, the town council in the case of Weymouth or a person owning land to
653 be affected by the revision. In addition to the requirements of chapter 40A of the General Laws,
654 upon the filing of any application for major zoning revision to the town council in Weymouth or
655 town meetings in Abington or Rockland, the town council or respective town meetings shall give
656 notice of such filing to the authority, whereupon the authority shall publish a notice of a public
657 hearing in a newspaper or general circulation within the NAS South Weymouth Region, and hold
658 at least one public hearing in the NAS South Weymouth redevelopment area or in any one of the
659 towns at which the public shall be afforded the opportunity to comment on the proposed revision.
660 Within 90 days of receipt of a petition for a proposed major zoning revision, the receiving town
661 shall convene a meeting of the town council in Weymouth or a town meeting if in Rockland or
662 Abington for the purpose of adopting the proposed major zoning revision. The towns shall
663 notify the authority of any major zoning revisions they may adopt, such notice to be provided
664 within thirty days of obtaining the attorney general's approval of such revision if required

665 pursuant to section 32 of chapter 40 of the General Laws. All other provisions of chapter 40A of
666 the General Laws shall apply, except that the towns may reconsider a proposed major zoning
667 revision pursuant to this Act within six months of an unfavorable action notwithstanding
668 anything to the contrary in section 5 of chapter 40A of the General Laws. Pursuant to 53G of
669 chapter 44 of the General Laws, a town may request, and the master developer may elect to
670 provide, reimbursement for legal fees incurred by the town in connection with the passage of this
671 act.

672 (d) The board shall have the authority to make minor zoning revisions. In addition, the
673 board shall within 90 days of its initial establishment under subsection (b) of section 9, make all
674 revisions to the existing zoning by-laws and the reuse plan necessary to make the zoning by-laws
675 conform to this act, including changes that eliminate all reference in the existing zoning by-laws
676 to the reuse plan or the master plan. The authority shall be responsible for maintaining a
677 codification of the zoning by-law that reflects all major zoning revisions adopted by the various
678 towns, all minor zoning revisions adopted by the board, and all revisions to the zoning map made
679 pursuant to section 14(e).

680 (e) The zoning map shall be deemed as of the effective date of this act to be revised to
681 establish town-specific sub-districts within any zoning district that is shown on the existing
682 zoning map as falling within more than one town. Within 180 days of the effective date of this
683 act, the master developer and the applicable executive or executives shall jointly petition the
684 applicable town or towns to initiate a zoning map amendment process that establishes the
685 dedicated commercial zone. Notwithstanding anything to the contrary in this act or any General
686 Law, no town may, before a time that is fifteen years from the effective date of this act, revise

687 the location or boundaries of portions of the dedicated commercial zone that falls within its
688 borders except at the joint initiative of the master developer and that town's executive.

689 (f) Revisions to the zoning by-laws pursuant to subsection (d) of section 14 shall be by
690 majority vote of the board. Prior to approving any minor zoning revision pursuant to said
691 subsection (d) of said section 14, the authority shall publish a notice of public hearing in a
692 newspaper of general circulation within the NAS South Weymouth region, send copies of the
693 proposed zoning revision to the board of selectmen in the towns of Rockland and Abington and
694 the mayor of the city known as the town of Weymouth, and hold at least one public hearing in
695 the NAS South Weymouth redevelopment area or in any one of the towns at which the public
696 shall be afforded the opportunity to comment on the proposed revision. The administrative
697 provisions of the zoning by-laws or of any other regulation promulgated by the authority may
698 provide for expedited permitting under which the time frames for actions, including a failure to
699 take action, applicable to municipalities and their boards, commissions and agencies under the
700 provisions of the General Laws may be shortened. Nothing in this section shall require the
701 authority to be governed by the requirements of chapter 30A of the General Laws.

702 (g) The procedures set forth in this section for adopting revisions to the zoning by-laws
703 shall be exclusive notwithstanding any general or special law to the contrary.

704 (h) Regulations for the effective implementation and enforcement of the zoning by-laws
705 and revisions thereof shall be developed and adopted by the authority, pursuant to section 6. No
706 regulation shall be adopted by the authority without first publishing notice of same in a
707 newspaper of general circulation within the NAS South Weymouth Region, holding at least one
708 public hearing in the NAS South Weymouth redevelopment area or in any one of the towns, and

709 affording the opportunity for public comment. Nothing in this section shall require the authority
710 to be governed by the requirements of chapter 30A of the General Laws.

711 (i) (1) As authorized in subsection (t) of section 6, the authority shall have exclusive
712 authority to issue and enforce land use, subdivision and zoning permits, approvals, orders of
713 conditions and other entitlements pursuant to the zoning by-law, regulations promulgated
714 pursuant to subsection (h) of section 14, subdivision regulations, and wetland protection laws in
715 effect within the Central redevelopment area. Such authority shall include the exclusive
716 jurisdiction to sit as a permit granting authority pursuant to section 15 of chapter 40A of the
717 General Laws. All other permitting, licensing, enforcement and entitlement authority vested in
718 or conferred on municipalities, their executives, or their various departments and boards
719 including without limitation their boards of health and inspectional services departments
720 pursuant to the General Laws shall be vested in the town in which the applicable portion of the
721 project is located. Without limiting the generality of the preceding sentence, each town's
722 inspectional services department will be responsible for issuing and enforcing building permits
723 and certificates of occupancy for construction activities occurring within the respective town's
724 borders.

725 (2) The town of Weymouth is authorized to issue a maximum of 13 alcoholic
726 beverage licenses within the portion of the NAS South Weymouth redevelopment area located
727 within Weymouth in accordance with chapter 138 of the General Laws, the town of Abington is
728 authorized to issue a maximum of 2 alcoholic beverage licenses within a portion of the NAS
729 South Weymouth redevelopment area located within Abington in accordance with chapter 138
730 and the town of Rockland is authorized to issue a maximum of 13 alcoholic beverage licenses
731 within the portion of the NAS South Weymouth redevelopment area located within Rockland in

732 accordance with said chapter 138; provided, however, that said licenses shall not diminish the
733 number of licenses permitted by the commonwealth to be granted elsewhere within the towns of
734 Weymouth or Rockland. None of the licenses authorized by this section shall be transferable
735 outside the NAS South Weymouth redevelopment area. Nothing in this section shall be deemed
736 to limit the ability of the towns to issue entertainment licenses and temporary alcoholic beverage
737 licenses as it deems necessary and appropriate for activities occurring within their respective
738 borders.

739 (j) All decisions and determinations of the authority, whether legislative or adjudicatory
740 in nature, shall be appealable by persons aggrieved by such decision or determination in
741 accordance with applicable provisions of the General Laws. Where any applicable General Law
742 requires notice of any such appeal to be filed with a municipal clerk, such filing shall be made
743 with the clerk of the authority, and with the clerk of the town or towns in which the land directly
744 affected by such decision or determination is located.

745 (k) Nothing in this act shall be interpreted as modifying or abrogating any permit,
746 approval or entitlement issued by the commonwealth in relation to the project and pursuant to
747 any law relating to the protection of human health or the environment.

748 Section 15. The board is hereby directed, within 90 days of its initial installation
749 pursuant to subsection (b) of section 9, to revise, re-promulgate, re-issue, re-negotiate, and re-
750 execute all regulations promulgated by the authority and currently in effect and all material
751 agreements including the DDA in effect between the authority and the master developer, solely
752 for the purpose of conforming such regulations, agreements and other documents to this act.

753 Without limiting the generality of the foregoing, the DDA, as renegotiated pursuant to this
754 section 15 shall:

755 (a) assign to the master developer the responsibility for procuring, financing, operating
756 and maintaining the permanent water supply and wastewater infrastructure for the project, and
757 shall require the master developer to allocate and reserve, for the benefit of the Dedicated
758 Commercial Zone, such portions of the permanent water supply and wastewater infrastructure as
759 are adequate and necessary to serve commercial development within said zone. The DDA shall
760 provide that the foregoing obligations shall be contingent on: (i) the execution by the
761 commonwealth of an amendment contemplated by subsection (b) of section 34; (ii) a funding
762 agreement contemplated by section 34(c); and (iii) the amendment of the trust indenture to
763 permit the towns' collection and remittance of pledged revenue, as contemplated in section
764 19(a), or confirmation that no such amendment is required in order to permit such collection and
765 remittance, as evidenced by a certificate delivered to the Secretary on or before October 15, 2014
766 by the trustee under the trust indenture. The permanent water and wastewater infrastructure may
767 include the construction of a wastewater treatment plant and associated groundwater discharge
768 facilities in the locations contemplated for such infrastructure in the master plan. Nothing in this
769 section shall prevent the master developer from entering agreements that assign or delegate all or
770 some of the master developer's rights or obligations with respect to the operation and
771 maintenance of the permanent water supply and wastewater infrastructure to qualified third
772 parties including, with their consent, any of the towns; and

773 (b) not include any provision imposing monetary penalties or forfeitures on the master
774 developer in the event the master developer elects not to develop a golf course as part of the
775 project.

776 Section 16. The executive office for administration and finance and the executive offices
777 of housing and economic development and of labor and workforce development shall identify a
778 senior staff member who shall assist the towns with establishing a method for coordinating 1-
779 stop licensing for all businesses and developments to be located within the NAS South
780 Weymouth redevelopment area for the purpose of expediting the process for obtaining
781 commonwealth licenses, permits, certificates, approvals, registrations, charters and meeting any
782 other requirements of law.

783 Section 17. Each public agency in the commonwealth involved in the development or
784 financing of economic development projects shall develop a coordinated 1-stop program for
785 businesses, institutions and private parties that may intend to locate in the NAS South Weymouth
786 redevelopment area in order to enable development activities within the NAS South Weymouth
787 redevelopment area to be more effectively promoted by the commonwealth.

788 Section 18. (a) The authority may fix, revise, charge, collect, levy and abate betterments,
789 assessments, special assessments and fees, and other charges for the cost, administration and
790 operation of the infrastructure improvements. In providing for the payment of the cost of the
791 infrastructure improvements or for the use of the infrastructure improvements, the authority may
792 avail itself of the General Laws relative to the assessment, apportionment, division, fixing,
793 reassessment, revision, abatement and collection of infrastructure charges, including betterments,
794 assessments, special assessments and fees by municipalities, or the establishment of liens
795 therefor and interest thereon, and the procedures set forth in sections 5 and 6 of chapter 254 of
796 the General Laws for the foreclosure of liens, as it shall deem necessary and appropriate for
797 purposes of the assessment and collection of such infrastructure improvement charges.
798 Notwithstanding any general or special law to the contrary, the authority may pay the entire cost

799 of any infrastructure improvements, including the acquisition thereof, during construction or
800 after completion, or the debt service of notes or bonds used to fund such costs, from betterments,
801 assessments, special assessments, fees, or other charges, and may establish the betterments,
802 assessments, special assessments, fees or other charges, prior to, during, or a reasonable time
803 following the completion of the construction of such infrastructure improvements. The authority
804 may establish a schedule for the payment of betterments, assessments, special assessments, fees
805 or other charges, not to exceed 35 years. The authority may determine the circumstances under
806 which the betterments, assessments, special assessments, fees and other charges, may be
807 increased, if at all, as a consequence of delinquency or default by the owner of that parcel or any
808 other parcel within the NAS South Weymouth redevelopment area.

809 (b) The betterments, assessments, special assessments, fees and other charges of general
810 application authorized by this act may be increased in accordance with the procedures to be
811 established by the authority for assuring that interested persons are afforded notice and an
812 opportunity to present data, views and arguments. The initial schedule of assessments, special
813 assessments, fees and other charges, may be adopted by the authority at any scheduled meeting
814 of the board, provided that notice of the meeting, and the proposed schedule, is sent to each
815 owner of a parcel within the NAS South Weymouth redevelopment area, by registered or
816 certified mail at least 7 days prior to the meeting. Thereafter, the authority shall hold at least 1
817 public hearing on a revision to its schedule of betterments, assessments, special assessments, fees
818 and other charges thereof prior to adoption by the authority, notice of which revisions shall be
819 delivered to the towns and shall be published in a newspaper of general circulation in each of the
820 towns at least 1 month in advance of the hearing. No later than the date of such publications, the
821 authority shall make available to the public and deliver to the towns the proposed revisions to the

822 schedule of special assessments, fees, betterments, assessments and other charges. The
823 betterments, assessments, special assessments, fees and other charges established by the
824 authority shall not be subject to supervision or regulation by any department, division,
825 commission, board, bureau or agency of the commonwealth or its political subdivisions,
826 including without limitation, the towns, except for the approval of the taxation plan and any
827 amendments thereof requiring approval by the secretary and commissioner of revenue.

828 (c) The betterments, assessments, special assessments, fees and other charges established
829 by the authority in accordance with this act shall be fixed and adjusted in respect of the aggregate
830 thereof so as to provide revenues sufficient: (i) to pay the principal of, premium, if any, and
831 interest on bonds, notes or other evidences of indebtedness issued by the authority under this act
832 as the same become due and payable; (ii) to create and maintain such reasonable reserves as may
833 be reasonably required by a trust agreement or resolution securing bonds or notes; (iii) to provide
834 funds for paying the cost of necessary repairs, replacements and renewals of infrastructure
835 improvements; and (iv) to pay or provide for an amount that the authority may be obligated to
836 pay or provide for by law or contract, including a resolution or contract with or for the benefit of
837 the holders of its bonds and notes, provided that the authority shall not be required to increase
838 any mandatory betterments, assessments, special assessments, fees or other charges by virtue of
839 any individual proprietor delinquencies. Nothing herein shall be deemed to impose a limitation
840 on the authority's ability to establish, set, or impose betterments, assessments, special
841 assessments, fees or charges at levels sufficient to meet any covenant requirements that may be
842 contained in any resolution or contract with or for the benefit of the holders of its bonds or notes,
843 or otherwise providing security for the same.

844 (d) As an alternative to levying betterments, assessments, special assessments, fees and
845 other charges under this act or the General Laws, the authority may levy special assessments on
846 real estate within the NAS South Weymouth redevelopment area to finance the cost,
847 administration and operation of the infrastructure improvements. In determining the basis for
848 and amount of the special assessment, the cost, administration, maintenance and operation of the
849 infrastructure improvements, including the cost of the repayment of the debt issued or to be
850 issued by the authority to finance the improvements, may be calculated and levied using any of
851 the following methods that result in fairly allocating the costs of the infrastructure improvements
852 to the real estate in the NAS South Weymouth redevelopment area: (1) equally per length of
853 frontage, or by lot, parcel or dwelling unit, or by the square footage of a lot, parcel or dwelling
854 unit; (2) according to the value of the property; or (3) in any other reasonable manner that results
855 in fairly allocating the cost, administration and operation of the infrastructure improvements,
856 according to the benefit conferred or use received including, but not limited to, by classification
857 of commercial or residential use or distance from the infrastructure improvements.

858 (e) The authority may also provide for the following: (1) a maximum amount to be
859 assessed with respect to any parcel; (2) a tax year or other date after which no further special
860 assessments under this section shall be levied or collected on a parcel; (3) annual collection of
861 the levy without subsequent approval of the authority; (4) the circumstances under which the
862 special assessment levied against a parcel may be increased, if at all, as a consequence of
863 delinquency or default by the owner of that parcel or any other parcel within the NAS South
864 Weymouth redevelopment area; and (5) procedures allowing for the prepayment of betterments,
865 assessments, special assessments, fees and other charges under this act.

866 (f) Betterments, assessments, special assessments, fees and other charges levied under
867 this act shall be collected and secured in the same manner as property taxes, betterments,
868 assessments and fees owed to the towns unless otherwise provided by the authority and shall be
869 subject to the same penalties and the same procedure, sale and lien priority in case of
870 delinquency as is provided for such property taxes, betterments and liens owed to the towns.

871 (g) The appellate tax board shall have jurisdiction within the NAS South Weymouth
872 redevelopment area pursuant to chapter 58A of the General Laws to the same extent as its
873 jurisdiction in cities and towns. The authority shall have exclusive responsibility for paying any
874 reimbursement payments owed under section 69 of chapter 59 of the General Laws, or otherwise,
875 as a result of the abatement, by such board or another body of competent jurisdiction, of any
876 property tax assessments made by the authority prior to the complete transition of the assessing
877 and taxing power to the towns pursuant to subsection (a) of section 19.

878 Section 19. (a) Notwithstanding any general or special law to the contrary, property taxes
879 upon personal property, persons, residents and estates lying within the NAS South Weymouth
880 redevelopment area, including both the central redevelopment area and the perimeter area, shall,
881 commencing as of January 1, 2015, for the fiscal year commencing July 1, 2015, be imposed,
882 levied and administered by each town for its respective portion of NAS South Weymouth,
883 consistent with the General Laws that are applicable to municipalities. The towns shall collect
884 upon the estates, real and personal, within NAS South Weymouth a property tax rate equal to the
885 base rate plus the Southfield rate. In connection with the foregoing, the towns shall have all the
886 powers and authority of cities and towns under chapters 40, 59, 60, 60A, 61B and section 3A of
887 chapter 64G of the General Laws including, with respect to unpaid taxes due and owing as a
888 result of prior assessments by the South Shore Tri-Town Development Corporation, the

889 exclusive power to exercise enforcement and collection rights pursuant to said chapter 60 of the
890 General Laws and other relevant law, and may accept a local option under a general or special
891 law related to the assessment, exemption or enforcement of property taxes and excises that cities
892 and towns may accept. A property tax bill issued by a town pursuant to this subsection prior to
893 the town's first opportunity to issue assessments pursuant to section 21 of said chapter 59 shall
894 be based on the assessed value established by the authority in its most recent assessment of the
895 property in question or such other assessed value as may have been determined for such property
896 through abatement proceedings. The board shall notify each town of the Southfield rate to be
897 charged in the next following fiscal year no later than March 1 of each year, and of the amount of
898 pledged revenue to be remitted to the authority in the next following fiscal year, as provided
899 below. The Southfield rate shall not be set for any given fiscal year until at least 45 days after
900 the board provides each executive with written notice of and an opportunity to comment on the
901 proposed rate and the Authority operating budget on which it is based. During such 45-day
902 period, the executives in Rockland and Abington, and the town council in Weymouth to which
903 the rate-setting notice shall be referred by the mayor of Weymouth shall convene a public
904 hearing for the purpose of obtaining public comment on the proposed Southfield rate. No later
905 than 30 days after collection of property taxes for each fiscal quarter, each town shall remit to the
906 authority the Southfield revenue collected by such town in the preceding fiscal quarter. Each
907 town shall also, with each remittance of Southfield Revenue to the authority, remit pledged
908 revenue that it collected during the relevant period. Nothing in this act shall be deemed to limit a
909 town's ability, in respect of any given fiscal year or other period, to remit property tax revenue in
910 excess of Southfield revenue to the authority. Southfield revenue shall not be deemed to
911 constitute any part of "total taxes assessed" by the towns for the purposes of administering

912 section 21C of chapter 59 of the General Laws. Land and improvements located within each
913 town's respective portion of NAS South Weymouth shall, in the fiscal year commencing July 1,
914 2015, be deemed for all purposes to be additional new growth within that town within the
915 meaning of paragraph (f) of section 21C of said chapter 59 and section 23D of said chapter 59.

916 (b) In consideration of the collection and retention of base revenue pursuant to section
917 19(a) and of the transfer of ways and associated infrastructure pursuant to subsection (c) of
918 section 19, commencing January 1, 2015, each town shall assume responsibility for providing
919 police and fire protection, emergency services, schools, public way maintenance, public works,
920 inspectional and other municipal services, not including waste collection, to its respective portion
921 of NAS South Weymouth except for portions owned or controlled by agencies of the United
922 States government on the same basis and terms as it provides such services to other parts of the
923 town. Notwithstanding the generality of the preceding sentence, no town shall be required to
924 provide water or sewer services to any portion of NAS South Weymouth except pursuant to
925 agreement with the authority or the master developer including pursuant to the phase I water and
926 wastewater agreement; provided further that no water shall be supplied to NAS South Weymouth
927 from the Great Sandy Bottom Pond in the town of Pembroke. For purposes of determining state
928 education assistance, including without limitation the calculation of each town's foundation
929 enrollment under chapter 70 of the General Laws, each school-age child living within NAS
930 South Weymouth shall be counted as a child enrolled in the town in which the child resides, and
931 all expenses incurred by each respective town on behalf of such childrens' education shall be
932 included as expenses of the town incurring such costs in the determination of each respective
933 town's share of such assistance, including without limitation each town's foundation budget
934 under said chapter 70.

935 (c) No later than January 1, 2015, the authority and the master developer, as the case may
936 be, will take all actions necessary to transfer to the applicable town control of all existing public
937 ways, or ways maintained and used as public ways, located within NAS South Weymouth,
938 together with associated infrastructure including public utilities and sewer and storm drain lines
939 located within or adjacent to the rights of way of such ways, and each town shall, without regard
940 to the requirements of chapter 82 of the General Laws or other general or special laws, accept the
941 applicable portion of such way or ways as a public way in said town. Each town shall accept as
942 a public way any new public way and associated infrastructure developed, constructed or
943 acquired by the authority or the master developer, as the case may be, within NAS South
944 Weymouth following the effective date of this act provided the board has approved the layout
945 and construction of such way consistent with the authority's subdivision regulations, and
946 provided further that the customary street acceptance procedures of the town in which the way is
947 to be accepted as a public way are satisfied and such town agrees that the way has been
948 constructed in accordance with such regulations. Notwithstanding any general or special law to
949 the contrary, (i) public ways or portions thereof located within NAS South Weymouth and for
950 which a town assumes maintenance, repair and other obligations pursuant to this section 19(c)
951 shall be included in the apportionment for such town of state assistance to cities and towns under
952 chapter 90 of the General Laws or under any other statute or program providing financial
953 assistance to cities and towns of the commonwealth in connection with transportation matters,
954 (ii) any other attributes of a town located within NAS South Weymouth including without
955 limitation population and employment shall likewise be included for purposes of such
956 apportionment, and (iii) improvement, maintenance, repair or other projects related to said public
957 ways shall be eligible for such assistance. The provisions of this section 19(c) shall not apply to

958 the parkway, existing and future portions of which shall remain subject to the master developer's
959 control until such time as the master developer transfers control to a third party on such terms as
960 the master developer and such third party may agree, subject to the approval of the authority.

961 (d) Except for the phase I water and wastewater agreement and the consecutive water
962 agreement, any existing agreements between the towns and the authority or the master developer,
963 as applicable, related to the provision of municipal services to NAS South Weymouth, and the
964 rates charged for such services, shall be rescinded and shall have no further force and effect as of
965 January 1, 2015. The phase I water and wastewater agreement is hereby deemed to be extended
966 until July 1, 2016, notwithstanding any prior expiration of such agreement that may have
967 occurred according to its terms. The term of the consecutive water agreement may be subject to
968 modification by and between the parties thereto and in accordance therewith.

969 (e) Unless (i) the parties execute an amendment contemplated by subsection (b) of
970 section 34; (ii) a funding agreement is negotiated as contemplated by subsection (c) of section
971 34; and (iii) the trust indenture is amended to permit the towns' collection and remittance of
972 pledged revenue, as contemplated in subsection (a) of section 19, or confirmation is provided
973 that no such amendment is required in order to permit such collection and remittance, as
974 evidenced by a certificate delivered to the secretary on or before October 15, 2014 by the trustee
975 under the trust indenture , then subsections (a) to (d), inclusive of said section 19 shall be
976 considered void, and the matters addressed in said sections shall continue to be addressed as they
977 were under the prior enabling act. Following the termination of the authority in accordance with
978 section 33, each town shall have the authority to assess, impose, levy and collect property taxes
979 on properties located within its respective portion of the NAS South Weymouth Development
980 Area on the same basis as such town administers its property tax collection system elsewhere

981 within the town. In the event that subsections (a) to (d), inclusive of said section 19 are void for
982 reasons set forth in this paragraph, excess revenues of the authority, as that term is defined in the
983 reuse plan and zoning by-laws , shall be distributed by the board annually within 120 days
984 following the end of the authority's fiscal year to the towns on a ratable basis according to the
985 then-assessed value of land within their respective portions of NAS South Weymouth.

986 (f) This section shall take effect upon approval by the secretary and the commissioner of
987 revenue of a taxation plan prepared by the board in consultation with the towns for the purpose
988 of ensuring the orderly assessment and collection of property and other taxes, and payment of
989 bonds or notes secured with a pledge of such taxes under this section. The taxation plan shall be
990 submitted to the secretary and the commissioner of revenue on or before October 15, 2014. The
991 taxation plan shall detail the specific powers and duties of the authority and the towns; provide
992 for the timely transfer of assessment and collection records from the authority to the towns;
993 detail the oversight to be provided by the commissioner of revenue regarding the base rate and
994 Southfield rate, including required reports and other information; and address such other
995 pertinent matters as determined by the secretary and the commissioner of revenue.

996 Section 20. (a) The authority may provide by resolution of the board for the issuance of
997 bonds and notes of the authority for the purposes of paying or refinancing all or any part of the
998 cost of the project and its infrastructure improvements. Such cost shall include the cost of: (1)
999 construction, reconstruction, renovation and acquisition of all lands, structures, real or personal
1000 property, rights, rights-of-way, franchises, easements and interests acquired or to be acquired by
1001 the authority, the towns, the commonwealth or any other political subdivision thereof, including
1002 the costs of any infrastructure and improvements to be transferred to the towns in accordance
1003 with subsection (c) of section 19; (2) all machinery and equipment including machinery and

1004 equipment needed to expand or enhance services from the towns, the commonwealth or a
1005 political subdivision thereof to the authority; (3) financing charges and interest prior to and
1006 during construction, and for a period not exceeding 1 year after completion of the construction,
1007 interest and reserves for principal and interest, including costs of municipal bond insurance and
1008 any other type of financial guaranty and costs of issuance; (4) extensions, enlargements,
1009 additions and enhancements to infrastructure improvements; (5) architectural, engineering,
1010 financial and legal services; (6) plans, specifications, studies, surveys and estimates of costs and
1011 of revenues; (7) administrative expenses necessary or incident to the construction, acquisition,
1012 financing, operation and maintenance of the project; and (8) other expenses as may be necessary
1013 or incident to the construction, acquisition, operation, maintenance and financing of the
1014 infrastructure improvements, including the cost of issuing bonds or notes. The authority may
1015 issue up to \$175,000,000 of its bonds. The authority may issue bonds secured in whole or in part
1016 by betterments, assessments, special assessments, fees and other charges, notes, debentures, long
1017 term capital leases, grants and governmental assistance and long-term contracts; provided that
1018 the authority may not secure any bonds or notes issued after the effective date of this section
1019 with a pledge or other commitment of ad valorem property taxes assessed by the authority or the
1020 towns pursuant to said section 19. The principal of and interest on such bonds shall be payable
1021 solely from the funds which are identified by the authority and are permitted by this act to
1022 provide for such payment. The bonds of each issue shall be dated, shall bear interest at such
1023 rates, which may be variable or fixed, and shall mature at times not exceeding 35 years from
1024 their dates of initial issuance, as the authority may determine, and may be made redeemable
1025 before maturity, at the option of the authority, at such prices and under such terms and conditions
1026 as the authority may fix prior to the issuance of the bonds. The authority shall determine the

1027 form of the bonds and the manner of execution of the bonds, and shall fix the denominations of
1028 the bonds and the places of payment of principal and interest, which may be at a bank or trust
1029 company within or without the commonwealth and such other locations as designated by the
1030 authority. In the event an officer whose signature or a facsimile of whose signature shall appear
1031 on any bonds shall cease to be an officer before the delivery of the bonds, the signature or
1032 facsimile shall nevertheless be valid and sufficient for all purposes as if such officer had
1033 remained in office until the delivery. The bonds shall be issued in registered form. The
1034 authority may sell the bonds in a manner and for a price, either at public or private sale, as it may
1035 determine to be for the best interests of the authority.

1036 (b) Prior to the preparation of definitive bonds, the authority may, under like restrictions,
1037 issue interim receipts or temporary notes, with or without coupons, exchangeable for definitive
1038 bonds when such bonds have been executed and are available for delivery. The authority may
1039 also provide for the replacement of bonds that shall become mutilated or shall be destroyed or
1040 lost. The authority may issue, from time to time, notes of the authority in anticipation of federal,
1041 state or local grants for the cost of the project and acquiring, constructing or improving the
1042 infrastructure improvements. The notes shall be authorized, issued and sold in the same manner
1043 as provided in, and shall otherwise be subject, this act. Such notes shall mature at such times as
1044 provided by the issuing resolution of the authority and may be renewed from time to time;
1045 provided, however, that all such notes and renewals thereof shall mature on or before 20 years
1046 from their date of issuance. Bonds and notes may be issued under this act subject only to those
1047 proceedings, conditions or things that are specifically required by this act.

1048 (c) The authority may provide by resolution for issuance of refunding bonds of the
1049 authority for the purpose of refunding bonds then outstanding at maturity or upon acceleration or

1050 redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of
1051 the refunded bonds as the authority deems to be in the public interest. Refunding bonds may be
1052 issued in sufficient amounts to pay or provide for the principal of the bonds being refunded under
1053 this act, and the payment of a redemption premium thereon and interest accrued or to accrue to
1054 the date of redemption of such bonds, and, if deemed advisable by the authority, for the
1055 additional purpose of paying any cost of the project, including the acquisition, constructing or
1056 reconstructing of the infrastructure improvements. The issuance of such bonds, the maturities
1057 and other details thereof, the rights of the holders thereof, and the duties of the authority in
1058 respect to the same shall be governed by this act insofar as the same may be applicable.

1059 (d) While bonds issued by the authority remain outstanding, the powers, duties or
1060 existence of the authority shall not be diminished or impaired in any way that will adversely
1061 affect the interests and rights of the holders of such bonds.

1062 (e) The board may by resolution delegate to a person, other than a majority of the board,
1063 the power to determine any of the matters set forth in this section.

1064 (f) Bonds and notes issued under this section, unless otherwise authorized by law, shall
1065 not be deemed to constitute a debt of the commonwealth or of the towns, or a pledge of the faith
1066 and credit of the commonwealth or of the towns, but such bonds shall be payable solely from the
1067 funds of the authority or as otherwise provided in this act. Unless the towns or the
1068 commonwealth subsequently agree to pay the bonds or notes of the authority, such bonds and
1069 notes shall contain on their faces a statement to the effect that neither the commonwealth nor the
1070 towns shall be obliged to pay the same or the interest thereon and that neither the faith and credit
1071 nor taxing power of the commonwealth or the towns is pledged to the payment of the principal of

1072 or the interest on such bonds or notes. Without limiting the generality of the foregoing, nothing
1073 in this act shall be construed as imposing on any town any obligation with respect to the
1074 repayment of the series 2010A bonds and any debt issued by the authority pursuant to this act.

1075 (g) All bonds or notes issued under this act shall have all the qualities and incidents of
1076 negotiable instruments as defined in section 3-104 of chapter 106 of the General Laws.

1077 (h) Prior to the issuance of bonds with a maturity date later than the date the authority is
1078 required to be terminated pursuant to section 33, the mayor of the town of Weymouth and boards
1079 of selectmen of the towns of Abington and Rockland, in consultation with the authority, shall
1080 enter into an intermunicipal debt service agreement acceptable to the authority, which shall
1081 provide for the continued payment of principal and interest on such bonds and the maintenance
1082 of all required reserves and any other obligations as may be set forth in the applicable bond
1083 instruments from betterments, assessments, special assessments, fees, other charges and other
1084 revenues generated in the NAS South Weymouth redevelopment area and the authority and the
1085 towns may enter into and perform their respective obligations under such debt service
1086 agreement; provided, however, that such agreement shall not extend the duration of the authority
1087 past the date on which it is to be terminated pursuant to section 33.

1088 Section 21. (a) In the discretion of the authority, bonds, refunding bonds or notes may be
1089 secured by a trust agreement by and between the authority and a corporate trustee, which may be
1090 a trust company or bank having the powers of a trust company within or without the
1091 commonwealth. Such trust agreement may pledge or assign the revenues to be received, but
1092 shall not convey or mortgage the project or a part thereof.

1093 (b) Either the resolution providing for the issuance of bonds or notes or the trust
1094 agreement may contain provisions for protecting and enforcing the rights and remedies of the
1095 bondholders as may be reasonable and proper and not in violation of law, including, without
1096 limiting the generality of the foregoing, provisions defining defaults and providing for remedies
1097 in the event thereof, which may include the acceleration of maturities and covenants setting forth
1098 the duties of, and limitations on, the authority in relation to the acquisition, maintenance,
1099 operation, insurance and disposition of property, custody, safeguarding, investment, application
1100 of moneys, use of any surplus bond or note proceeds and establishment of reserves. Such
1101 resolution or trust agreement may contain, but shall not be limited to, covenants by the authority
1102 in relation to the following: (i) the establishment, revision and collection of such betterments,
1103 assessments, special assessments, fees and other charges for services or facilities furnished or
1104 supplied by the authority as shall provide revenues which together with other revenues of the
1105 project, if any, are sufficient to pay (1) the cost of maintaining, repairing and operating the
1106 project and of making renewals and replacements in connection therewith, (2) the principal of
1107 and the interest on the bonds or notes, as the same shall become due and payable, (3) payments
1108 in lieu of taxes, betterments, assessments, special assessments, fees and other charges and (4)
1109 reserves for all such purposes; (ii) the purposes for which the proceeds of the sale of the bonds or
1110 notes shall be applied and the use and disposition thereof; (iii) the use and disposition of the
1111 gross revenues of the authority from the project, additions thereto and extension and the
1112 infrastructure improvements thereof, including the creation and maintenance of funds for
1113 working capital and for renewals and replacements to the project; (iv) the amount, if any, of
1114 additional bonds or notes payable from the revenues of the project and the limitations, terms and
1115 conditions on which such additional bonds or notes may be issued; and (v) the operation,

1116 maintenance, management, accounting and auditing of the project and of the income and
1117 revenues of the authority.

1118 (c) It shall be lawful for a bank or trust company within or without the commonwealth to
1119 act as depository of the proceeds of bonds or revenues and to furnish such indemnifying bonds or
1120 to pledge such securities as may be required by the authority. Such trust agreement may set forth
1121 the rights and remedies of the bondholders and of the trustee and may restrict the individual right
1122 of action by bondholders as is customary in trust agreements or trust indentures securing bonds
1123 and debentures of authorities. Such trust agreement may contain other provisions as the
1124 authority may deem reasonable and proper for the security of the bondholders. All expenses
1125 incurred in carrying out the provisions of such trust agreement may be treated as a part of the
1126 cost of the operation of the project. The pledge by any such trust agreement or resolution shall
1127 be valid and binding from the time when the pledge is made. The revenues or other moneys so
1128 pledged and then held or thereafter received by the authority shall immediately be subject to the
1129 lien of such pledge without a physical delivery thereof or further act. The lien of any such
1130 pledge shall be valid and binding as against all parties having claims of any kind in tort, contract
1131 or otherwise against the authority, irrespective of whether such parties have notice thereof. The
1132 financing document by which any pledge is created by the authority shall not be required to be
1133 filed or recorded to perfect such pledge except in the official records of the authority and no
1134 uniform commercial code filing shall be required to be made. A pledge or assignment made by
1135 the authority is an exercise of its political and governmental powers, and revenues, funds, assets,
1136 property and contract or other rights to receive the same and the proceeds thereof which are
1137 subject to the lien of a pledge or assignment created under this act shall not be applied to
1138 purposes not permitted by the pledge or assignment.

1139 (d) In addition to other security provided herein or otherwise by law, bonds, notes or
1140 obligations issued by the authority under this act may be secured, in whole or in part, by a letter
1141 of credit, line of credit, bond insurance policy, liquidity facility or other credit facility for the
1142 purpose of providing funds for payments in respect of bonds, notes or other obligations required
1143 by the holder thereof to be redeemed or repurchased prior to maturity or for providing additional
1144 security for such bonds, notes or other obligations. In connection therewith, the authority may
1145 enter into reimbursement agreements, remarketing agreements, standby bond purchase
1146 agreements and any other necessary or appropriate agreements. The authority may pledge or
1147 assign the authority's revenues as security for the reimbursement by the authority to the
1148 providers of such letters of credit, lines of credit, bond insurance policies, liquidity facilities or
1149 other credit facilities of any payments made under the letters of credit, lines of credit, bond
1150 insurance policies, liquidity facilities or other credit facilities.

1151 (e) In connection with, or incidental to, the issuance of bonds, notes or other obligations,
1152 the authority may enter into such contracts as it may determine to be necessary or appropriate to
1153 place the bonds, notes or other obligations of the authority, as represented by the bonds or notes,
1154 or other obligations in whole or in part, on such interest rate or cash flow basis as the authority
1155 may determine, including without limitation, interest rate swap agreements, insurance
1156 agreements, forward payment conversion agreements, futures contracts, contracts providing for
1157 payments based on levels of, or changes in, interest rates or market indices, contracts to manage
1158 interest rate risk, including without limitation, interest rate floors or caps, options, puts, calls and
1159 similar arrangements. Such contracts shall contain such payment, security, default, remedy and
1160 other terms and conditions as the authority may deem appropriate and shall be entered into with
1161 such parties as the authority may select, after giving due consideration, where applicable, for the

1162 creditworthiness of the counter parties, including a rating by a nationally-recognized rating
1163 agency, the impact on a rating on outstanding bonds, notes or other obligations or other criteria
1164 the authority may deem appropriate.

1165 (f) The authority shall have the power to purchase its bonds or notes out of any funds
1166 available therefor. The authority may hold, pledge, cancel or resell such bonds or notes, subject
1167 to and in accordance with agreements with bondholders.

1168 (g) Any moneys received by the authority, whether as proceeds from the issuance of
1169 bonds or notes, or as revenue or otherwise, may be designated by the board as trust funds to be
1170 held and applied solely as provided in this act.

1171 Section 22. Bonds, refunding bonds and notes issued under this act shall be securities in
1172 which all public officers and public bodies of the commonwealth and its political subdivisions,
1173 all insurance companies, trust companies and their commercial departments and within the limits
1174 set forth in chapter 172 of the General Laws, banking associations, investment companies,
1175 executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may
1176 hereinafter be authorized to invest in bonds or other obligations of a similar nature may properly
1177 and legally invest funds, including capital in their control or belonging to them; and such bonds
1178 are shall be obligations that may properly and legally be made eligible for the investment of
1179 savings deposits and the income thereof in the manner provided in chapter 168 of the General
1180 Laws. Such bonds shall be securities that may properly and legally be deposited with and
1181 received by a state or municipal officer or an agency or political subdivision of the
1182 commonwealth for a purpose for which the deposit of bonds or other obligations of the
1183 commonwealth is now or may hereafter be authorized by law.

1184 Section 23. A holder of bonds or notes issued under this act and a trustee under a trust,
1185 except to the extent the rights herein given may be restricted by the trust agreement, may, either
1186 at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights
1187 under the laws of the commonwealth or granted hereunder or under the trust agreement, and may
1188 enforce and compel the performance of all duties required by this act or by the trust agreement,
1189 to be performed by the authority or by an officer thereof.

1190 Section 24. The towns and the commonwealth are pledged to agree with the holders of
1191 the bonds or notes that neither the towns nor the commonwealth shall limit or alter or cause to
1192 limit or alter the rights hereby vested in the authority to acquire or maintain the project or
1193 infrastructure improvements, to establish and collect betterments, assessments, special
1194 assessments, fees and other charges and to fulfill the terms of any agreements made with the
1195 holders of the bonds or notes nor impair the rights and remedies of the bondholders or
1196 noteholders, until the bonds or notes, together with interest thereon, with interest on any unpaid
1197 installments of interest and all costs and expenses in connection with an action or proceeding by
1198 or on behalf of the bondholders or noteholders, are fully met and discharged.

1199 Section 25. (a) The creation of the authority and the carrying out of its corporate purposes
1200 shall be for the benefit of the people of the commonwealth and shall be a public purpose, and the
1201 authority shall be regarded as performing a governmental function in the exercise of the powers
1202 conferred upon it by this act and shall be required to pay no taxes or assessments upon any of the
1203 property acquired by it or under its jurisdiction, control or supervision or upon its activities.

1204 (b) Any bonds issued under this act, including an exchange, sale or transfer of such
1205 bonds, and any income derived therefrom, and the property of the agency shall at all times be

1206 free from taxation by the commonwealth or any political subdivision or entity thereof to the
1207 extent permitted by federal law.

1208 (c) Bonds or notes issued under this act shall be subject to the same reporting and
1209 oversight requirements that apply to a municipality under the General Laws.

1210 Section 26. The authority shall be liable in contract and in tort in the same manner as a
1211 municipal authority. The directors, officers, employees and agents of the authority, including
1212 members of the advisory board established pursuant to section 10, shall not be liable as such on
1213 their contracts or for torts not committed or directly authorized by them. The property or funds
1214 of the authority shall not be subject to attachment or to levy and sale on execution, but if the
1215 authority refuses to pay a judgment entered against it in a court of competent jurisdiction, the
1216 superior court, sitting within and for Norfolk county or Plymouth county, may direct the
1217 treasurer of the authority to pay such judgment. The real estate owned by the authority shall not
1218 be subject to liens under chapter 254 of the General Laws, but sections 28 and 29 of chapter 149
1219 of the General Laws shall be applicable to any construction work by the authority.

1220 Section 27. Notwithstanding any general or special law to the contrary, the authority shall
1221 be deemed to be a public employer for purposes of chapter 258 of the General Laws.

1222 Section 28. (a) The authority may, if appropriate, make application to the United States
1223 Department of Housing and Urban Development or, as necessary, any other federal agency, to
1224 designate all or a portion of the NAS South Weymouth redevelopment area as an enterprise zone,
1225 pursuant to 42 U.S.C. § 11501 et seq., as amended, or an existing or successor statute for the
1226 purpose of creating jobs and encouraging development in the NAS South Weymouth
1227 redevelopment area.

1228 (b) The NAS South Weymouth redevelopment area and the towns of Abington, Rockland
1229 and Weymouth are hereby designated economic target areas as defined in section 3D of chapter
1230 23A of the General Laws. Pursuant to such designation, certain development project within the
1231 NAS South Weymouth redevelopment area and the entirety of the towns of Abington, Rockland
1232 and Weymouth shall be eligible for tax deductions, credits and abatements and other economic
1233 incentives as provided for in sections 3E to 3G of said chapter 23A. The authority shall render
1234 such certifications as are required by law for the project within the central redevelopment area,
1235 including the designation of economic opportunity areas, and each town shall render such
1236 certifications within its respective sector of the perimeter area and portions of the towns not
1237 included in the NAS South Weymouth redevelopment area. The designation of the NAS South
1238 Weymouth redevelopment area and the towns of Abington, Rockland and Weymouth as
1239 economic target areas shall be in addition to the economic target areas that may be established
1240 pursuant to paragraph 5 of said section 3E of said chapter 23A.

1241 Section 29. The authority shall be subject to all laws applicable to municipal
1242 redevelopment authorities created under section 4 of chapter 121B of the General Laws.

1243 Section 30. The authority or its agents may enter into project labor agreements covering
1244 construction performed by it consistent with its powers under this act.

1245 Section 31. The authority shall keep an accurate account of its activities including its
1246 receipts and expenditures. The authority shall prepare annual reports of its activities in the NAS
1247 South Weymouth redevelopment area during the preceding fiscal year and submit such reports to
1248 the governor, secretary, general court, advisory board, mayor of the town of Weymouth, the
1249 town manager of the town of Abington, the town administrator of the town of Rockland, the

1250 town council of the town of Weymouth, the boards of selectmen of the towns of Abington and
1251 Rockland and the town clerk of each of those towns. Each report shall set forth a complete
1252 operating and financial statement covering the authority's operations in the NAS South
1253 Weymouth redevelopment area during the previous year. The authority shall cause an audit of
1254 its books and accounts relating to the NAS South Weymouth redevelopment area to be made at
1255 least once in each fiscal year by certified public accountants. The audit shall be filed with the
1256 state auditor annually not later than 120 days after the end of the authority's fiscal year and shall
1257 be in a form prescribed by the state auditor. The state auditor shall audit the authority's books
1258 and accounts in accordance with section 12 of chapter 11 of the General Laws. The state auditor
1259 may investigate the budget, finances, transactions and relationships of the authority at any time
1260 and may examine the authority's records and prescribe methods of accounting and the rendering
1261 of periodic reports. The audits of the authority shall be public records; provided, however, that
1262 the mayor of the town of Weymouth, the town manager of the town of Abington, or the town
1263 administrator of the town of Rockland may each conduct annual audits at the expense of the
1264 respective towns. During the period between the effective date of this act and January 1, 2015,
1265 the authority (i) may not incur any expenditure that is not consistent with its then-effective
1266 budget without the prior written consent of each Executive, and (ii) shall timely pay expenses
1267 incurred in the ordinary course of its operations, in accordance with said budget. Any property
1268 tax revenue collected by the authority during such period and not expended in accordance with
1269 the previous sentence shall be remittable to the towns on a ratable basis according to the then-
1270 assessed value of land within their respective portions of NAS South Weymouth on January 1,
1271 2015. Any unexpended fees held by the authority as of January 1, 2015 in connection with the

1272 issuance of a building permit shall be remittable, on such date, to the town assuming the further
1273 administration of such permit pursuant to section 19(b).

1274 Section 32. Chapter 40B of the General Laws shall not apply to the provision of
1275 affordable housing within the NAS South Weymouth redevelopment area. Such affordable
1276 housing within the NAS South Weymouth redevelopment area shall be governed by section
1277 14(b)(2), the zoning by-laws and the regulations adopted thereunder. None of the land located
1278 within the NAS South Weymouth redevelopment area, nor any of the housing which may be
1279 constructed thereon from time to time, shall be included in any calculation applicable to said
1280 chapter 40B with respect to any of the towns. This section shall continue in full force and effect
1281 following the dissolution of the authority pursuant to section 33.

1282 Section 33. (a) The authority shall be dissolved upon: (i) the bond termination date; and
1283 (ii) the approval of the dissolution and administration agreement by the towns as described in
1284 subsection (b); provided, however, that in no event shall the authority be dissolved prior to
1285 August 13, 2018. Within 30 days after: (i) the bond termination date; and (ii) such approval of
1286 the dissolution and administration agreement, the board shall file a certificate acknowledging
1287 such dissolution with the state secretary. The dissolution of the authority shall take effect upon
1288 the filing of such certificate, subject to the applicable provisions of section 51 of chapter 155 of
1289 the General Laws. In connection with the application of said section 51 of said chapter 55, any
1290 real property owned by the authority at the time of dissolution shall be deemed to be distributed
1291 automatically to and become the property of the town in which it is located, consistent with the
1292 dissolution and administration agreement, and the personal property of the authority shall be
1293 equitably allocated to the towns according to the terms of the dissolution and administration
1294 agreement; provided, however, that the authority shall not issue any bonds after the date that is

1295 one year following the completion of the redevelopment of the NAS South Weymouth
1296 redevelopment area contemplated in the Reuse Plan and the zoning by-laws.

1297 (b) At least 24 months prior to the bond termination date, the board shall prepare and
1298 distribute to the towns a dissolution and administration agreement. The dissolution and
1299 administration agreement shall provide, but shall not be limited to, the following: (i) provisions
1300 for the disposition of all real and personal property within the NAS South Weymouth
1301 redevelopment area which the authority owns or has an interest in on the bond termination date;
1302 (ii) provisions for the assumption of all contractual obligations, including all lease agreements of
1303 the authority, which do not expire on the bond termination date; (iii) provisions for the transfer
1304 and assumption by the towns of the authority's zoning administration, licensing and permitting
1305 authorities; and (iv) provisions for the resolution of any other matters relating to the authority
1306 which may affect the interests of the towns. Within 120 days after receipt of the dissolution and
1307 administration agreement, the mayor of the town of Weymouth shall convene a meeting of the
1308 town council of the town of Weymouth and the boards of selectmen of the towns of Abington
1309 and Rockland shall convene a town meeting of their respective towns for the purpose of adopting
1310 by majority vote of the town council and each town meeting the dissolution and administration
1311 agreement. Each town shall vote to adopt or disapprove the agreement as submitted. No
1312 amendments to the agreement shall be made by the towns. Each town shall, within 30 days after
1313 adoption or rejection of the agreement at a town council meeting or a town meeting, as the case
1314 may be, provide the authority with a written notification stating whether the town council or
1315 town meeting adopted or rejected the agreement. Any town that has rejected the agreement shall
1316 have 1 year from the date of such disapproval to reconsider its decision and rescind its rejection
1317 and adopt the dissolution and administration agreement. Once a town adopts the agreement, it

1318 shall not thereafter vote to disapprove or reject it. If all 3 towns have not adopted the agreement
1319 at least 1 year prior to the bond termination date, the authority shall remain in existence and carry
1320 out its functions consistent with this act. If the towns fail to adopt the agreement, the general
1321 court may, at any time after the bond termination date, terminate the authority's existence,
1322 provide for the distribution of the its assets and determine other provisions as required for the
1323 dissolution and administration agreement.

1324 Section 34. (a) Notwithstanding any provision of this act to the contrary, the authority
1325 shall perform its obligations under the Parkway Financing MOA, including without limitation,
1326 reimbursement to the commonwealth of any "deficiency payment," as defined in the Parkway
1327 Financing MOA, which obligation of the authority shall constitute a general obligation of the
1328 authority for which the full faith and credit of the authority shall be pledged for the benefit of the
1329 commonwealth. The betterments, assessments, special assessments, fees and other charges
1330 established by the authority in accordance with this act shall be fixed and adjusted so as to
1331 provide revenues at least sufficient to pay, in addition to all other amounts set forth in section 18,
1332 any amounts that the authority may be obligated to pay or provide for, pursuant to the Parkway
1333 Financing MOA or the financing agreement referenced therein. The corporation may collect the
1334 data described in sections 3 and 4 of the Parkway Financing MOA for the purposes described
1335 therein.

1336 (b) This subsection shall take effect upon approval by the secretary and the secretary of
1337 housing and economic development of a redevelopment plan submitted to the secretary by the
1338 authority or by any of the 3 constituent municipalities, such approval not to be unreasonably
1339 withheld. The secretary may enter into amendments to the Parkway Financing MOA to allow for
1340 deficiency payments allocated to fiscal years 2013 to 2018 to be deferred until the beginning of

1341 fiscal year 2019. The secretary may extend this deferral to additional fiscal years if the secretary
1342 determines that this deferral is fiscally responsible and serves the public interest.

1343 (c) Additional financing by the commonwealth of “Parkway-Phase 2” and the “East Side
1344 Connectivity Improvements” shall be subject to the commonwealth’s capital plan and its
1345 statutory debt limit.

1346 Section 35. The authority shall not offer new bonds, including the refunding or
1347 refinancing of any outstanding indebtedness, after December 31, 2035 without first obtaining a
1348 two-thirds majority vote from the town council of the town of Weymouth, and the select boards
1349 of the towns of Abington and Rockland.

1350 Section 36. The authority and SSTDC shall be considered a state authority for the
1351 purposes of section 29K of chapter 29 of the General Laws and shall be considered a state entity
1352 for the purposes of section 97 of chapter 6 of the General Laws.