

AN ACT TO BUILD RESILIENCE FOR MASSACHUSETTS COMMUNITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the financing of improvements to provide for climate change adaptation, resiliency and the immediate preservation and improvement of environmental and recreational assets of the commonwealth, and to make related changes in certain laws, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience

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

SECTION 1. To provide for a program of climate change adaptation, resiliency and the preservation and improvement of environmental and recreation assets of the commonwealth, sections 2 to 2G inclusive, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items. The sums set forth in sections 2 to 2G, inclusive, shall be made available until June 30, 2032.

SECTION 2.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS *Department of Conservation and Recreation*

2840- 7028 For the study, planning, permitting, design, construction, reconstruction, repair, removal, demolition, improvement, furnishing, equipping or rehabilitation of department of conservation and recreation properties, including, but not limited to, reservations, facilities, infrastructure, forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate parks, swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts, ball fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic sites, beaches and storage buildings, office buildings, visitor centers, fire towers, maintenance facilities and other park buildings structures, and equipment, including upgrades to information technology equipment to be considered in consultation with the secretary of technology services and security, and for the planning, design, acquisition, construction, reconstruction, repair, removal, improvement or rehabilitation of bike paths, greenways, accessible trails, recreational trails and equipment; provided, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing capital projects in furtherance of the goals of climate change mitigation and adaptation and consistent with state hazard mitigation and climate change adaptation plan and may support disadvantaged populations; provided further, that funds may be expended to support municipal equipment needs for combating wild and forest fires; provided further, that the department of conservation and recreation may expend funds for technical assistance and grants to public and nonpublic entities

in accordance with rules or regulations adopted by the department to implement this item; provided further, that in expending funds under this item, the commissioner shall prioritize public health and safety and capital to maintain public assets....\$587,375,000

2890-7036 For the study, planning, permitting, design, engineering, construction, reconstruction, repair, improvement or rehabilitation of department of conservation and recreation roadway, bridge and path of travel related infrastructure including, but not limited to, parkways, boulevards, multi-use trails, internal state park roads, transportation infrastructure, recreational trails, pedestrian bridges and related appurtenances and equipment; provided, that funds may be expended for pedestrian and bicycle safety, traffic calming, landscape improvements, street lighting, safety equipment and accessibility; provided further, that all work funded by this item shall be carried out according to standards developed by the department pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic integrity of the bridges and parkways under its control; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of state hazard mitigation and climate change adaptation plan and may support disadvantaged populations....\$176,670,000

2800-7026 For the design, construction, maintenance, repair, removal and improvements of state-owned or abandoned dams identified by the office of dam safety, including improvements to the aquatic habitat, and inland flood control projects and projects for related facilities and equipment; and for the design, construction, maintenance, repair or improvement of the department's coastal and marine infrastructure and coastal ecological resources including, but not limited to, shore protection, docks, piers, culverts, beaches, dunes and salt marshes; and for the navigational and ecological performance of the Commonwealth's tidal and nontidal waterways, provided that the department of conservation and recreation shall give priority to dams and flood control projects that pose the greatest risk to public health or safety, or to the environment; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritizing, selecting and implementing projects in furtherance of the goals of the state hazard mitigation and climate change adaptation plan....\$308,100,000

2800-1123 For the acquisition of land and interests in land by the department of conservation and recreation and for associated costs, including planning, study, due diligence, title and appraisal services, site restoration and stewardship, including, but not limited to, coastal land acquisition and securing access to protected coastal lands, and lands to provide for the inland movement of coastal habitats; provided, that funds may be used for capital investments related to the stewardship of such land; and provided further, that funds may be used for restoration and reclamation of acquired land, including demolition of structures, removal of debris, eradication of non-native species and other services essential to these reclamation efforts....\$40,000,000

2800-7024 For a forestry and tree planting program for projects throughout the commonwealth including, but not limited to, the evaluation and planning of forestry and tree planting projects, and tree stock, planting and associated costs; provided, that the secretary of energy and environmental affairs shall give priority to the planting of trees in areas experiencing heat island effects, that are underserved with tree cover, with disadvantaged populations, that are affected by

severe weather events or insect infestation, where aquifers, recharge areas, wells, reservoirs and other water bodies are located that will improve and protect water quality as part of a natural ecosystem and in furtherance of climate change mitigation, adaptation and resiliency strategies; provided, that the secretary may provide guidance for coordination between municipal and utility stakeholders on incorporating utility gas leaks data into planning for street tree planting projects and for testing street tree pits for methane before planting; and provided further, that funds from this item may be expended to provide grants, technical assistance, or other support to landowners to undertake capital projects, including, but not limited to sustainable forest management and long term conservation practices, to protect the ecological integrity of the commonwealth's forestlands under the Forests as Climate Solutions plan....\$20,000,000

SECTION 2A.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS *Department of Environmental Protection*

2200-7026 For the assessment, containment, monitoring, cleanup, control, public participation, removal of or response actions concerning oil or hazardous materials or for any other action necessary to implement chapter 21E of the General Laws and the Massachusetts Contingency Plan....\$42,000,000

2200-7027 For capital investments in air, water and land resource protection, climate adaptation and decarbonization and ensuring access to clean water and air including, but not limited to, energy, climate and environmental projects and programs to optimize and preserve environmental quality and public health and to provide for appropriate protection, restoration, management and best use of air, water and land resources, assets and infrastructure, including but not limited upgrades to laboratory equipment, projects related to nonpoint and point sources of water pollution and the wetlands circuit rider program; provided, that funds may be used to provide grants to public and nonpublic entities and tribal governments for protection and restoration of the commonwealth's environmental resources to invest in efficient and effective mitigation projects and initiatives to restore and preserve the commonwealth's air, climate, energy, water and land resources, assets and infrastructure; provided, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation, resiliency and adaptation....\$27,800,000

2200-7028 For assessment, containment, monitoring, cleanup and closure of existing or closed solid waste facilities causing or threatening to cause pollution as authorized by section 4 of chapter 21H of the General Laws, and for capital expenditures associated with composting, recycling and waste reduction programs consistent with the comprehensive statewide solid waste master plan authorized by section 21 of chapter 16 of the General Laws....\$28,100,000

2200-7029 For investments in clean water and drinking water infrastructure by the department of environmental protection to address per- and polyfluoroalkyl substance (PFAS) contamination of public water supplies, private wells, or imminent hazard conditions pursuant to section 3A of chapter 21E of the General Laws, including, but not limited to, planning, construction,

replacement, repair, or modernization of infrastructure that enhances ground and surface water resources, ensures the safety of drinking water, or protects public health; provided, that this item may be used for response actions that create a capital asset or result in improvements to capital assets including but not limited to installing filters or other treatment systems, excavation, covering and fencing contaminated soil and associated planning and design....\$120,000,000

SECTION 2B.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS *Department of Fish and Game*

2300-0422 For the acquisition of land and interests in land by the department of fish and game and for associated costs, including but not limited to, planning, studies, due diligence, title and appraisal services, site restoration and stewardship; provided, that such lands may be purchased after approval by the commissioner of fish and game; provided further, that funds may be expended on the development and implementation of a capital stewardship program on lands under the care and control of the department of fish and game and its divisions; provided further, that funds may be used for restoration, repair and reclamation of acquired land, including, but not limited to, demolition of structures, removal of debris, eradication of nonnative species and other capital investments essential to these reclamation efforts; provided further, that projects may be carried out with other public and nonpublic entities, including, but not limited to, federal and state agencies, municipalities, nonprofit and conservation organizations, public and private land owners and tribal governments....\$53,500,000

2300-7019 For planning, design, engineering, construction, reconstruction, renovation, repair, demolition, acquisition, enhancements, improvements, removal and replacement of the infrastructure, facilities and equipment under the care and control of the department of fish and game and its divisions, including, but not limited to, buildings and other structures, education centers, district headquarters, hatchery facilities, offices, storage buildings, shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels and site clearance; provided, that funds may be used to incorporate energy efficiency and renewable technologies, to decrease energy use and greenhouse gas emissions, or to increase climate resiliency; enhance accessibility; and provided further, that funds may be used for implementation of projects in furtherance of the statewide hazard mitigation and climate adaptation plan....\$15,000,000

2300-7030 For the rehabilitation, reconstruction, modernization and decarbonization of the department of fish and game's division of fisheries and wildlife McLaughlin Hatchery in the town of Belchertown, including but not limited to, new construction, repair and rehabilitation of buildings and grounds....\$20,000,000

2300-7031 For ecological restoration capital programs and projects in the department of fish and game's division of ecological restoration, formerly the riverways program; provided that funds authorized by this item may be used for river, wetland and watershed restoration and protection, including but not limited to, dam and barrier removal; streamflow and water quality restoration; road-stream crossing upgrades; improving public access including enhancements to accessibility; restored rivers and wetlands; and other capital activities that restore biodiversity and support nature-based approaches for adapting to climate change; provided further, that the commissioner of fish and game or the commissioner's designee may enter into cooperative agreements with state and federal agencies, municipalities, non-governmental organizations, regional planning agencies, tribal governments and others; may purchase equipment; and may award grants to public and non-public entities and tribal governments to foster and carry out this item....\$40,000,000

2300-7032 For the planning, engineering, design, construction, acquisition, development and reconstruction of existing and new coastal and inland access sites identified by the department of fish and game's office of fishing and boating access including, but not limited to, boat launching facilities, fishermen boat access facilities, car-top boat launching facilities, canoe and kayak access facilities, sport fishing piers and shore fishing areas including, but not limited to, ramps, docks, floats and appurtenant facilities throughout the commonwealth including, but not limited to, enhancements to accessibility, construction of signage and informational kiosks and the implementation of coastal projects developed jointly with the Marine Recreational Fisheries Development Fund....\$10,000,000

2300-7033 For marine fisheries resource conservation and restoration, and capital support of local commercial and recreational fisheries and for related costs which may include, but shall not be limited to, fish and habitat restoration, hard bottom habitat enhancement, vessels, vehicles and equipment; provided further, that these projects may be carried out in cooperation with public and nonpublic entities, tribal governments and other management agencies; provided further, that the department may award grants to public and nonpublic entities, and tribal governments, to foster and carry out this item....\$5,000,000

2300-7034 For planning and implementation of capital projects and programs in the department of fish and game and its divisions in furtherance of Executive Order 618, Biodiversity Conservation in Massachusetts, including, but not limited to, a local biodiversity capital grant program to support community led biodiversity efforts; provided further, that these projects and programs may be carried out in cooperation with public and nonpublic entities, tribal governments and other management agencies, including but not limited to other state agencies, municipalities, regional planning agencies, nonprofit organizations; provided further, that the

department and its divisions may award grants to public and nonpublic entities, tribal governments and other management agencies, including, but not limited to municipalities, regional planning agencies, nonprofit organizations, to carry out this item....\$20,000,000

SECTION 2C.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS *Office of the Secretary*

2000-7067 For improvements and replacements to the infrastructure and holdings of the executive office of energy and environmental affairs and its departments and divisions, and for capital assets and improvements to infrastructure and holdings that support the mission of the executive office of energy and environmental affairs; provided, that this may include, but shall not be limited to, buildings, equipment and vehicles; provided further, that investments may support the development and implementation of capital projects that support the integrated state hazard mitigation and climate adaptation plan; provided further, that the secretary of energy and environmental affairs may give priority to critical actions and strategies identified in the plan; provided further that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate adaptation plan; provided further, that funds may support development of outdoor recreation sites and facilities and infrastructure; provided further that funds may be granted to public and non-public entities including, but not limited to, tribal governments, municipalities, regional planning agencies and nonprofit organizations or expended directly by the executive office of energy and environmental affairs and its departments and divisions; provided further that any grant funds may be used for planning, engineering, design, acquisition, permitting, construction, repair and renovation; provided further, that grants shall be awarded in a manner that promotes accessibility, supports geographic distribution and supports disadvantaged populations....\$73,000,000

2030-1011 For the replacement and purchase of environmental law enforcement vehicles and maritime law enforcement patrol vessels and accompanying equipment; provided, that funds may be expended for equipment purchased in conjunction with the operation of the environmental law enforcement vehicle and vessel fleet, including, but not limited to, mobile data terminals, installation of mounts and multi-band radios, search and rescue equipment, boat trailers, engines, lower units, remotely operated vehicles, portable side scan sonar, navigation systems and communication radios....\$9,000,000

2000-7088 For the municipal vulnerability preparedness grant program to support and provide technical assistance for the commonwealth's political subdivisions including, but not limited to, cities, towns, counties and districts; tribal governments; regional planning agencies; nonprofit organizations; or any authority, commission, board or instrumentality of the foregoing, to complete climate-related vulnerability assessments, develop equitable, action-oriented resiliency

plans and complete integrated climate change adaptation plans and local hazard mitigation plans and to implement local and regional adaptation solutions identified through such plans; provided, that such funds may be used on lands held by municipal, state or federal agencies, tribal governments or other governmental bodies; on lands held by nonprofit organizations; or on private lands with the consent of the owner and subject to covenants that shall assure the continued presence and effectiveness of such projects for the expected life of the projects; provided further, that the use of such funds by municipal governmental bodies on lands held by nonprofit organizations or on private lands shall require the affirmative vote of a majority of the grantee's legislative body or board of directors or equivalent; provided further, that such funds may be used for the commonwealth's political subdivisions including, but not limited to, cities, towns, counties and districts; tribal governments; regional planning agencies; nonprofit organizations; or any authority, commission, board or instrumentality of the foregoing, to appoint and retain coordinators to advance sustainability, resiliency and climate adaptation....\$315,000,000

2000-7086 For the design, construction, reconstruction, rehabilitation, retrofitting, repair or removal of municipally-owned dams, publicly owned dams and other dams for which emergency action or hazard mitigation is required and for inland flood control projects and projects for related facilities and equipment including, but not limited to, seawalls, jetties, revetments, retaining walls, beach nourishment and other nature-based solutions on publicly-owned land or related to state or municipal climate change adaptation and preparedness or for which emergency action or hazard mitigation is required; provided, that the secretary of energy and environmental affairs shall give priority to dams and flood control projects that pose the greatest risk to public health or safety or to the environment; provided further, that funds shall be available for a program of planning, permitting and construction of fish ways and other aquatic habitat improvements, including the removal or breaching of selected dams and impoundments on state-owned land and waterways; provided further, that funds may be used to provide grants to public and charitable organizations, to carry out this item, and provided further, that the secretary may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan....\$93,500,000

2000-7083 For the design, construction, acquisition, reconstruction, rehabilitation, retrofitting, repair or removal of coastal infrastructure and resilience measures, including, but not limited to, seawalls, jetties, revetments, retaining walls, port infrastructure, beach nourishment, living shorelines, coastal lands and other nature-based solutions, which are defined as strategies that conserve, restore and employ the natural resources of the commonwealth to enhance climate adaptation, build resilience and support mitigation; provided, that costs payable from this item may include, but shall not be limited to, the costs of engineering and other technical assistance and planning services essential to these projects rendered by the office of coastal zone management in the executive office of energy and environmental affairs, the office of waterways in the department of conservation and recreation and other commonwealth employees or consultants; provided further, that grants and loans may be made to local government units to carry out this item; provided further, that grants may also be awarded to non-public entities for

approved projects funded herein; provided further, that funds may be used on lands held by municipal, county, state or federal agencies or other governmental bodies, on lands held by nonprofit conservation organizations or on private lands with the consent of the owner and subject to covenants that assure the continued presence and effectiveness of such projects for the expected life of the projects; provided further, that the use of such funds by county and municipal governmental bodies on lands held by nonprofit conservation organizations, or on private lands, shall require, in a county, a vote of the county commissioners, in a city having a Plan D or Plan E charter, by the affirmative vote of a majority of all the members of the city council, in a city not having such a charter, by vote of the city council, subject to the charter of that city and in a town, by a majority vote of the selectboard; provided further, that the secretary of energy and environmental affairs may provide guidance for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan....\$200,000,000

2000-7068 For a tree planting greening program for projects throughout the commonwealth on publicly-owned land or on private lands with the consent of the owner and subject to appropriate covenants that shall assure the continued presence and effectiveness of the Commonwealths investment including, but not limited to, the evaluation and planning of tree greening projects, tree stock and planting and capital maintenance of urban trees; provided, that the secretary shall give priority to the planting of trees in cities or towns with a completed tree management plan; provided further, that funds may be used to provide grants to public and nonpublic entities, and tribal governments, to fulfill the purpose of this item....\$10,000,000

2000-7082 For grant programs related to and investments in land, soil, water and natural resource conservation; open space preservation; and other capital expenditures that conserve land and natural resources that provide ecosystem services such as clean air and water including watershed remediation, water conservation and other capital investments related to water resource protection and flood prevention; coastal resource protection, including, but not limited to, securing access to protected coastal lands and lands to provide for the inland migration of coastal habitats; recreation, including, via grants or agency action, the acquisition, development, construction, rehabilitation and improvement of parks and all related facilities in neighborhoods underserved with parks including assessment and remediation of brownfield sites intended for park use; environmental equity and wildlife and endangered species protection including, but not limited to, the local acquisition for natural diversity grant program, the parkland acquisition and renovation for communities grant program, the tribal land acquisition grant program, the healthy soils grant program, the woodlands partnership grant program, conservation partnership grant programs, including, but not limited to, programs to support landscape-scale land conservation projects, the drinking water supply protection grant program, grant programs to assist and provide funding to conservation districts, grants to support projects and initiatives that promote carbon sequestration and climate change resiliency through sustainable forestry and salt marsh restoration; capital grants and technical assistance to facilitate the conservation of land by municipalities, tribal governments, land trusts and other conservation organizations; MassTrails grants and other capital investments to advance trails of all kinds; and grants and other expenditures to support local, regional and state land use planning and management capabilities to advance smart growth efforts, all pursuant to rules or regulations adopted by the secretary of

energy and environmental affairs to effectuate this item; provided, that funds may be used to provide grants to public and nonpublic entities and tribal governments to carry out this item; and provided further, that the secretary of energy and environmental affairs may provide guidance and expend funds for planning, prioritization, selection and implementation of projects in furtherance of the goals of climate change mitigation and adaptation, consistent with the integrated state hazard mitigation and climate adaptation plan, and in support of disadvantaged populations; and provided further, that all projects shall provide appropriate public access as determined by the secretary....\$120,000,000

2000-7087 For the acquisition of land and interests in land by the executive office of energy and environmental affairs and its departments and divisions and for associated costs, including, but not limited to, planning, study, due diligence, title and appraisal services, site restoration, monitoring and stewardship, including, but not limited to, acquisitions for open space, recreation, conservation, wildlife and endangered species protection, forest land protection and for related costs and activities in support of conservation goals, provided that up \$25,000,000 may be used to capitalize the Transfer of Development Rights Revolving Fund established under section 35HHH of chapter 10 of the General Laws; provided, that funds under this item may be used to develop and implement a capital stewardship program on lands under the care and control of the executive office or its departments and divisions or subject to conservation restrictions or other related interests in land purchased through this item; provided further, that funds may be used for restoration, repair and reclamation of acquired land, including demolition of structures, removal of debris, eradication of non-native species and other services essential to these reclamation efforts; provided further, that the secretary of energy and environmental affairs may provide guidance and expend funds for preservation, and acquisition of land and interests in land in furtherance of the goals of climate change mitigation and adaptation, consistent with the integrated state hazard mitigation and climate adaptation plan, and in support of disadvantaged population....\$85,000,000

SECTION 2D.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS *Massachusetts Department of Agricultural Resources*

2511-0124 For food security grant programs, to support equitable access to nutritious, local food and to strengthen food supply and distribution systems; provided, that programs may take into account the unique needs of rural and urban areas and gateway municipalities as defined in section 3A of chapter 23A of the General Laws, to provide greater access to local food; provided further, that programs may provide grants that support food banks and other parts of the food distribution channel by expanding services; and provided further, that funds may be used to provide grants to public and nonpublic entities, and tribal governments, to carry out this item, which may include, but are not limited to, farms, retailers, fisheries, food system businesses, food distributors, food processors, food banks, farm stands, food hubs, food retailers, elder services and community supported agriculture farms....\$125,000,000

2500-7022 For capital programs designed to address agricultural economic and environmental sustainability and resiliency, including, but not limited to, the development and implementation of farm viability plans and other technical and engineering assistance, urban agriculture and hydroponics, and to facilitate improvements to agricultural infrastructure, energy conservation and efficiency and climate change adaptation and resiliency; provided further, that funds may be expended for infrastructure and equipment upgrades to prevent or reduce food safety risk, combat invasive and disease-borne insects, and capital programs to support aquaculture, anaerobic digesters and agricultural composters; provided further, that funds may be expended for capital projects that foster the adoption of sustainable farming practices that enhance resilience, reduce greenhouse gas emissions, and promote environmental stewardship; provided further, that funds may be expended on programs that support the Commonwealth's farmland protection and access goals; provided further, that funds may be expended to provide grants, technical assistance, and other support to farms, public and nonpublic entities, and tribal governments to support the agricultural economy and to enable recovery from natural disasters, market disruptions, and other financial challenges; and provided further, that funds may be allocated by the commissioner through competitive grants pursuant to rules or regulations adopted by the commissioner to implement this item....\$26,000,000

2511-0125 For a program to acquire land or interests in land for the purpose of preserving agricultural land, including agricultural preservation restrictions under sections 23 to 26, inclusive, of chapter 20 of the General Laws; provided, that funds may be expended for associated acquisition and implementation costs, including, but not limited to, grants, planning, due diligence, title examinations, appraisal services, site restoration and capital improvements on non-public APR lands and on state-owned lands leased for agricultural purposes....\$42,000,000

SECTION 2E.

OFFICE OF THE TREASURER AND RECEIVER GENERAL

0640-1008 For the water pollution abatement trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust to the purposes specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under Title VI of the federal Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said chapter 29C, any portion of which may be used as a matching grant by the commonwealth to federal capitalization grants received under the federal Safe Drinking Water Act; provided, that funds may be used to assist homeowners in complying with the revised Title 5 of the state

environmental code for subsurface disposal of sanitary waste; provided further, that funds may be used to assist with per-and polyfluoroalkyl substances (PFAS) contamination remediation.....\$385,000,000

SECTION 2F.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

1100-2524 For grants to cities, towns, tribal governments, regional organizations whose membership is exclusively composed of municipal governments, municipal redevelopment authorities or agencies, or other state agencies or quasi-governmental agencies to support capital investments that support climate mitigation, adaption, resiliency and recovery efforts in the commonwealth, provided, that purposes may include, but shall not be limited to, planning and studies, preparation of plans and specifications, site assembly and preparation, dispositions, acquisitions, repairs, renovations, improvements, construction, demolition, remediation, modernization and reconstruction of facilities, infrastructure, equipment and other capital assets....50,000,000

SECTION 2G.

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary

7004-4785 For the Massachusetts Housing Finance Agency established in section 3 of chapter 708 of the acts of 1966, to capitalize a permanent, revolving Residential Production Momentum Fund for the purpose of accelerating the development of mixed-income and workforce multifamily housing production projects by providing financial assistance in the form of innovative, low-cost, and flexible capital funding, which may be in the form of debt, equity, or other instruments, depending on individual underwriting needs of the project; provided, that not less than 20 per cent of the units in a project that receives financial assistance under this item shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive, of the area median income; provided further, that, notwithstanding paragraph (f) of section 5 of said chapter 708, the Agency may in its discretion set the term and prepayment options for any mortgage or other loan or instrument issued to any project receiving such financial assistance based on the individual underwriting needs of the project; provided further, that such financial assistance shall be awarded in a manner that promotes geographic equity; provided further, that funds expended from this item shall, to the maximum extent feasible, be prioritized for projects that comply with decarbonization and sustainability standards; provided further, that prioritization shall be determined through objective scoring criteria in the Qualified Allocation Plan developed by the executive office of housing and livable communities; provided further, that for new construction projects, the standards set forth in the commonwealth's Opt-in Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green Communities standards shall be the applicable standards for prioritization; provided further, that

any project proposing less than full compliance with said standards shall provide detailed analysis demonstrating why full compliance would render the project infeasible notwithstanding utilization of all available federal and state incentives, including rebates and tax credits; provided further, that for retrofits of existing units, prioritization shall be given to projects that include energy efficiency and electrification decarbonization measures, including, but not limited to, electric or ground source heat pumps, net-zero developments, Passive House Institute certification or an equivalent energy efficiency certification, and all-electric buildings and projects that incorporate green, sustainable and climate-resilient elements; provided further, that projects that include lower embodied carbon construction materials and methods shall be further prioritized.... \$50,000,000

SECTION 3. Section 48 of chapter 10 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:- The Milk Producers Security Fund shall be for the purpose of supporting, through grant programs, dairy farms with a certificate of registration under chapter 94.

SECTION 4. Section 6C of chapter 20 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 3, the figure “18”, and inserting in place thereof the following figure:- 20.

SECTION 5. Said section 6C of said chapter 20, as so appearing, is hereby further amended by inserting, after the word “affairs” in line 19, the following words:- 1 of whom shall be the director of the division of marine fisheries of the department of fish and game, or the director’s designee; 1 of whom shall be the director of the University of Massachusetts Center for Agriculture, Food, and the Environment, or the director’s designee;.

SECTION 6. Chapter 21 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 2G the following section:-

Section 2H. (a) The commissioner shall consider land under the care and control of the department for potential designation and long-term passive management as a forest reserve and shall recommend designation of land as a forest reserve provided that such designation shall: (i) contribute to carbon sequestration and storage as part of the Commonwealth’s climate mitigation strategy; (ii) provide an opportunity for unique older forest habitats to mature and develop over time without intended intervention in ecological processes as part of a holistic, statewide, biodiversity conservation strategy; (iii) enhance climate resilience through the maintenance of connected natural landscape blocks and species movement corridors that provide a variety of important ecosystem processes, functions and services; (iv) provide unique opportunities for compatible passive outdoor recreation and other public enjoyment to serve a diverse public with wide-ranging recreational values; and (v) facilitate ecological research, comparative studies of forest dynamics and long-term monitoring to evaluate reserves as compared to other land management approaches.

(b) The commissioner, with the approval of a simple majority of the stewardship council members present at a duly called meeting of the council, may designate land under the care and control of the department a forest reserve. Forest reserves shall be managed consistent with such

designation, unless the commissioner, with the approval of not less than a two-thirds majority of the stewardship council present at a duly called meeting of the council, and with the approval of the secretary of energy and environmental affairs, de-designates said land.

(c) Designation or de-designation of land as a forest reserve shall constitute an administrative designation and shall not change the entity with respect to the care, custody and control of the land; constitute a change in the use of the land; otherwise dispose of land or an interest in land; or otherwise change the existing status of the land as a state forest, state park or other land management unit.

(d) The department shall passively manage the forest reserves to allow natural processes to determine changes in the structure and composition of the forest ecosystem to the greatest degree possible. Forest reserves shall not be managed for production of timber or forest products or intentionally manipulated, and active management shall be avoided, even when disturbances occur, to the extent feasible. After consultation with a forest reserve science and technical advisory committee to be administered by the secretary of energy and environmental affairs, the department may undertake active management or assisted restoration actions to: (i) sustain ecosystem function, vital ecosystem services and habitat values; (ii) control problematic pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv) protect public safety; or (v) address other unforeseen circumstances. The department may undertake such other management actions as may be required by law.

Compatible passive recreational activities, regulated hunting and trapping, conversion or removal of plantations, maintenance or repair of existing forest roads, trails and administrative access points, preservation of historic and cultural resources, removal of immediate threats to public safety, selective understory invasive plant control, and monitoring and research activities shall be permitted within forest reserves.

SECTION 7. Chapter 21 of the General Laws is hereby amended by inserting after section 3G the following section:-

Section 3H. (a) The commissioner may make reasonable rules and regulations for: (i) the government and use of all property under the control of the department including all roads and highways wholly or in part within the boundaries of such property, including rules and regulations relative to hunting and fishing, except in great ponds, not inconsistent with the laws protecting fish, birds, mammals and quadrupeds; (ii) the government and public use of the Charles river, Mystic river and Neponset river; provided that no such rule or regulation shall affect the water rights of any person, whether a mill owner or otherwise; and (iii) the care, maintenance, protection and policing of the Charles river basin as defined in section 2 of chapter 524 of the acts of 1909 and amendments thereof; provided that no such rule or regulation shall impair freight traffic. Such rules and regulations may also provide for the payment of fees and other charges for the parking of vehicles and for the enjoyment of other special privileges within the territory under such control.

No such rule or regulation shall prohibit the use of passenger or station wagon type motor vehicles whose gross weight is less than 5,000 pounds and which are registered for commercial

use, on ways, parkways or boulevards where non-commercial passenger-type motor vehicles are permitted to operate.

The commissioner may enter into and issue agreements, licenses and permits for recreational and other uses, and grant concessions for the sale of refreshments and other articles and the furnishing of services on department property which they deem compatible and consistent with this section and Article XCVII of the amendments to the Constitution, provided, however, that such agreements, licenses and permits shall be for periods not exceeding 10 years, and shall be in writing.

(b) Violation of such a rule or regulation shall be punished by a fine not exceeding \$500, and each day of a continuing violation including unauthorized or unpermitted use and occupation of department property shall be considered a separate offense.

(c) The commissioner may authorize in writing non-criminal enforcement, by department staff, of department rules and regulations relating to parking.

A police officer employed by a city or town in whose boundaries department property is located shall have all the same powers they have as a police officer of the city or town to enforce the laws of the commonwealth and the rules and regulations of the department.

(d) Notwithstanding any other provision of law, all fines and penalties recovered for violation of rules and regulations made under authority of this section shall be accounted for by the clerk of the court and forwarded to the department of conservation and recreation to be deposited as revenue.

(e) The department may assess a civil administrative penalty, not to exceed \$1,000 per day, for the continuing violation of any rule, regulation, order, including without limitation for the use, occupation or alteration of department property without written authorization as required by regulations promulgated by the department, or for noncompliance with such a written authorization. Each day a violation continues shall constitute a separate violation. The remedies provided in this paragraph shall be available in addition to any other penalties or remedies provided by law. The department may adopt and promulgate regulations to effectuate the purposes of this paragraph. This penalty shall be assessed in addition to any other civil penalty otherwise provided for by law. Notice of assessment of a penalty pursuant to this section shall be made by service in hand, or by certified mail, return receipt requested, and shall state the amount of the administrative penalty, the date the penalty shall be due, a statement of the violator's right to an adjudicatory hearing pursuant to chapter 30A regarding the assessment, a statement of the actions the person may take in order to avoid assessment of additional penalties or to avoid waiving the right to a hearing relative to the penalty and the manner of acceptable payment if an election to waive a hearing is made. A person or political subdivision of the commonwealth shall be deemed to have waived all right to an adjudicatory hearing unless, within 21 days of the date of the department's notice, a written notice is received by the department, by hand or by certified mail, return receipt requested, requesting such adjudicatory hearing. In the event that such request is not received in accordance with this section, the proposed administrative penalty shall become final and payment shall be due in accordance with the notice.

SECTION 8. Paragraph (b) of section 67 of chapter 21 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out clauses (ii) and (iii).

SECTION 9. Said section 67 of said chapter 21, as so appearing, is hereby further amended by inserting, in line 29, after the word “lands” the following words:- or golf courses.

SECTION 10. Chapter 29 of the General Laws is hereby amended by inserting after section 2JJJJJ the following 2 sections:-

Section 2KKKKKK. (a) There shall be established and set up on the books of the commonwealth a separate, non-budgeted special revenue fund known as the Resilience Revolving Fund. The fund shall be administered by the board of trustees of the Massachusetts Clean Water Trust created under section 2 of chapter 29C. The fund shall be credited with amounts credited or transferred to the fund by the general court or any other source, including, but not limited to: fees or tax revenue specified to be credited to the fund; federal grants; loan repayments; investment earnings on monies in the fund; and any other amounts required to be credited to the trust by operation of law, resolution or agreement entered into by the board. The state treasurer shall be the treasurer-custodian of the fund, and, subject to any applicable trust agreement, the state treasurer is authorized to invest monies held in the fund in such investments as may be legal investments for funds of the commonwealth.

Amounts credited to the fund may be used, without further appropriation, to provide for: (i) loans to municipalities, tribal governments and public water and wastewater districts for climate resilient infrastructure projects recommended by the advisory committee; and (ii) technical support for eligible applicants needing assistance for projects to be ready to apply for said loans and program management, to be provided by the executive office for energy and environmental affairs; provided that the amount expended under (ii) shall not exceed the amount approved annually by the board based on a recommendation by the advisory committee.

The unexpended balance in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to be in deficit at any point.

(b) There shall be an advisory committee to the board consisting of the state treasurer, ex officio, the secretary of administration and finance, ex officio, the secretary of energy and environmental affairs, ex officio, 1 member appointed by the trust and 1 member appointed by the secretary of energy and environmental affairs. Each member of the advisory committee may appoint a designee pursuant to section 6A of chapter 30. The advisory committee shall recommend eligible climate resilient infrastructure projects and expenditures for technical support and program management to the board for approval for loans in subsection (d). The executive office of energy and environmental affairs shall promulgate regulations setting forth the criteria for a climate resilience project and any key project requirements, including but not limited to the scope of the project, any ongoing requirements and covenants and compliance with subsection (b) of section 283 of chapter 238 of the acts of 2024 regarding the use of project labor agreements. The advisory committee shall consider only projects for which it has received a certificate issued by the executive office of energy and environmental affairs that approves the project in accordance with regulations and that identifies the specific project requirements, including but not limited to the scope, timeline and costs of the project.

(c) The board may provide by resolution for the issuance from time to time of bonds for any purpose of the Resilience Revolving Fund, which bonds shall be issued as special obligations payable solely from the revenues, funds and other assets or property held or to be received by the trust with respect to the Resilience Revolving Fund.

The bonds of each issue may be dated, may bear interest at such rate or rates, including rates variable from time to time, and may mature or otherwise be payable or redeemable at such times as the board may determine. The board shall determine the denominations of bonds, the details of their execution and authentication and their places of payment within or without the commonwealth. In case any trustee or officer whose signature appears on any bonds shall cease to be such officer before their delivery, the signature shall nevertheless be valid and sufficient as if the officer had remained in office until delivery. Bonds may be issued in certificated or uncertificated form, payable to bearer or registered owners, and, if notes, may be made payable to bearer or to order. The board may sell the bonds of the trust at public or private sale at par or for such premium or discount price as it may determine. The board may by resolution delegate to any trustee or officer of the trust the power to determine any of the matters set forth in this section.

Bonds of the trust may be secured by a trust agreement between the trust and the bond owners or a corporate trustee which may be any trust company or bank having the powers of a trust company within or without the commonwealth. A trust agreement may pledge or assign, in whole or in part, any loan agreements and local governmental obligations, and the revenues, funds and other assets or property held or to be received by the trust with respect to the Resilience Revolving Fund, including without limitation all monies and investments on deposit from time to time in the fund or any account of such trust agreement and any contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether then held or thereafter acquired by the trust, and the proceeds thereof. A trust agreement may contain, without limitation, provisions for protecting and enforcing the rights, security and remedies of the bondholders, provisions defining defaults and establishing remedies, which may include acceleration and may also contain restrictions on the remedies by individual bondholders. A trust agreement may also contain covenants of the trust concerning the custody, investment and application of monies, the enforcement of loan agreements and local governmental obligations, the issue of additional or refunding bonds, the use of any surplus bond proceeds, the establishment of reserves and the regulation of other matters customarily treated in trust agreements. At the request of the board, the state treasurer shall and is hereby authorized to join in any trust agreement or to otherwise agree with the trust, any lender or any trustee for bondholders to hold the fund in compliance with any covenants and provisions relating to the fund contained in any trust agreement.

Bonds may be issued by the trust in the form of lines of credit or other banking arrangements under terms and conditions determined by the board. In addition to other lawful security, bonds may be secured, in whole or in part, by financial guarantees, by insurance, by letters or lines of credit or by other credit enhancement issued to the trust or to a trustee or other person, by any bank, trust company, insurance or surety company or other financial institution, within or without the commonwealth; the trust may pledge or assign, in whole or in part, any loan agreements and local governmental obligations and the revenues, funds and other assets and

property held or to be received by the trust with respect to the Resilience Revolving Fund, and any contract or other rights to receive the same, whether then existing or thereafter coming into existence and whether then held or thereafter acquired by the trust, and the proceeds thereof, as security for such guarantees or insurance or for the reimbursement to any issuer of a line or letter of credit.

The board may by resolution provide for the issue by the trust of interim receipts or temporary bonds, exchangeable for definitive bonds when the bonds are executed and are available for delivery. The board may also provide for replacement of mutilated, destroyed or lost bonds. The trust may purchase and invite offers to tender for purchase any outstanding bonds; provided, however, that no purchase by the trust shall be made at a price, exclusive of accrued interest, if any, exceeding the bond's principal amount or, if greater, its redemption price when next redeemable at the option of the trust. The trust may resell any bonds it purchases in such manner and for such price as it may determine.

The board may also issue refunding bonds of the trust for the purpose of paying any bonds at or prior to maturity. Refunding bonds may be issued at any time at or prior to the maturity or redemption or purchase of the refunded bonds. Refunding bonds may be issued in sufficient amounts to pay or provide for payment of the principal of the bonds being refunded, together with any redemption premium thereon, any interest or discount accrued or to accrue to the date of payment, costs of issuance and other expenses and reserves reasonably necessary to achieve the refunding.

Bonds of the trust shall be (i) securities in which public officers and agencies, insurance companies, financial institutions, investment companies, executors, administrators, trustees and others may properly invest funds including capital within their control, and (ii) securities which may be deposited with any public officer or any agency for any purpose for which the deposit of bonds is authorized by law.

Bonds issued by the trust shall not be deemed to be a debt or a pledge of the faith and credit of the commonwealth or of any of its political subdivisions, but shall be payable solely from the revenues and monies of the Resilience Revolving Fund and other monies and rights pledged to their payment. Bonds shall recite that neither the commonwealth nor any political subdivision thereof shall be obligated to pay the same and neither the faith and credit nor the taxing power of the commonwealth or any political subdivision is pledged to their payment. Every bond shall recite it is a special obligation payable solely from the revenues, funds, assets or other property of the Resilience Revolving Fund.

Bonds of the trust shall be deemed to be investment securities under chapter 106. Bonds, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be exempt from taxation by and within the commonwealth. The trust shall not be required to pay any taxes, assessments or excises upon its income, existence, operation, or assets, monies or revenues.

It shall be lawful for any bank or trust company to act as a depository of the fund or trustee under a trust agreement, provided it furnishes indemnification and reasonable security as

the board may require. Any assignment or pledge of revenues, funds and other assets and property made by the trust shall be valid and binding and shall be deemed continuously perfected for the purposes of chapter 106 and other laws when made. The revenues, funds and other assets and property, rights therein and thereto and proceeds so pledged and then held or thereafter acquired or received by the trust shall immediately be subject to the lien of such pledge without any physical delivery or segregation or further act, and the lien of any such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the trust, whether or not such parties have notice thereof. The trust agreement by which a pledge is created need not be filed or recorded to perfect the pledge except in the records of the board and no filing need be made pursuant to said chapter 106. Any pledge or assignment made by the trust is an exercise of its political and governmental powers, and loan agreements, local governmental obligations, revenues, funds, assets, property and contract or other rights to receive the same and the proceeds thereof which are subject to the lien of a pledge or assignment created under this chapter shall not be applied to any purposes not permitted by the pledge or assignment. Any holder of a bond and any trustee under a trust agreement, except to the extent its rights may be restricted by the trust agreement, may bring suit upon the bonds and may pursue any other legal action to protect and enforce its rights and compel performance of all duties required to be performed by the trust and the board.

(d) In addition to the other powers set forth in Chapter 29C, the board shall have the power to make loans and other forms of financial assistance to finance or refinance costs of climate resilient infrastructure projects as authorized by subsection (a), and to acquire, hold and sell local governmental obligations and other instruments evidencing the loans and other forms of financial assistance at such prices and in such manner as the board shall deem advisable and to secure bonds of the trust with loans, local governmental obligations and other instruments.

Any municipality, tribal government and public water and wastewater district may apply to the executive office of energy and environmental affairs for a loan to assist in financing the cost of a climate resilient infrastructure project. At the option of the trust, loans may be unsecured or may be secured by local governmental obligations for delivery to the trust to evidence the loan. Each loan shall be made pursuant to a loan agreement between the trust and such entity acting by and through the officer or officers, board, committee or other body authorized by law, or otherwise its chief executive officer. The trust shall have such remedies with respect to defaults on such loans as set forth in section 11 of chapter 29C.

SECTION 2LLLLLL. (a) For the purposes of this section, "Historic Connecticut River Water Trail" shall mean, unless the context clearly indicates otherwise, the portion of the Connecticut River beginning at the Holyoke Dam located at river mile 83.4, and ending at the northern border of the municipality of Hatfield located at river mile 104.3.

(b) There shall be established and set up on the books of the commonwealth a separate, non-budgeted special revenue fund known as the Historic Connecticut River Water Trail Marking Fund, which shall be administered by the executive office of energy and environmental affairs to support maintenance of the Historic Connecticut River Water Trail.

(c) The fund shall be credited with: (i) money transferred to the fund by a municipality; (ii) money transferred to the fund by the municipal gas and electric commission of the city of

Holyoke; (iii) money transferred to the fund by the general court and specifically designated to be credited to the fund; (iv) funds from public and private sources, including, but not limited to, gifts, grants and donations; and (v) interest earned on such money.

(d) Amounts credited to the fund shall be expended, without further appropriation, by the secretary of energy and environmental affairs, in consultation with the director of the office of law enforcement, the director of the office of outdoor recreation and the chief executive officers of the municipalities of Easthampton, Hadley, Hatfield, Holyoke, Northampton and South Hadley, to ensure the placement of river markers to ensure safe navigable passage and recreation on the Historic Connecticut River Water Trail.

(e) The unexpended balance in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years. For the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the executive office of energy and environmental affairs may incur expenses, and the comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as certified by the Massachusetts environmental police as reported in the state accounting system.

SECTION 11. Section 2KKKKKK of chapter 29 of the General Laws, as inserted by section 10, is hereby amended by inserting after the words “including, but not limited to:” the following words:- any amounts transferred pursuant to paragraph (2) of subsection d of section 168 of chapter 175 of the General Laws;

SECTION 12. Section 62E of chapter 30 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following paragraph:-

The secretary may establish priority housing projects consistent with commonwealth land use planning and housing strategies and plans, climate resilient design guidelines and environmental priorities and nature based solutions projects, as categories of projects that are not presumed likely to cause damage to the environment and do not require an environmental impact report regardless of location, provided that such projects meet standards as determined by the secretary. The secretary may determine that a particular project requires an environmental impact report based on review of a notification form submitted under section 62A.

SECTION 13. Section 1 of chapter 61 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the definition of “forest products” and inserting in place thereof the following definition:-

“Forest products”, wood, timber, Christmas trees, other tree forest growth, carbon sequestration and storage and any other product produced by forest vegetation.

SECTION 14. Section 1 of said chapter 61, as so appearing, is hereby further amended by striking out, in line 18, the word “including” and inserting in place thereof the following words:- which may include, but shall not be limited to.

SECTION 15. Section 8 of chapter 61 of the General Laws, as so appearing, is hereby amended by striking out, wherever they appear, the words “section 23B of chapter 39” and inserting in place thereof the following words:- sections 18 to 25, inclusive, of chapter 30A.

SECTION 16. Said chapter 61 of the General Laws, as so appearing, is hereby amended by inserting after section 8 the following section:-

Section 8A. The department of conservation and recreation shall have a first refusal option to meet a bona fide offer to purchase land proposed for sale subject to section 8 or an option to purchase such land at full and fair market value in the case of conversion, which option shall be subordinate to that of a town or city pursuant to section 8. Except as provided herein, the department shall have all applicable rights and obligations of cities and towns under section 8, including but not limited to the right of entry upon the land, provision of non-exercise notices and recording of notices of exercise at the appropriate registry of deeds. The department or its assignee and the town or city may cooperate for satisfaction of appraisal requirements or other obligations required by either section 8 or this section.

If the notice of intent to sell or convert provided to the state forester pursuant to section 8 does not contain all the required material, then the department, within 30 days of receipt, shall notify the landowner and town or city in writing that the notice is insufficient and does not comply.

A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the commissioner in the same manner as to other parties as required by section 8.

A city or town shall provide to the commissioner any notice of public hearing, notice of exercise or non-exercise, and notice of assignment in the same manner, and containing the same materials, as to the landowner pursuant to section 8.

The department may assign its option to the division of fisheries and wildlife of the department of fish and game, provided that a notice of assignment shall be recorded pursuant to section 8.

The department or its assignee shall exercise its option only after: (i) consultation with the executive office of housing and livable communities and the executive office of economic development; and (ii) a public hearing. Said hearing shall be held pursuant to sections 18 to 25, inclusive, of chapter 30A; within the town or city where the land is located or 1 such town or city if the land crosses a municipal boundary; and prior to submission of a written notice of intent to exercise an option under this section. The department or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this section and identify any assignment by the department. The department or its assignee may comply with this requirement by participating in a scheduled public meeting of a town or city board or commission.

The department or its assignee may exercise an option under this section by providing written notice of its intent to the town or city and landowner prior to the end of the same 120-day period available to the town or city for exercise of its option pursuant to section 8. An option so exercised shall be effective at such time as the town or city records a notice of non-exercise with the registry of deeds or that the town's or city's option otherwise expires.

The department shall record its notice of assignment or notice of exercise within 30 days of the earliest of: receipt by the commissioner of a notice of non-exercise from the town or city; expiration of a town or city option by failure to record a notice of exercise or notice of assignment; or receipt by the commissioner of notice from the landowner of expiration for any other reason.

Land acquired by the department or division pursuant to this section shall be permanently dedicated for public purposes specified in Article 97 of the Amendments to the Constitution of the Commonwealth.

SECTION 17. Section 14 of chapter 61A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 95 and 112, each time they appear, the words “section 23B of chapter 39” and inserting in place thereof, in each instance, the following words:- sections 18 to 25, inclusive, of chapter 30A.

SECTION 18. Said chapter 61A of the General Laws, as so appearing, is hereby amended by inserting after section 14 the following section:-

Section 14A. The department of agriculture shall have a first refusal option to meet a bona fide offer to purchase land proposed for sale subject to section 14 or an option to purchase such land at full and fair market value in the case of conversion, which option shall be subordinate to that of a town or city pursuant to section 14. Except as provided herein, the department shall have all applicable rights and obligations of cities and towns under section 14, including but not limited to the right of entry upon the land, provision of non-exercise notices and recording of notices of exercise at the appropriate registry of deeds. The department or its assignee and the town or city may cooperate for satisfaction of appraisal requirements or other obligations required by section 14 or this section.

Any notice of intent to sell or convert required by section 14 and all required accompanying materials shall be provided to the commissioner of the department of agriculture in the same manner as they are conveyed by the landowner to other parties. If the notice of intent to sell or convert provided to the commissioner does not contain all the required material, then the department, within 30 days of receipt, shall notify the landowner and town or city in writing that the notice is insufficient and does not comply.

A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the commissioner in the same manner as to other parties as required by section 14.

Any city or town shall provide to the commissioner any notice of public hearing, notice of exercise or non-exercise, and notice of assignment in the same manner, and containing the same materials, as to the landowner pursuant to section 14.

The department may assign its option to the department of conservation and recreation, provided that a notice of assignment shall be recorded pursuant to section 14.

The department or its assignee shall exercise its option only after: (i) consultation with the executive office of housing and livable communities and the executive office of economic development; and (ii) a public hearing. Said hearing shall be held pursuant to sections 18 to 25, inclusive, of chapter 30A; within the town or city where the land is located or 1 such town or city if the land crosses a municipal boundary; and prior to submission of a written notice of intent to exercise an option under this section. The department or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this section and identify any assignment by the department. The department or its assignee may comply with this requirement by participating in a scheduled public meeting of a town or city board or commission.

The department or its assignee may exercise an option under this section by providing written notice of its intent to the town or city and landowner prior to the end of the same 120-day period available to the town or city for exercise of its option pursuant to section 14. An option so exercised shall be effective at such time as the town or city records a notice of non-exercise with the registry of deeds or that the town's or city's option otherwise expires.

The department shall record its notice of assignment or notice of exercise within 30 days of the earliest of: receipt by the commissioner of a notice of non-exercise from the town or city; expiration of a town or city option by failure to record a notice of exercise or notice of assignment; or receipt by the commissioner of notice from the landowner of expiration for any other reason.

Land acquired by the department of agricultural resources or the department of conservation and recreation pursuant to this section shall be permanently dedicated for public purposes specified in Article 97 of the Amendments to the Constitution of the Commonwealth.

SECTION 19. Section 9 of chapter 61B of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, wherever they appear, the words "section 23B of chapter 39" and inserting in place thereof the following words:- sections 18 to 25, inclusive, of chapter 30A.

SECTION 20. Said chapter 61B of the General Laws, as so appearing, is hereby amended by inserting after section 9 the following section:-

Section 9A. The department of conservation and recreation shall have a first refusal option to meet a bona fide offer to purchase land proposed for sale subject to section 9 or an option to purchase such land at full and fair market value in the case of conversion, which option shall be subordinate to that of a town or city pursuant to section 9. Except as provided herein, the department shall have all applicable rights and obligations of cities and towns under section 9, including but not limited to the right of entry upon the land, provision of non-exercise notices and recording of notices of exercise at the appropriate registry of deeds. The department or its assignee and the town or city may cooperate for satisfaction of appraisal requirements or other obligations required by section 9 or this section.

If the notice of intent to sell or convert provided to the state forester pursuant to section 9 does not contain all the required material, then the department, within 30 days of receipt, shall notify the landowner and town or city in writing that the notice is insufficient and does not comply.

A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the commissioner in the same manner as to other parties as required by section 9.

Any city or town shall provide to the commissioner any notice of public hearing, notice of exercise or non-exercise, and notice of assignment in the same manner, and containing the same materials, as to the landowner pursuant to section 9.

The department may assign its option to the division of fisheries and wildlife of the department of fish and game, provided that a notice of assignment shall be recorded as provided in section 9.

The department or its assignee shall exercise its option only after: (i) consultation with the executive office of housing and livable communities and the executive office of economic development; and (ii) a public hearing. Said hearing shall be held pursuant to sections 18 to 25, inclusive, of chapter 30A; within the town or city where the land is located or 1 such town or city if the land crosses a municipal boundary; and prior to submission of a written notice of intent to exercise an option under this section. The department or assignee, at said hearing, shall disclose the reasons for exercise of the option pursuant to this section and identify any assignment by the department. The department or its assignee may comply with this requirement by participating in a scheduled public meeting of a town or city board or commission.

The department or its assignee may exercise an option under this section by providing written notice of its intent to the town or city and landowner prior to the end of the same 120-day period available to the town or city for exercise of its option pursuant to section 9. An option so exercised shall be effective at such time as the town or city records a notice of non-exercise with the registry of deeds or that the town's or city's option otherwise expires.

The department shall record its notice of assignment or notice of exercise within 30 days of the earliest of: receipt by the commissioner of a notice of non-exercise from the town or city; expiration of a town or city option by failure to record a notice of exercise or notice of assignment; or receipt by the commissioner of notice from the landowner of expiration for any other reason.

Land acquired by the department of conservation and recreation or the department of fish and game pursuant to this section shall be permanently dedicated for public purposes specified in Article 97 of the Amendments to the Constitution of the Commonwealth.

SECTION 21. Section 2 of chapter 91 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 22, the words "and council" and inserting in place thereof the following words:- or a designee.

SECTION 22. Section 2A of said chapter 91, as so appearing, is hereby amended by striking out, each time they appear, in lines 11, 15, and 20, the words "and council" and inserting in place thereof, in each instance, the following words:- or a designee.

SECTION 23. Section 4 of said chapter 91, as so appearing, is hereby amended by striking out, in line 4, the words "and council" and inserting in place thereof the following words:- or a designee.

SECTION 24. Section 5 of said chapter 91, as so appearing, is hereby amended by striking out, in line 1, the words "and council" and inserting in place thereof the following words:- or a designee.

SECTION 25. Section 6 of said chapter 91, as so appearing, is hereby amended by striking out, in lines 9 and 10, the words "and council" and inserting in place thereof the following words:- or a designee.

SECTION 26. Section 9A of said chapter 91, as so appearing, is hereby amended by striking out, in lines 17 and 18, the words "and council" and inserting in place thereof the following words:- or a designee.

SECTION 27. Section 13 of said chapter 91, as so appearing, is hereby amended by striking out, in lines 11 and 12, the words “and council” and inserting in place thereof the following words:- or a designee.

SECTION 28. Section 14 of said chapter 91, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words “and council” and inserting in place thereof the following words:- or a designee.

SECTION 29. Section 18 of said chapter 91, as so appearing, is hereby amended by striking out, in lines 55 and 56, the words “newspaper or newspapers having a circulation in the area affected by said license at the expense of the applicant” and inserting in place thereof the following words:- manner specified by the department in regulations for the area affected by said license at the expense of the applicant. Until such regulations become effective, said notice shall be published at the same time as the preceding notices in a newspaper or newspapers having circulation in the area affected by said license at the expense of the applicant.

SECTION 30. Section 18 of said chapter 91, as so appearing, is hereby further amended by striking out the tenth paragraph and inserting in place thereof the following paragraph:-

No license shall be granted for private tidelands unless, upon or prior to applying for a license pursuant to this section, the applicant shall submit to the clerk of the affected cities or towns where the work is to be performed, the application containing the proposed use, the location, dimensions and limits and mode of work to be performed.

SECTION 31. Chapter 91 of the General Laws is hereby amended by inserting after section 18C the following 2 sections:-

Section 18D. (a) Notwithstanding any general or special law to the contrary, the department may issue a general license and general permit authorizing dredging, fill and structures associated with certain activities and projects, as specified by the department, in tidelands, great ponds, rivers and streams, otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19, including, but not limited to: (i) marsh restoration and other ecosystem creation or restoration activities, such as vegetative plantings and streambed alteration that could include wads, and pedestrian bridge crossings; (ii) nature based solutions projects; (iii) culvert replacements, including but not limited to those associated with bridges; (iv) great pond drawdowns; (v) dredging and placement of benthic barriers for invasive vegetation removal/harvesting; (vi) aquaculture not eligible for a permit or license under section 10A; (vii) dredging associated with activities not subject to licensing or permitting; (viii) temporary navigational and access impacts that last less than 1 year and are associated with activities not subject to licensing or permitting; (ix) pipelines, cables, conduits, sewers and similar structures installed under flowed tidelands or great ponds that are entirely embedded in the soil and that are installed by horizontal directional drilling or micro tunneling methods; (x) placement of cultch; and (xi) any other activities and projects that the department determines through regulations to be subject to a general license or permit.

(b) Projects beyond any established harbor line shall not be eligible for coverage under a general license or permit under this section unless said project is specifically authorized by law, or, if not so authorized, is limited to dredging activities or a structure or fill that is entirely embedded in the soil and does not in any part occupy or project into such tidewater beyond the

harbor line, provided also that the department may at any time require any structure or fill to be removed or relocated if channel changes or alteration demands the same, as required by section 14; and provided that this subsection shall not affect the eligibility of projects in areas without established harbor lines.

(c) The department may consider the cumulative impacts of activities in a geographic area in determining whether a particular project is appropriate for coverage under a general license or permit.

(d) The licensee or permittee shall comply with all general license or permit standards to be issued as regulations by the department and any specific conditions prescribed by the department pursuant to the general license or permit.

(e) A proponent of a project eligible for coverage under a general license or permit under this section shall certify compliance with its terms and conditions to the department and shall pay all applicable fees required by this chapter before beginning construction. The department may perform annual audits to monitor compliance with the general license or permit requirements of this section.

(f) (1) Upon or prior to applying for coverage under a general license or permit pursuant to this section, the project proponent shall: (i) submit to the planning board of a city or town where the work is to be performed and to the clerk of said city or town a statement of the proposed use, the location, dimensions and limits and mode of work to be performed; (ii) provide notice to the selectmen of the town or the mayor of the city and the conservation commission of the town or city where the work is to be performed; and (iii) provide public notice in a manner specified by the department by regulation.

(2) The project proponent shall specify by metes, bounds and otherwise the location, dimensions and limits and mode of performing the work and shall submit a plan of the work or structure in its application to the department for coverage under the general license or permit.

(3) A department certification for the general license for a project shall be void unless, within 60 days after certification, the department certification and the accompanying plan are recorded in the registry of deeds for the county or district in which the work is to be performed. Work or change in use shall not commence until the department general license certification is recorded and the department has received notification of said recordation. Such recording requirement shall not apply to a certification to the general permit.

(4) Assessments for tidewater displacement and occupation of commonwealth tidelands shall be paid by the project proponent in its application for coverage to the department.

(g) Any change in use or structural alteration of a licensed or permitted structure or fill shall require a new application to the department and, for projects seeking new coverage under a general license or general permit, compliance with the requirements of subsection (f). Any unauthorized substantial change in use or unauthorized substantial structural alteration shall render coverage under the general license or permit void. Coverage under the general license or permit granted by the department pursuant to this chapter shall be revocable by the department for noncompliance with the conditions set forth therein. The department shall not revoke coverage under any general license or permit until it has given written notice of the alleged

noncompliance to the licensee or permittee and those persons who have filed a written request for such notice with the department and afforded them a reasonable opportunity to correct said noncompliance.

(h) Section 18 and section 20 shall not apply to projects subject to a general license or permit; provided, however, that the project proponent shall submit to the department plans of any proposed work to be performed and a copy of any legislative grant in its application for coverage to the department.

(i) The department shall adopt regulations to implement this section. Such regulations shall prescribe which activities are eligible for the general license or general permit, as well as those projects that may allow for fill or structures to acclimatize to natural conditions, so long as they do not significantly interfere with any rights held by the commonwealth in trust for the public to use tidelands, great ponds and other waterways for lawful purposes and public rights of access on private tidelands, great ponds and other waterways for any lawful use.

The department shall submit any regulations promulgated under this section to the joint committee on natural resources and agriculture, and the senate and house committees on ways and means, for their review within 60 days prior to the effective date of said regulations.

Section 18E. (a) Notwithstanding any general or special law to the contrary, the department may issue a general license authorizing priority housing projects consistent with commonwealth land use planning and housing strategies and plans, climate resilient design guidelines and environmental priorities in tidelands otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19.

(b) Projects beyond any established harbor line shall not be eligible for coverage under a general license under this section unless said project is specifically authorized by law, or, if not so authorized, is limited to dredging activities or a structure or fill that is entirely embedded in the soil and does not in any part occupy or project into such tidewater beyond the harbor line, provided also that the department may at any time require any structure or fill to be removed or relocated if channel changes or alteration demands the same, as required by section 14; and provided that this subsection shall not affect the eligibility of projects in areas without established harbor lines.

(c) The department may consider the cumulative impacts of activities in a geographic area in determining whether a particular project is appropriate for coverage under a general license.

(d) The licensee shall comply with all general license standards issued by regulations by the department and any specific conditions prescribed by the department pursuant to the general license.

(e) A proponent of a project eligible for coverage under a general license under this section shall certify compliance with its terms and conditions to the department and shall pay all applicable fees required by this chapter before beginning construction. The department may perform annual audits to monitor compliance with the general license requirements of this section.

(f) (1) Upon or prior to applying for coverage under a general license pursuant to this section, the project proponent shall: (i) submit to the planning board of a city or town where the work is to be performed and to the clerk of said city or town a statement of the proposed use, the location, dimensions and limits and mode of work to be performed; (ii) provide notice to the selectmen of the town or the mayor of the city and the conservation commission of the town or city where the work is to be performed; and (iii) provide public notice in a manner specified by the department by regulation.

(2) The project proponent shall specify by metes, bounds and otherwise the location, dimensions and limits and mode of performing the work and shall submit a plan of the work or structure in its application to the department for coverage under the general license.

(3) A department certification for the general license for a project shall be void unless, within 60 days after certification, the department certification and the accompanying plan are recorded in the registry of deeds for the county or district where the work is to be performed. Work or change in use shall not commence until the department general license certification is recorded and the department has received notification of said recordation.

(4) Assessments for tidewater displacement and occupation of commonwealth tidelands shall be paid by the project proponent in its application for coverage to the department.

(g) Any change in use or structural alteration of a licensed structure or fill shall require a new application to the department and, for projects seeking new coverage under a general license, compliance with the requirements of subsection (f). Any unauthorized substantial change in use or unauthorized substantial structural alteration shall render coverage under the general license void. Coverage under the general license granted by the department pursuant to this chapter shall be revocable by the department for noncompliance with the conditions set forth therein. The department shall not revoke coverage under any general license until it has given written notice of the alleged noncompliance to the licensee and those persons who have filed a written request for such notice with the department and afforded them a reasonable opportunity to correct said noncompliance.

(h) Sections 18 and 20 shall not apply to projects subject to a general license; provided, however, that the project proponent shall submit to the department plans of any proposed work to be performed and a copy of any legislative grant in its application for coverage to the department.

(i) The department shall adopt regulations to implement this section. Such regulations shall prescribe which activities are eligible for the general license, as well as those projects that may allow for fill or structures to acclimatize to natural conditions, so long as they do not significantly interfere with any rights held by the commonwealth in trust for the public to use tidelands, great ponds and other waterways for lawful purposes and public rights of access on private tidelands, great ponds and other waterways for any lawful use.

The department shall submit any regulations promulgated under this section to the joint legislative committee on natural resources and agriculture, to the senate committee on ways and means and to the house committee on ways and means, for their review within 60 days prior to the effective date of said regulations.

SECTION 32. Section 31 of said chapter 91, as so appearing, is hereby amended by striking out, in line 9, the words “and council” and inserting in place thereof the following words:- or a designee.

SECTION 33. Section 35 of said chapter 91, as so appearing, is hereby amended by adding the following paragraphs:--

Except as otherwise provided in this chapter, the Commonwealth shall retain title to any waters or land below the low water line of a great pond in perpetuity. Persons passing by foot over areas between high water and low water lines of a great pond shall not be in violation of section 120 of chapter 266 nor subject to arrest for trespass provided they remain within an area that a reasonable person would believe to be below the high-water line, which shall include areas of wet sand and areas below the seaweed line. In areas where natural processes, with or without human intervention, have caused the landward or lateral movement of a barrier beach into an area below the historic low water line of any great pond, the portion of the barrier beach relocated into the former bottom of the great pond shall be and remain in Commonwealth ownership in perpetuity; provided that this paragraph shall not convert ownership of any portion of private property to public ownership in violation of Article X of Part the First of the Constitution of the Commonwealth or the Fourteenth Amendment of the United States Constitution.

For the purposes of the preceding paragraph, barrier beach shall mean a narrow low-lying strip of land generally consisting of coastal beaches and coastal dunes extending roughly parallel to the trend of the coast. It is separated from the mainland by a narrow body of fresh, brackish or saline water or a marsh system. A barrier beach may be joined to the mainland at one or both ends.

SECTION 34. Section 33 of chapter 92 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the fourth paragraph.

SECTION 35. Section 34B of said chapter 92, as so appearing, is hereby amended by striking out subsections (c) and (d).

SECTION 36. Sections 37 and 38 of said chapter 92, as so appearing, are hereby repealed.

SECTION 37. Section 42 of chapter 92 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The commission may grant to towns or to another water or sewer authority or district locations for common sewers and drains or water supply infrastructure in and across roadways and any associated rights of way under its care and control.

SECTION 38. Said section 42 of said chapter 92, as so appearing, is hereby further amended by inserting, in line 3, after the word “sewer”, the following words:- or water supply infrastructure of a town.

SECTION 39. Section 150A of chapter 111 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the first sentence in the twenty-first paragraph the following 3 sentences:-

Personnel or authorized agents of the department may at all reasonable times enter any premises, public or private, for the purpose of investigating, sampling or inspecting any records, condition, equipment, practice or property relating to activities subject to this section, and may at any time enter such premises for the purpose of protecting the public health or safety, or to prevent damage to the environment. For the purposes of any entry described in the preceding sentence, no warrant shall be required, provided, however, that upon demand by the owner or person in control of such premises, a warrant authorizing such entry and inspection shall be sought after such demand. Any court, judge, or justice authorized to issue warrants in criminal cases may issue such warrants.

SECTION 40. Section 2B of chapter 128 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following 2 sentences:-

Whoever violates any provision of this section or section 2A or of any rule or regulation made thereunder shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 ½ years, or both; or by a civil administrative penalty issued by the department not to exceed \$500 per offense, provided that total administrative penalties assessed in any given action under this section shall not exceed \$10,000. Each violation shall constitute a separate offense, and each day a violation continues shall constitute a separate offense.

SECTION 41. Section 2C of said chapter 128 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting, in line 12, after the word “owner” the following words:- , trainer or driver.

SECTION 42. Said section 2C of said chapter 128, as so appearing, is hereby further amended by inserting, in line 13, after the word “by” the following words:- , trained by, driven by.

SECTION 43. Said section 2C of said chapter 128, as so appearing, is hereby further amended by inserting after the third paragraph the following 3 paragraphs:-

Any owner, trainer, or driver of any animal that tests positive for the presence of drugs in any other state shall be prohibited from entering any animal in a drawing contest in the commonwealth for 2 years from the date of any such drug test, provided, however, that the commissioner may authorize a lesser prohibition of not less than 1 year for good cause.

Notification from any other state of a positive test shall be prima facie evidence that a drug has been administered and shall result in automatic prohibition from entry in a drawing contest in the commonwealth without further testing or investigation required by the department.

Any animal participating in a contest conducted under the provisions of paragraph (f) of section 2 shall have an RFID or microchip implant for identification purposes. The pull superintendent or the assistant pull superintendent at such contest shall verify the animal's identification at the time of weigh-in and at the time of entry for the purposes of ensuring the animal has not tested positive for the presence of drugs in violation of section 2C.

SECTION 44. Sections 13A and 13B of chapter 128 of the General Laws are hereby repealed.

SECTION 45. Chapter 128 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out sections 51 through 63, inclusive, and inserting in place thereof the following 11 sections:-

Section 51. As used in sections 51 to section 61, inclusive, the following words shall have the following meanings unless the context clearly indicates otherwise:

“Commercial feed”, all materials or combination of materials which are distributed or intended for distribution for use as feed or for mixing in feed, unless such materials are specifically exempted by the department.

“Customer-formula feed”, commercial feed which consists of a mixture of commercial feeds or feed ingredients, each batch of which is manufactured according to the specific instructions of the final purchaser.

“Distribute”, to offer for sale, sell, exchange, barter, supply, furnish, or otherwise provide commercial feed.

“Drug”, any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in animals other than man; and articles other than commercial feed intended to affect the structure or any function of the animal body.

“Feed”, any substance that is intended for use as food for animals other than humans; provided, further that “feed” shall include commercial feed and feed ingredients.

“Label”, a display of written, printed, or graphic matter upon or affixed to the container in which a commercial feed is distributed, or on the invoice or delivery slip with which a commercial feed is distributed.

“Manufacture”, to grind, mix or blend, or further process a commercial feed for distribution.

“Official sample”, a sample of commercial feed taken by the department in accordance with the provisions of section sixty of this chapter.

“Person”, individual, partnership, corporation, limited liability company, cooperative, business trust, business association, or entity.

Section 52. (a) No person shall manufacture or distribute commercial feed in the commonwealth without first obtaining from the department a registration for such feed.

(b) An application for registration for a commercial feed pursuant to subsection (a) shall include at a minimum, but shall not be limited to:

(i) the name and address of any applicants;

(ii) the name and address of the premises of the applicant’s commercial feed operation;

(iii) a label or other printed matter describing the commercial feed;

(iv) a written consent allowing the department to conduct both scheduled and random inspections, including but not limited to for-cause inspections in response to complaints made to the department, of and around the premises on which the commercial feed is being manufactured or distributed;

(v) a nonrefundable application fee in an amount that shall be established by the department by regulation; and

(vi) any other information as the department may require by regulation.

(c) Upon approval by the department, a copy of the registration shall be furnished to the applicant and the applicant shall be required to submit a registration fee in an amount to be determined by the department by regulation. All registrations shall expire on December 31 of each year. Failure to submit all required application materials and information as outlined in subsection (b) shall result in non-issuance of the registration until such time as all application requirements have been satisfied to the department's approval.

(d) Persons who have registered a commercial feed pursuant to section 53 shall notify the department of any changes in the guarantee of either chemical or ingredient composition of such feed not less than 30 days prior to the registrant's intended manufacture or distribution of such feed in the commonwealth. New registration of the product shall not be required if the department determines there is satisfactory evidence that such change would not result in lowering the feed value of the product for the purpose for which it was designed.

(e) The department may refuse the registration of any application not in compliance with sections 51 to 61, inclusive, or regulations issued thereunder, and may cancel any registration subsequently found to violate any provision thereof; provided, however, that no application shall be refused and no registration shall be cancelled until the applicant or registrant has been provided the opportunity to amend the application or otherwise obtain an adjudicatory hearing pursuant to chapter 30A and the regulations promulgated thereunder concerning the refusal or cancellation.

Section 53. (a) A commercial feed manufactured or distributed in the commonwealth shall be labeled in compliance with this section.

(b) Commercial feed, except a customer-formula feed, shall be accompanied by a label bearing at a minimum the following information:

(i) the quantity statement;

(ii) the product name and the brand name, if any, under which the commercial feed is distributed;

(iii) the guaranteed analysis stated in such terms as the department by regulation determines is required to advise the user of the composition of the commercial feed or to support claims made in the labeling;

(vi) The ingredient statement stated in such terms as the department by regulation determines is required, including but not limited to the common or usual name of each ingredient used in the manufacture of the commercial feed: provided, that the department by regulation may permit the use of a collective term for a group of ingredients which perform a similar function, or the department may exempt such commercial feeds, or any group thereof, from this requirement of an ingredient statement if the department finds that such statement is not required in the interest of consumers;

(v) the name and principal mailing address of the manufacturer or the person responsible for distributing the commercial feed;

(vi) Such use directions or precautionary statements as the department by regulation determines are necessary for the safe and effective use of the commercial feed, including but not limited to adequate directions for use for all commercial feeds containing drugs;

(vii) the date of manufacture, processing, packaging, or repackaging or a code that permits the determination of a date of manufacture; and

(viii) any other information as the department by regulation may require.

(c) A customer-formula feed shall be accompanied by a label, invoice, delivery slip, or other shipping document, bearing, at a minimum, the following information:

(i) name and address of the manufacturer;

(ii) name and address of the purchaser;

(iii) date of delivery;

(iv) the product name and quantity statement of each commercial feed and each other ingredient used in the mixture;

(v) such use directions and precautionary statements as may be determined by the department by regulation that are necessary for the safe and effective use of the customer-feed formula, including but not limited to adequate directions for use for all customer-formula feeds containing drugs;

(vi) a statement on the label or labeling that states: "This feed was manufactured according to specific instructions provided by (name of person who provided the instructions) and cannot be sold to any other person.";

(vii) the date of manufacture, processing, packaging, or repackaging or a code that permits the determination of a date of manufacture; and

(viii) any other information required by regulation.

Section 54. (a) Except as otherwise provided by regulation, a commercial feed manufactured or distributed in the commonwealth shall be deemed to be misbranded if:

(i) its labeling is false, deceptive, or misleading in any particular;

(ii) it is sold or distributed under the name of another commercial feed;

(iii) it is not labeled as required in section 53 or associated regulations;

(iv) it purports to be or is represented as a commercial feed, or if it purports to contain or is represented as containing a commercial feed ingredient, unless such commercial feed or feed ingredient conforms to the definition, if any, prescribed by regulation by the department. In the absence of a prescribed definition by the department, the department may rely upon and apply the commonly accepted definitions issued by the Association of American Feed Control Officials; or

(v) it is otherwise determined by the department to be misbranded pursuant to sections 51 through 61, inclusive, or associated regulations.

Section 55. Except as otherwise provided by regulation, a commercial feed manufactured or distributed in the commonwealth shall be deemed to be adulterated if:

(i) it bears or contains any poisonous or deleterious substance which may render it injurious to human or animal health; provided, however, that if the substance is not an added substance, such commercial feed shall not be considered adulterated under this subsection if the quantity of such substance in such commercial feed does not ordinarily render it injurious to human or animal health;

(ii) it bears or contains any added poisonous, deleterious or non-nutritive substance which is unsafe within the meaning of section 406 of the Federal Food, Drug, and Cosmetic Act;

(iii) it is, or it bears or contains any food additive which is unsafe within the meaning of section 409 of the Federal Food, Drug, and Cosmetic Act;

(iv) it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of section 408(a) of the Federal Food, Drug, and Cosmetic Act;

(v) it is, or it bears or contains any color additive which is unsafe within the meaning of section 721 of the Federal Food, Drug, and Cosmetic Act. It is, or it bears or contains any new animal drug which is unsafe within the meaning of section 512 of the Federal Food, Drug, and Cosmetic Act;

(vi) it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for feed;

(vii) it has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health;

(viii) it is, in whole or in part, the product of a diseased animal or of an animal which has died otherwise than by slaughter which is unsafe within the meaning of section 402(a)(1) or (2) of the Federal Food, Drug, and Cosmetic Act;

(ix) its composition or quality falls below or differs from that which it is purported or is represented to possess by its labeling;

(x) it contains a drug and the methods used in or the facilities or controls used for its manufacture, processing, or packaging do not conform to current good manufacturing practice regulations as may be promulgated by the department to assure that the drug meets the requirements of sections 51 to 61, inclusive, as to safety and has the identity and strength and meets the quality and purity characteristics which it purports or is represented to possess;

(xi) it is manufactured or distributed or used as commercial feed in a manner that does not conform with, or contains any substance that is prohibited by, any regulations as may be promulgated by the department under sections 51 through 61, inclusive; or

(xii) it is otherwise determined by the department to be adulterated pursuant to sections 51 through 61, inclusive, or associated regulations.

Section 56. The following acts and the causing thereof within the commonwealth are hereby prohibited:

(i) the adulteration or misbranding of any commercial feed;

(ii) the manufacture or distribution of any commercial feed that is adulterated or misbranded.

(iii) the use of any feed that is adulterated for any cattle, sheep, goats, swine, poultry, or any other animals if such animals are raised to produce human food;

(iv) the removal or disposal of a commercial feed in violation of section 60 or associated regulations;

(v) the failure or refusal to register in accordance with section 52 of this chapter or the regulations that may be promulgated thereunder by the department;

(vi) the failure to maintain any records required by sections 51 through 61, inclusive, or associated regulations;

(vii) the impediment, obstruction, or hindering by any person of the department in the discharge of the authority or duties conferred or imposed by any provisions of sections 51 through 61, inclusive, or associated regulations

(viii) any sale, offer, or exposure for sale of any commercial feed or mixture thereof by any person in violation of any regulation promulgated under sections 51 through 61, inclusive;

(ix) the failure to comply with any other provision of sections 51 through 61, inclusive, or associated regulations and not otherwise specified in this section; or

(x) such other acts as may be determined by the department by regulation to violate sections 51 through 61, inclusive.

Section 57. (a) The department is authorized to promulgate such regulations for commercial feeds as are specifically authorized in sections 51 through 61, inclusive, and associated regulations.

(b) The promulgation of regulations pursuant to sections 51 through 61, inclusive, shall conform to the applicable provisions of chapter 30A and associated regulations.

(c) The department may cooperate and enter into agreements with governmental agencies of the commonwealth, of other states, and of the federal government to effectuate the purpose and provisions of sections 51 through 61, inclusive.

(d) The department may adopt by regulation and enforce federal standards concerning commercial feed as it deems necessary to effectuate the purpose and provisions of sections 51 through 61, inclusive.

Section 58. (a) For the purpose of enforcement of sections 51 through 61, inclusive, and any regulations promulgated thereunder, and in order to determine whether their provisions have been complied with, including but not limited to whether or not any operations may be subject to such provisions, officers or employees duly designated by the department, upon presenting appropriate credentials, are authorized:

(i) to enter, during normal business hours, any building, structure, land, vehicle, or other premises, public or private, within the commonwealth, in or on which commercial feeds are manufactured, processed, packed, distributed, transported, stored, disposed of, used, or held for distribution, or to enter any vehicle being used to transport or hold such feeds; and

(ii) to inspect at reasonable times and within reasonable limits and in a reasonable manner, including but not limited to scheduled visits, random visits, or for-cause visits made in response to a complaint of alleged violation received by the department, such premises, property, or vehicle and all pertinent equipment, finished and unfinished materials, containers and labeling therein.

(iii) the inspection may include but shall not be limited to obtaining samples and the verification of records and production and control procedures related to the manufacture, distribution, storage, handling, use or disposal of commercial feed as may be necessary to determine compliance with sections 51 through 61, inclusive.

(b) The department may promulgate regulations to effectuate this section, including but not limited to regulations that define notice requirements prior to inspection, official sampling and analysis procedures, recordkeeping requirements and any other requirements as may be determined by the department as necessary.

(c) If the owner or owner's agent of any building, structure, land, vehicle, or other premises or property described in subsection (a) refuses to admit the department to inspect in accordance with subsection (a), the department is authorized to obtain from the court for the district or county in which such building, structure, land, vehicle, or other premises or property is located an administrative warrant to enter and inspect such building, structure, land, vehicle, or other premises or property and to sample such feeds, feed ingredients, or raw agricultural commodities according to section 58, prior to entry, inspection and sampling. The district and superior courts are empowered to issue such warrants upon a proper showing of the need for such entry, inspection and sampling.

Section 59. (a) The department may obtain official samples of all commercial feeds manufactured or distributed in the commonwealth. Such samples may be obtained during inspections as defined by section fifty-nine of this chapter and any regulations as may be promulgated thereunder by the department and may be analyzed by the department to determine compliance with sections 51 through 61, inclusive, and associated regulations.

(b) The results of all analyses of official samples shall be forwarded by the department to the person named on the label and to the purchaser. When the inspection and analysis of an official sample indicates a commercial feed has been adulterated or misbranded, and upon request within a time period to be established by the department by regulation, following the receipt of the analysis, the department may furnish to the manufacturer a portion of the sample concerned. The department, in determining whether a commercial feed is deficient in any component, shall be guided by the official sample as defined in section 51 and obtained and analyzed in accordance with section 59.

Section 60. (a) The department shall have authority to enforce sections 51 to 61, inclusive.

(b) The department may take all reasonable action to ensure that no commercial feed violating sections 51 through 61, inclusive, and associated regulations enters commerce in the commonwealth, including but not limited to orders for stop sale, quarantine, detainment, withdrawal from distribution, condemnation, confiscation, destruction, or any other actions as may be determined by the department by regulation as necessary to effectuate this section.

(c) Notwithstanding any other provisions of sections 51 through 61, inclusive, whoever violates any provision of these sections or offers any hindrance to the carrying out of any part thereof, or after receipt of written request from the department unreasonably refuses or neglects to comply with any order or regulation lawfully made under this section, may be subject to a civil administrative penalty issued by the department. The notice of assessment of civil administrative penalty shall include, but not be limited to, the amount of the penalty, the date the penalty shall be due, a statement of the violator's right to an adjudicatory hearing pursuant to this section and chapter 30A regarding the assessment, and the manner of acceptable payment if an election to waive a hearing is made. A person shall be deemed to have waived all right to an adjudicatory hearing unless, within 21 days of the date of the department's notice, the person files a written notice, by hand or by certified mail, return receipt requested, requesting such adjudicatory hearing. In the event that such request is not received in accordance with this section, the proposed civil administrative penalty shall become final and payment shall be due in accordance with the notice.

(d) Without alleging or proving the lack of other adequate remedies at law, and notwithstanding the existence of any other remedies at law, the attorney general may apply for a temporary or permanent injunction to restrain any violation of sections 51 through 61, inclusive, or associated regulations.

(e) The remedies provided in this section are available in addition to, and without limiting, any other penalties provided by law or equity, in this chapter or elsewhere. The district and superior courts shall have concurrent jurisdiction to enforce this chapter and restrain violations

thereof. Enforcement actions brought under this section and appeals thereof shall conform to the applicable provisions of chapter 30A and informal hearing regulations promulgated thereunder.

Section 61. The department shall publish at least annually, in such forms as the department may deem proper, information concerning the sales of commercial feeds, together with such data on their production, composition and use as the department may consider advisable, and a report of the results of the analyses of official samples of commercial feeds sold within the commonwealth as compared with the analyses guaranteed in the registration and on the label; provided, that any information concerning production and use of commercial feed shall not disclose the operations of any person.

SECTION 46. Chapter 128 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following section:-

Section 125. The supreme judicial court or any justice thereof, and the superior court or any justice thereof, shall have jurisdiction in equity to enforce this chapter and regulations thereunder. Proceedings to enforce the same may be instituted and prosecuted by the attorney general.

The remedies provided under this chapter shall be available in addition to, but not limited to, any other penalties provided by law or equity, in this chapter or elsewhere.

The commissioner may promulgate regulations to implement this section. In addition to any authority provided in this chapter, the commissioner may issue orders necessary to enforce this chapter and to restrain violations thereof. Such orders shall be effective pending resolution of any appeal, unless otherwise ordered by a court of competent jurisdiction.

SECTION 47. Chapter 131 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 6 the following section:-

Section 6A. (a) The director of the division of fisheries and wildlife shall consider land under the care and control of the division for potential designation and long-term passive management as a forest reserve and shall recommend designation of land as a forest reserve where such designation will: (i) contribute to carbon sequestration and storage as part of the commonwealth's climate mitigation strategy; (ii) provide an opportunity for unique older forest habitats to mature and develop over time without intended intervention in ecological processes as part of a holistic, statewide, biodiversity conservation strategy; (iii) enhance climate resilience through the maintenance of connected natural landscape blocks and species movement corridors that provide a variety of important ecosystem processes, functions and services; (iv) provide unique opportunities for compatible passive outdoor recreation and other public enjoyment to serve a diverse public with wide-ranging recreational values; and (v) facilitate ecological research, comparative studies of forest dynamics, and long-term monitoring to evaluate reserves as compared to other land management approaches.

(b) The director, with approval of a simple majority of the fisheries and wildlife board present at a duly called meeting of the board, may designate land under the care and control of the division as a forest reserve. Forest reserves shall be managed consistent with such designation unless the director, with the approval of not less than a two-thirds majority of the

fisheries and wildlife board present at a duly called meeting of the board, and with the approval of the secretary of energy and environmental affairs, de-designates said land.

(c) Designation or de-designation of land as a forest reserve shall constitute an administrative designation and shall not change the entity with care, custody and control of the land; constitute a change in the use of the land; otherwise dispose of land or an interest in land; or otherwise change the existing status of the land as a wildlife management area or other land management unit.

(d) The department shall passively manage forest reserves to allow natural processes to determine changes in the structure and composition of the forest ecosystem to the greatest degree possible. Forest reserves shall not be managed for production of timber or forest products or intentionally manipulated, and active management shall be avoided, even when disturbances occur, to the extent feasible. After consultation with a forest reserve science and technical advisory committee to be administered by the secretary of energy and environmental affairs, the division may undertake active management or assisted restoration actions to (i) sustain ecosystem function, vital ecosystem services and habitat values; (ii) control problematic pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv) protect public safety; or (iv) address other unforeseen circumstances. The division may undertake such other management actions as may be required by law.

Compatible passive recreational activities, regulated hunting and trapping, conversion or removal of plantations, maintenance or repair of existing forest roads, trails and administrative access points, preservation of historic and cultural resources, removal of immediate threats to public safety, selective understory invasive plant control and monitoring and research activities shall be permitted within forest reserves.

SECTION 48. Section 40 of chapter 131 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the second, third, fourth and fifth sentences of the first paragraph and inserting in place thereof the following sentences:- Said notice shall be filed by delivery in hand to the conservation commission or its authorized representative or by certified mail, return receipt requested, to said commission, or, if none, to the board of selectmen in a town or the mayor of a city in which the proposed activity is to be located, or by electronic delivery to the conservation commission, or, if none, to the board of selectmen or mayor, as specified in regulations promulgated by the department of environmental protection. Upon such filing, the receipt of such notice shall be acknowledged in writing and shall include the time and date so received. A person delivering said notice by hand shall be given a receipt in writing acknowledging the time and date of such filing. Copies of such notice shall be sent concurrently by electronic delivery to the department of environmental protection.

SECTION 49. Said section 40 of said chapter 131, as so appearing, is hereby further amended by striking out, on line 74, the figure "1,000" and inserting in place thereof the following figure:- 100.

SECTION 50. Said section 40 of said chapter 131, as so appearing, is hereby further amended by striking out the third paragraph and inserting in place thereof the following 2 paragraphs:-

Within 21 days of the receipt by a conservation commission of a written request made by any person by a method of delivery as specified in regulations, said commission shall make a written determination as to whether this section is applicable to any land or work thereon. When such person is other than the owner, notice of any such determination shall also be sent to the owner. As specified by the department in regulations, certain activities may be approved by determinations with conditions, and without the filing of a notice of intention if the conditions ensure that the activities will have negligible or minor wetlands impacts. Temporary impacts may also be approved with a determination with conditions, provided that the wetlands are fully restored as specified by the department in regulations. Violation of a condition of a determination of applicability shall be a violation of this section.

The department may designate by regulation types of proposed work that have insignificant wetlands impacts and may be approved by the conservation agent or conservation commission chairman or by the department in writing and without a notice of intention or determination and without a public hearing. Such approval may include, but not be limited to, any conditions necessary to further the interests of this section. A copy of the approval shall be sent to the department at the same time it is sent to the applicant, and the department shall have 7 days from receipt to revoke the approval.

SECTION 51. Said section 40 of said chapter 131, as so appearing, is hereby further amended by striking out the seventeenth, eighteenth and nineteenth paragraphs and inserting in place thereof the following 3 paragraphs:-

The conservation commission, selectmen or mayor receiving notice under this section shall hold a public hearing on the proposed activity within 21 days of the receipt of said notice. Notice of the time and place of said hearing shall be given by the hearing authority at the expense of the applicant, not less than 5 days prior to such hearing, or another period of time specified in department regulations, by publication in a newspaper of general circulation in the city or town where the activity is proposed, or by notice on the city or town website or other means, as specified in regulations promulgated by the department, and by mailing a notice to the applicant and to the board of health and the planning board of said city or town. The conservation commission and its agents, officers and employees and the commissioner of environmental protection and his agents and employees, may enter upon privately owned land for the purpose of performing their duties under this section. No conditions shall be imposed, nor shall any determination be rendered by a conservation commission, in reference to this section, unless the conservation commission meets with a quorum present. The department may provide by regulation that certain activities that require a notice of intention may not require a public hearing but shall require public notice.

If, after said hearing or after deliberation of the conservation commission, selectmen or mayor, on the notice of intent where no hearing is required, the conservation commission, selectmen or mayor, as the case may be, determine that the area on which the proposed work is to be done is significant to public or private water supply, to the groundwater supply, to flood control, to storm damage prevention, to prevention of pollution, to protection of land containing shellfish, to the protection of wildlife habitat, to the protection of fisheries, to resilience for changing climate conditions, or to the protection of the riverfront area consistent with the following purposes: to protect the private or public water supply; to protect the ground water; to provide flood control; to prevent storm damage; to prevent pollution; to protect land containing

shellfish; to protect wildlife habitat; to protect the fisheries, and to resilience for changing climate conditions, such conservation commission, board of selectmen or mayor shall by written order within 21 days of such hearing, or within 21 days from publication of the notice if no hearing is required, impose such conditions as will contribute to the protection of the interests described herein, and all work shall be done in accordance therewith. If the conservation commission, selectmen or mayor, as the case may be, make a determination that the proposed activity does not require the imposition of such conditions, the applicant shall be notified of such determination within 21 days after said hearing, or within 21 days from publication of the notice if no hearing is required. Such order or notification shall be signed by the mayor or a majority of the conservation commission or board of selectmen, as the case may be, and a copy thereof shall be sent forthwith to the applicant and to the department. The department may designate by regulation types of proposed work, including but not limited to certain nature-based solutions projects, ecological restoration, or wetlands resilience projects, or priority housing projects consistent with commonwealth land use planning and housing strategies and plans, climate resilient design guidelines and environmental priorities, that may be approved with a general order of conditions provided that the proposed project does not result in impacts to areas subject to jurisdiction that are greater than those specified by the department in regulations. For linear shaped projects where work is proposed in 3 or more adjacent municipalities the applicant shall submit a notice of intent, request for determination, or other request specified by the department in regulations directly to the department for review and decision. Prior to issuing a decision, the department shall provide the conservation commissions in these municipalities with an opportunity to comment on the notice or request.

If a conservation commission has failed to hold a hearing within the 21 day period as required, or if a commission, after holding such a hearing has failed within 21 days therefrom to issue an order, or if no hearing is required and a commission has failed within the 21 day period to issue an order, or if a commission, upon a written request by any person to determine whether this section is applicable to any work, fails within 21 days to make said determination, or where an order does issue from said commission, the applicant, any person aggrieved by said commission's order or failure to act, or any owner of land abutting the land upon which the proposed work is to be done, or any 10 residents of the city or town in which said land is located, may, by certified mail or electronic filing, as specified in regulations, and within 10 days from said commission's order or failure to act, request the department of environmental protection to determine whether the area on which the proposed work is to be done is significant to public or private water supply, to the groundwater supply, to flood control, to storm damage prevention, to prevention of pollution, to protection of land containing shellfish, to the protection of wildlife habitat, to the protection of fisheries, to resilience for changing climate conditions, or to the protection of the riverfront area consistent with the following purposes: to protect the private or public water supply; to protect the ground water; to provide flood control; to prevent storm damage; to prevent pollution; to protect land containing shellfish; to protect wildlife habitat; to protect the fisheries, and to resilience for changing climate conditions. The commissioner of environmental protection or a designee also may request such a determination within said 10 days. The party making any such request shall at the same time send a copy thereof by certified mail to the conservation commission, board of selectmen or mayor which conducted the hearing hereunder. If such party is other than the applicant, a copy of such request shall also be sent at the same time by certified mail to the applicant. Upon receipt of such request the department shall make the determination requested and shall by written order issued within seventy days of

receipt of such request, and signed by the commissioner or their designee, impose such conditions as will contribute to the protection of the interests described herein; provided, however, that said department shall notify the applicant within 30 days of the receipt of such request if the application or request is not in proper form or is lacking information or documentation necessary to make the determination. Such order shall supersede the prior order of the conservation commission, board of selectmen or mayor, and all work shall be done in accordance therewith, but in no event shall any work commence until 10 days have elapsed following the issuance of said order. In the case of riverfront areas, no order issued by a conservation commission, board of selectmen, mayor, or the department shall permit any work unless the applicant, in addition to meeting the otherwise applicable requirements of this section, has proved by a preponderance of the evidence that: (i) such work, including proposed mitigation measures, has no significant adverse impact on the riverfront area for the following purposes: to protect the private or public water supply; to protect the ground water; to provide flood control; to prevent storm damage; to prevent pollution; to protect land containing shellfish; to protect wildlife habitat; to protect the fisheries, and to resilience for changing climate conditions, and (ii) there is no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on such purposes. An alternative is practicable and substantially economically equivalent if it is available and capable of being done after taking into consideration: costs, and whether such costs are reasonable or prohibitive to the owner; existing technology; the proposed use; and logistics in light of overall project purposes. For activities associated with access for 1 dwelling unit, the area under consideration for practicable alternatives will be limited to the lot; provided, that said lot shall be on file with the registry of deeds as of the August 1, 1996. For other activities including, but not limited to, the creation of a real estate subdivision, the area under consideration shall be the subdivided lots, any parcel out of which the lots were created, and any other parcels that are adjacent to such parcel or adjacent through other parcels formerly or presently owned by the same owner at any time on or after August 1, 1996 or any land which can reasonably be obtained; provided, that an ownership interest can reasonably be obtained after taking into consideration: cost, and whether such cost is reasonable or prohibitive to the owner; existing technology; the proposed use; and logistics in light of overall project purposes. At any time prior to a final order of determination by the department, any party requesting a determination may in writing withdraw the request, and such withdrawal shall be effective upon receipt by the department. Notwithstanding the withdrawal, the commissioner or their designee may continue the determination if they notify all parties within 10 days of receipt of the withdrawal. A copy of such order shall be sent to the applicant, to the conservation commission, board of selectmen or mayor which conducted the hearing hereunder. As used in this section, the term "wildlife habitat" shall mean those areas subject to this section which, due to their plant community composition and structure, hydrologic regime or other characteristics, provide important food, shelter, migratory or overwintering areas, or breeding areas for wildlife. The department may provide by regulation that specified provisions of this paragraph shall not apply to notices of intent or requests for determination for certain types of proposed work, including but not limited to certain nature-based solutions projects, ecological restoration, or wetlands resilience projects, or for work in the buffer zone as defined by the department by regulation, or for priority housing projects consistent with commonwealth land use planning and housing strategies and plans, climate resilient design guidelines and environmental priorities. The department may also provide by regulation that such notices of intent or requests for determination may not be the subject of a request for a superseding order of

conditions or applicability or a request for an adjudicatory hearing in accordance with the provisions of chapter 30A; and that any person aggrieved by the issuance or failure to issue a decision on such notice of intent or request for determination may obtain judicial review by filing an application for review in the superior court within 21 days after receipt of an order of conditions or a determination from the conservation commission, or within 21 days of the conservation commission's failure to act. Notwithstanding the provisions of the previous sentence, the department may, in its regulations regarding such notices of intent or requests for determination, provide that within 10 days of the conservation commission's action or failure to act, the department may notify the applicant and the commission that it will be issuing a superseding order of conditions or determination, which it shall issue within 70 days of making such notification. Such superseding order or determination may be the subject of a request for adjudicatory hearing in accordance with the provisions of chapter 30A.

SECTION 52. Section 34 of chapter 132 of the General Laws, as appearing in the 2022 Official Edition, is hereby repealed.

SECTION 53. Section 7 of chapter 132A of the General Laws, as appearing in the 2022 Official Edition, is hereby repealed.

SECTION 54. Section 7A of said chapter 132A, as so appearing, is hereby amended by striking out, in lines 1 to 2, the words "environmental management, division of forest and parks," and inserting in place thereof the following words:- conservation and recreation.

SECTION 55. Said section 7A of said chapter 132A, as so appearing, is hereby further amended by striking out the second, third, fourth and fifth paragraphs.

SECTION 56. Said section 7A of said chapter 132A, as so appearing, is hereby further amended by adding the following paragraph:- The chief park ranger and park rangers appointed and employed by the department may assist the bureau of fire control in both suppression and detection of fires.

SECTION 57. Section 93 of chapter 143 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in line 6, the figure "15" and inserting in place thereof the following figure:- 17.

SECTION 58. Said section 93, as so appearing, is hereby further amended by striking out, on line 10, the word "12" and inserting in place thereof the following word:- 14.

SECTION 59. Said section 93, as so appearing, is hereby further amended by striking out, on line 21, the words "advanced building technology," and inserting in place thereof the following words:- climate risk, 1 of whom shall be an expert in climate resilient design, 1 of whom shall be an expert in the development of housing.

SECTION 60. Section 95 of said chapter 143, as so appearing, as amended by sections 43 and 44 of chapter 239 of the acts of 2024, is hereby amended by adding the following subsection:-

(d) Ensure building regulations and requirements address climate impacts for the purposes of reducing exposure and damages to structures and protecting the health, safety and security of the occupants or users of buildings.

SECTION 61. Chapter 183 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following section:-

Section 70. (a) For the purposes of this section, the term “residential real property” shall, unless the context clearly requires otherwise, mean real property improved by a 1 to 4 family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of 1 or more persons, condominium units or cooperative apartments; provided, however that any such real property shall not include unimproved real property upon which such dwellings are to be constructed.

(b) The secretary of energy and environmental affairs, in consultation with the secretary of housing and livable communities, shall issue standard notification forms and such other materials as necessary to inform prospective purchasers and tenants about the flood risks of residential real property. Such forms and materials may include, but are not limited to: (i) information on whether the residential real property is located in a floodplain; (ii) documentation of historical flooding and past damages on the property, such as claims filed and grants or disaster assistance received for flood damage or flood mitigation; and (iii) details about any flood insurance or elevation certificates for the property.

(c) A person selling residential real property shall, prior to the signing of a purchase and sale agreement, provide to the prospective purchaser a completed copy of the applicable notification form and other materials prepared pursuant to subsection (b). Any person leasing residential real property with an option to purchase such property shall, prior to the signing of the lease with an option to purchase, provide to the lessee-prospective purchaser a completed copy of the applicable notification form and other materials prepared pursuant to subsection (b).

(d) All persons leasing or renting residential real property shall, prior to entering into an agreement to lease or rent such property, notify prospective tenants about the hazards of flood risk as provided herein.

A residential lease shall contain the following notice to tenants: “Flood insurance is generally available to renters through the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP) to cover your personal property and contents in the event of a flood. A standard renter's insurance policy does not typically cover flood damage. You are encouraged to examine your policy to determine whether you are covered.”

Prior to entering into a tenancy agreement, the owner of residential real property or such other person to whom rent is to be regularly paid, shall provide a prospective tenant with: (i) a completed copy of the applicable form and materials prepared pursuant to subsection (b); and (ii) 2 copies of a statement certifying that the prospective tenant received all of the above materials, a copy of which is to be retained by both the tenant and the owner, provided that such certification may be included as a provision in a written tenancy agreement.

(e) An owner who fails to comply with the provisions of this section, including but not limited to providing knowingly false or incomplete disclosures, shall be liable for damages

caused by the failure to comply. A violation of this section by a person engaged in trade or commerce shall be an unfair and deceptive act or practice as defined in section 2 of chapter 93A.

SECTION 62. Section 32 of chapter 184 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 23 to 24, 33 to 34, and 80, the words “metropolitan district commission”, each time they appear, and inserting in place thereof, in each instance, the following words:- department of conservation and recreation.

SECTION 63. Said section 32 of said chapter 184, as so appearing, is hereby amended by adding the following paragraph:-

The secretary of environmental affairs, commissioner of the department of conservation and recreation, commissioner of food and agriculture and the secretary of housing and livable communities may, at such times as they are not available to certify approval, authorize in writing a designee to approve restrictions on their behalf, and a restriction approved and certified by such designee shall have the benefit of this section.

SECTION 64. Section 7 of chapter 330 of the acts of 1983 is hereby repealed.

SECTION 65. Section 177 of chapter 25 of the acts of 2009 is hereby amended by inserting at the end of the first paragraph the following words:- , Charles River Dam Road in the cities of Boston and Cambridge, a segment of Route 16 and Revere Beach Parkway, including Wellington Circle, from its intersection with Interstate 93/Route 38 in the city of Medford to its intersection with Route 145 (Winthrop Avenue)/Route 1A in the city of Revere, the Fellsway from Wellington Circle to its intersection with Interstate 93 in the cities of Medford and Somerville, Mystic Avenue in the city of Somerville, Medford Veteran’s Memorial Highway in the cities of Medford and Somerville and the Lynnway in the city of Lynn.

SECTION 66. Section 44 of chapter 85 of the acts of 1994, as most recently amended by section 69 of chapter 209 of the acts of 2018, is hereby further amended by inserting after the words “Hyde Park section of the city of Boston” the following words:- , Herter Center at 1175 Soldier’s Field Road in Herter Park within the Charles River Reservation in the city of Boston, transfer station at 1674-1680 Blue Hill Avenue in the Neponset River State Reservation in the city of Boston, Morton-Spaulding House at Mill Street in Moore State Park in the town of Paxton, the gatehouse on Highland Street in Bradley Palmer State Park in the town of Hamilton, Farnham Log Cabin at 437 North Road in Great Brook Farm State Park in the town of Carlisle, North Farm House at 107 Old North Road in Great Brook Farm State Park in Carlisle, Sugar House Krug Sugarbush at 236 South Street in the town of Chesterfield, the historic farmhouse and outbuildings located within the Manuel F. Correllus State Forest on Fire Road 56, off of Sanderson Avenue, in Edgartown.

SECTION 67. There shall be a special commission on commonwealth port development to recommend an integrated statewide strategic vision for Massachusetts ports, including the

designated port areas of: Gloucester Inner Harbor, Salem Harbor, Lynn, Mystic River, Chelsea Creek, East Boston, South Boston, Weymouth Fore River, New Bedford-Fairhaven and Mount Hope Bay. The commission shall identify industry-specific opportunities and needs, assess existing infrastructure with capacity and resources and develop recommendations to achieve stated priorities and goals.

The commission shall prepare a report proposing an integrated statewide vision for the commonwealth's ports and recommendations to implement that vision. The report shall include an assessment for relevant industry sectors, which shall include but not be limited to: (i) commercial and recreational fishing; (ii) energy; (iii) shipping, bulk cargo and goods; (iv) transportation and tourism; and (v) ocean technology and emerging markets. For each industry sector, the report shall assess: (i) existing conditions; (ii) industry needs; and (iii) opportunities for growth, taking into account infrastructure, costs, limiting geographic constraints and workforce development needs. The commission shall also consider, for each industry sector, the existing conditions and potential for development in each designated port area to achieve the vision for growth.

The commission shall consist of 21 members: the secretary of economic development or their designee and the secretary of energy and environmental affairs or their designee, who shall serve as co-chairs; the chief executive officer of the Massachusetts Port Authority or their designee; and 18 members who shall be appointed by the governor, 10 of whom shall be representatives of the 10 designated port areas, provided that no more than 1 representative shall be from the same city or town, 5 of whom shall be representatives of each water-dependent industry sector; and 3 of whom shall be representatives of community groups representing the north shore, Boston harbor and south coast regions.

The commission shall consult with the division of marine fisheries; the office of coastal zone management; the department of environmental protection; the Massachusetts clean energy center; the Massachusetts Bay Transportation Authority; the Massachusetts development finance agency; the seaport economic council; the commercial fisheries commission; any municipality that is host to a designated port area but does not otherwise have a representative on the commission; and other entities representing stakeholder perspectives as determined by the commission.

Not later than 18 months of the effective date of this act, the commission shall file its report with the clerks of the house and senate, the chairs of the joint committee on economic development and the chairs of the house and senate committees on ways and means.

SECTION 68. There shall be a special commission on flood risk mitigation and resilience in the Connecticut River Valley. The commission shall consist of the following members: the secretary of energy and environmental affairs or their designee, who shall be chair; the director of the Massachusetts emergency management agency or their designee; the executive director of the Franklin Regional Council of Governments or their designee; the executive director of the Pioneer Valley Planning Commission or their designee; 1 member who shall be appointed by the Senate President who shall be a member of the Senate from a district within the Connecticut River watershed; 1 member who shall be appointed by the Speaker of the House of

Representatives, who shall be a member of the House from a district within the Connecticut River watershed; and 15 members appointed by the Governor, 6 of whom shall be representatives of municipalities within the Connecticut River watershed, 2 of whom shall be representatives of regional water and sewer utilities, 1 of whom shall be a representative of a watershed organization, 1 of whom shall be a representative of the agriculture sector, 1 of whom shall be a representative from an environmental justice organization, 1 of whom shall be a representative from a land trust, 1 of whom shall be a representative from a labor organization and 2 of whom shall be representatives of regional higher education institutions.

The commission shall prepare a plan that identifies and prioritizes regional resilience projects that reduce flood risk in the Connecticut River Valley through 2050. Said plan shall include but not be limited to: (i) a summary of applicable municipal vulnerability preparedness plans; (ii) identification of structural and non-structural regional resilience projects that would reduce flood risk to critical infrastructure, vulnerable populations, the economy and natural resources; (iii) an implementation plan including project costs, timelines and responsible entities; (iv) recommendations for local planning and policy actions to align with regional and state goals; and (v) a strategy for engaging disadvantaged and priority populations.

The commission shall consult with the department of conservation and recreation, the department of agricultural resources, the department of environmental protection and the department of transportation.

Not later than 18 months from the effective date of this act, the commission shall file its plan with the clerks of the house and senate, the chairs of the joint committee on environment and natural resources and the chairs of the house and senate committees on ways and means.

SECTION 69. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, section 35 of chapter 92 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may, in consultation with the commissioner of conservation and recreation, transfer Ravine road between Fellsway East to the town line of the town of Stoneham to the town of Stoneham; provided, that the exact boundaries of the parcel to be conveyed shall be determined by the commissioner of capital asset management and maintenance.

(b) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, section 35 of chapter 92 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may, in consultation with the commissioner of conservation and recreation, transfer Ravine road between West Wyoming avenue to the town line of the town of Melrose to the town of Melrose; provided, that the exact boundaries of the parcel to be conveyed shall be determined by the commissioner of capital asset management and maintenance.

(c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, section 35 of chapter 92 of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may, in consultation with the commissioner of conservation and recreation, transfer Everett street in the Allston-Brighton section of the city of Boston to the city of Boston; provided, that the exact boundaries of the

parcel to be conveyed shall be determined by the commissioner of capital asset management and maintenance.

(d) The consideration for the conveyances authorized by this section shall be nominal.

(e) The grantee of any real property disposed of pursuant to this section shall be responsible for all costs relating to the conveyance, including, but not limited to, appraisals, surveys, plans, recordings and any other expenses, as shall be deemed necessary by the commissioner.

SECTION 70. Notwithstanding any general or special law to the contrary, not later than June 30 in fiscal years 2027 and 2028, the Massachusetts Water Resources Authority shall annually make a payment of \$50,000 to each of the following towns located within the watershed of the Quabbin Reservoir: Belchertown, Hardwick, Ludlow, New Salem, Orange, Pelham, Petersham, Phillipston, Shutesbury, Ware and Wendell to support the role of these communities in hosting the Quabbin Reservoir.

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

SECTION 72. Each agency acquiring land or an interest in land under this act may expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable expenses directly associated with the acquisition of land or interests in land subsequently conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency. The secretary of energy and environmental affairs shall determine by regulation what shall constitute reasonable expenses. If the commonwealth does not take title to the property through no fault of the nonprofit organization or the commonwealth, the commonwealth may reimburse the nonprofit organization for reasonable expenses associated with due diligence. An organization receiving a reimbursement under this section shall convey the land or interest in land to the agency for an amount not to exceed the actual purchase price paid by the organization for the land or interest in land in addition to any reimbursement received under this section.

SECTION 73. For the purposes of section 12, section 31 and section 51, the secretary of energy and environmental affairs, in consultation with the secretary of housing and livable communities and the commissioner of environmental protection, shall issue such guidelines and identify housing types that are considered priority housing within 6 months of the effective date of this act.

For the purposes of section 62E of chapter 30 of the General Laws, section 18E of chapter 91 of the General Laws and section 40 of chapter 131 of the General Laws, nature based solutions projects shall include, but not be limited to, projects whose primary purpose is to restore, enhance, or create wetland resource areas while increasing resilience or improving ecological function using natural methods and materials. The secretary of energy and environmental affairs, in consultation with the commissioner of environmental protection, the

commissioner of fish and game and the director of coastal zone management shall, issue guidelines for identification of nature-based solutions projects within 6 months of the effective date of this act.

SECTION 74. (a) Notwithstanding any general or special law to the contrary, the secretary of energy and environmental affairs, in consultation with the commissioner of environmental protection and the commissioner of fish and game, shall establish standards and guidelines for the resilient design of culverts, including culverts associated with bridges, in order to expedite the permitting of new municipal or replacement of existing municipal culverts. Such standards and guidelines shall consider projected future levels of and impacts from precipitation, stormwater or flood events and impacts to fisheries and wildlife and their habitats and shall integrate the Massachusetts stream crossing standards and any other relevant standards, including then-current tidal crossing standards or resilience design standards. The standards and guidelines shall be based on scientific information including, but not limited to, projected precipitation, hydrology and fisheries and wildlife and their habitats. The secretary shall establish such standards and guidelines within 6 months of the effective date of this act and shall review them 5 years thereafter. Nothing in this section shall be construed to limit the authority of the department of environmental protection to establish standards and guidelines for stream crossings, provided that such standards shall not conflict with the standards established by the secretary pursuant to this section.

(b) No project shall be eligible for a general permit, general license, or inclusion in a special category pursuant to paragraphs (d) to (f), inclusive, unless it meets each of the following criteria:

(i) The project involves a municipal project to repair, reconstruct or replace an existing municipal culvert or culverts, including culverts associated with bridges with spans of less than 20 feet;

(ii) The project complies with the standards and guidelines issued pursuant to subsection (a) to the maximum extent practicable;

(iii) Except as needed to comply with clause (ii), the project provides substantially the same principal transportation capacity and is in a similar alignment to the structure to be repaired, reconstructed or replaced, including as to the immediate approaches necessary to connect a structure to an existing adjacent road, and the project does not include components of a reconstruction project other than the crossing and immediate approaches that are otherwise subject to permitting or licensing; provided that the addition of sidewalks, bike lanes or shoulders that are collectively less than a single lane in width shall not be deemed to substantially change the principal transportation capacity of an existing structure;

(iv) If a project is located or will take place in priority habitat designated by the natural heritage and endangered species program of the division of fisheries and wildlife, the proponent has provided to that program for review all materials required by the program; and the program has completed its review and has determined that the proponent has demonstrated that the project will not result in take with or without conditions; and

(v) The project complies with any other conditions established by regulation issued pursuant to this section.

(c) The secretary and commissioner of environmental protection shall issue any regulations or take other actions necessary or appropriate to implement the use of the standards and guidelines established under subsection (a) to expedite implementation of projects meeting the criteria described in subsection (b) which require a certificate, permit, license, or other approval pursuant to: (i) section 61 and sections 62A to 62L, inclusive, of chapter 30 of the General Laws, (ii) chapter 91 of the General Laws, (iii) section 40 of chapter 131 of the General Laws and (iv) section 401 of the Federal Water Pollution Control Act, Public Law 92-500, 33 U.S.C., sections 1251 et seq., as amended. Such regulations shall require that for projects meeting the criteria described in of subsection (b), the department of environmental protection shall issue, deny or waive individual certifications pursuant to section 401 of the Federal Water Pollution Control Act within 60 days of a complete application.

(d) (i) Notwithstanding any general or special law to the contrary, the department of environmental protection, for projects meeting the criteria described in subsection (b) and for the purposes of ensuring more expeditious processing of approvals for such projects, shall issue regulations that create a general permit for the authorization of such projects, or a subset thereof, under section 40 of chapter 131 of the General Laws. The permittee shall comply with all general permit performance standards established by such regulations and any additional conditions specified by the approving authority that are necessary to protect the resource areas because of unique circumstances that are not addressed by the general permit performance standards. Local wetlands bylaws and ordinances shall not apply to the projects authorized under the general permit.

(ii) The procedures described in section 40 of said chapter 131 shall apply to general permits issued pursuant to this paragraph, except as provided herein:

(A) Written notice of intention under the general permit shall be submitted to the conservation commission or its authorized representative and the department of environmental protection by electronic delivery in a manner prescribed by the department. A person submitting a notice of intention shall publish notification of the proposed project in a print newspaper of local or general circulation, or a newspaper's website, including on-line only newspaper publications, or a statewide or city- or town-wide website that may be maintained as a repository for such notices at the time of submittal of the notice of intention. Said notification shall describe the project location, details of the project, resource area impacts and any other relevant information needed to adequately describe the proposed project and shall specify that comments be sent within 14 days of publication to the conservation commission and the appropriate regional office of the department of environmental protection based on the location where the activities are proposed. No public hearing is required.

(B) If, after reviewing the notice of intention, the conservation commission determines the project meets the criteria described in subsection (b), including any standards developed by the department of environmental protection, then the conservation commission shall issue an order of conditions containing any conditions pursuant to regulations established under clause (i) of subsection (d) within 42 days of a complete notice of intention under this general permit. Notices of intention not meeting the criteria of this paragraph shall be denied.

(iii) In the event that a conservation commission fails to issue an order of conditions or denial within the required time period, the project proponent may, within 10 days after such failure to act, request a superseding order of conditions from the department of environmental protection. The department of environmental protection shall make a decision and issue a written order or denial within 42 days from receipt of a complete application.

(iv) The provisions of paragraph 20 of section 40 of chapter 131 of the General Laws shall not apply to the general permit except that within 10 days of receipt by the department of environmental protection of an order of conditions issued pursuant to this general permit, the department may appeal such order of conditions pursuant to said paragraph 20 of said section 40 of said chapter 131.

(e)(i) Notwithstanding any general or special law to the contrary, the department of environmental protection, for projects meeting the criteria described in subsection (b) and for the purposes of ensuring more expeditious processing of approvals for such projects, shall issue regulations to create a general license for the authorization of such projects, or a subset thereof, which are otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19 of chapter 91 of the General Laws. Licensees shall comply with any general license performance standards established by such regulations and any additional conditions specified by the department. A proponent of a project eligible for a general license under this section shall certify compliance with its terms and conditions to the department on such timelines as the department requires and shall pay all applicable fees required by the department. The department shall review such certification and, if consistent with the general license, confirm compliance in writing within 60 days of receipt of a complete application. No construction subject to said chapter 91 shall commence prior to issuance of such certification by the department. The regulations shall protect and preserve any rights held by the commonwealth in trust for the public to use tidelands, great ponds and other waterways for lawful purposes and public rights of access on private tidelands, great ponds and other waterways for any lawful use. The provisions of subsection (f), subsection (g) and subsection (h) of section 18D of the General Laws shall apply to general licenses issued pursuant to this paragraph.

(f) Notwithstanding any general or special law to the contrary, the secretary may by regulation provide that projects meeting the criteria described in subsection (b), or a subset of such projects, are a special category of project which shall not require an environmental impact report under section 62B of chapter 30 of the General Laws regardless of location.

(g) The department of environmental protection shall consolidate adjudicatory proceedings regarding the same proposed project that are requested for permits, licenses or certifications under subsections (d), (e) or (f) unless consolidation would not contribute to expeditious resolution of the appeals.

(h) The department of environmental protection and executive office of energy and environmental affairs shall propose regulations not later than 6 months after the effective date of this act. The department and executive office shall provide support and guidance to cities and towns to assist them in applying concurrently for and otherwise streamlining the review and approval of projects eligible for general permits, general licenses or other approvals pursuant to this section.

(i) Nothing in this section shall be construed to change the application of section 24 of chapter 79 of the Acts of 2014.

SECTION 75. Section 74 is hereby repealed.

SECTION 76. Paragraph (2) of subsection (d) of section 168 of chapter 175 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following clause:- ; provided, however, that annually on December 1, at the discretion of the secretary of administration and finance, the comptroller shall transfer to the Resilience Revolving Fund pursuant to section 2KKKKKK of chapter 29 an amount up to the difference between the amount of such fees collected in the prior fiscal year and the amount of such fees collected in fiscal year 2027.

SECTION 77. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure 180 days after the effective date of this act: 2500-7024, 2850-9951, 2840-8963, 2850-6967, 2820-1420, 2840-7993, 2800-2012, 2800-2013, 2800-2014, 2800-2019, 2820-2011, 2820-2012, 2840-2013, 2840-2014, 2840-2018, 2840-2019, 2840-2023, 2890-2023, 2890-2040, 2800-7013, 2800-7018, 2800-7016, 2800-7011, 2800-7012, 2800-7015, 2800-7017, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-7014, 2840-7017, 2890-7010, 2890-7011, 2810-7872, 2810-8802, 2800-7035, 2800-7031, 2800-7108, 2840-7026, 2840-7027, 6720-1336, 2840-7024, 2890-7035, 2800-7020, 9300-3909, 9300-7909, 9300-7010, 2000-6966, 2000-6967, 2000-6969, 2000-2010, 2000-2011, 2000-2012, 2000-2014, 2000-2015, 2000-2016, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-2024, 2000-2025, 2000-2026, 2000-2017, 2000-2035, 2000-2028, 2000-2029, 2000-7013, 2000-7014, 2000-7015, 2000-7016, 2000-7018, 2000-7023, 2000-7024, 2000-7025, 2000-7052, 2000-7054, 2000-7057, 2000-7056, 2000-7051, 2000-7029, 2000-7053, 2000-7070, 2000-7028, 2000-7031, 2000-7055, 2000-7059, 2000-7062, 2000-7063, 2000-7135, 2000-7081, 2240-8820, 2250-8820, 2250-8822, 2200-7991, 2200-2011, 2200-2012, 2200-2013, 2200-2014, 2200-2015, 2200-2016, 2200-2017, 2200-2018, 2200-2019, 2200-7011, 2200-7013, 2200-7017, 2200-7018, 2200-7020, 2200-7025, 2300-2010, 2300-2011, 2300-2012, 2300-2014, 2300-2016, 2300-2017, 2300-7018, 2300-7010, 2300-7011, 2300-7015, 2300-7016, 2300-7020, 2300-7021, 2300-7025

SECTION 78. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out sections 2 to 2D, inclusive, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$2,511,145,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face "An Act to Build Resilience for Massachusetts Communities" and shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2052. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 79. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2E, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$385,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2052. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 80. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out sections 2F to 2G, inclusive, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$100,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2062. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 81. Sections 7, 13 through 20, 34 through 36, 40, 45, 52 through 56 and 61 shall take effect 90 days from the effective date of this act.

SECTION 82. Sections 11 and 76 shall take effect on July 1, 2026.

SECTION 83. Section 75 shall take effect 10 years from the effective date of this act.