

**HOUSE . . . . . No. 4315**

---

The Commonwealth of Massachusetts

PRESENTED BY:

*Ronald Mariano*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to promote the sustainable economic development of the former Weymouth Naval Air Station for the benefit of the towns of Abington, Rockland, and Weymouth, the NAS South Weymouth Region and the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ronald Mariano</i>	<i>3rd Norfolk</i>	<i>7/15/2014</i>
<i>Robert L. Hedlund</i>	<i>Plymouth and Norfolk</i>	<i>7/15/2014</i>

**HOUSE . . . . . No. 4315**

---

By Mr. Mariano of Quincy, a petition (subject to Joint Rule 12) of Ronald Mariano and Robert L. Hedlund for legislation to promote the sustainable economic development of the former Weymouth Naval Air Station for the benefit of the towns of Abington, Rockland, and Weymouth, the NAS South Weymouth Region and the Commonwealth. Economic Development and Emerging Technologies.

---

The Commonwealth of Massachusetts

—————  
**In the Year Two Thousand Fourteen**  
—————

An Act to promote the sustainable economic development of the former Weymouth Naval Air Station for the benefit of the towns of Abington, Rockland, and Weymouth, the NAS South Weymouth Region and the Commonwealth.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to forthwith enhance economic development and improve the general welfare of the area comprising the former Naval Air Station in South Weymouth and its environs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. Section 37 of chapter 303 of the acts of 2008 is hereby amended by striking  
2 out sections 1 to 36, inclusive, and inserting in place thereof the following 37 sections:

3 Section 1. It is hereby found that the closure of the Naval Air Station hereinafter referred  
4 to as NAS South Weymouth, by the United States Government in September of 1997, has been  
5 and continues to be detrimental to the economic welfare of the citizens of the commonwealth  
6 and, in particular, the towns of Abington and Rockland and the city known as the town of  
7 Weymouth, hereinafter referred to as the town of Weymouth. The closure of this military  
8 installation imposes upon the commonwealth and its citizens an increased fiscal burden in  
9 addition to that incurred by the commonwealth on account of the closure of various other  
10 military installations in the commonwealth. It is further found that the full redevelopment of  
11 NAS South Weymouth remains essential for the benefit of the towns of Abington, Rockland and  
12 Weymouth, the region and the commonwealth, and to that end this act shall reconstitute the

13 South Shore Tri-Town Development Corporation, SSTDC, or Southfield Redevelopment  
14 Authority, as renamed pursuant to this act, reinforce municipal control over land-use and  
15 development decisions affecting each of the three towns, Abington, Rockland and Weymouth,  
16 that constitute NAS South Weymouth, and strengthen the alignment of interests between said  
17 authority, the towns, and the master developer as defined herein. Therefore, it is the purpose of  
18 this act to promote the expeditious and orderly conversion and redevelopment of NAS South  
19 Weymouth for nonmilitary purposes, including, but not limited to, commercial, housing,  
20 industrial, institutional, educational, governmental, recreational, conservation or manufacturing  
21 uses in order to prevent blight, economic dislocation and additional unemployment, and to aid  
22 and strengthen the local economy, the regional economy and the economy of the commonwealth.  
23 In order to achieve these objectives, it is deemed necessary and appropriate to continue the  
24 structure of SSTDC, but as renamed and modified pursuant to this act, with full powers and  
25 authority to carry out the purposes of this act.

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

40 Section 3. There is hereby created a body politic and corporate, to be known as the  
41 Southfield Redevelopment Authority, to carry out this act. The authority is hereby deemed to be  
42 a public instrumentality, and the exercise by the authority of the powers conferred by this act  
43 shall be deemed and held to be the performance of public functions. The authority shall be  
44 included within the definition of a "local government unit or local governmental unit", as defined  
45 in section 1 of chapter 29C of the General Laws, and its bonds and notes shall be included within  
46 the definition of "local governmental obligations", as defined in said section 1 of said chapter  
47 29C. The authority shall be included within the definition of a "governmental entity" for  
48 purposes of owning public infrastructure improvements pursuant to chapter 293 of the acts of  
49 2006. The authority shall be an "eligible applicant" and a municipality for the purposes of the  
50 General Laws and the authority, the town of Rockland, the town of Weymouth and the town of  
51 Abington shall be eligible for any financial or other assistance from the Massachusetts School

52 Building Authority and the Massachusetts Department of Transportation pursuant to chapter 90  
53 of the General Laws.

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

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

67 (a) "Abington appointee," the member of the board appointed by the town of Abington.

68 (b) "Advisory board," the advisory board to the Authority established by section 11.

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

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

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

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

80 (g) "Base rate," the personal, residential, or commercial ad valorem property tax rate, as  
81 applicable, prevailing at the time of assessment in the town in which the subject property is  
82 located.

83 (h) "Base revenue," revenue generated through assessment and collection of the base  
84 rate.

85 (i) “Board,” the board of directors of Southfield Redevelopment Authority established by  
86 section 9.

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

92 (k) “Central Redevelopment Area,” the geographic area shown as the “Central  
93 Redevelopment Area” on the zoning map.

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

95 (m) “Commercial development,” all non-residential, non-recreational and non-  
96 institutional land-uses permissible under the zoning by-laws, including retail, general office,  
97 medical office, and industrial uses.

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

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

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

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

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

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

113 (t) “Infrastructure,” all infrastructure included in the Project.

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

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

- 117 (w) “Master developer,” the master developer designated under the DDA.
- 118 (x) “Master plan,” the Master Plan submitted by the master developer to South Shore  
119 Tri-Town Development Corporation and the towns on March, 7, 2005, as amended.
- 120 (y) “Minor zoning revision,” any revision to the zoning by-laws that does not constitute a  
121 major zoning revision as defined herein.
- 122 (z) “NAS South Weymouth,” the military base formerly known as the Naval Air Station  
123 South Weymouth, which was disestablished in accordance with the recommendation of the 1995  
124 Base Realignment and Closure Commission, pursuant to 10 U.S.C. § 2687, as amended.
- 125 (aa) “NAS South Weymouth Redevelopment Area,” the geographic area delineated in  
126 the plans and maps referenced in section 5.
- 127 (bb) “NAS South Weymouth Region,” (i) towns as defined in this act; (ii) all  
128 municipalities contiguous to the towns; and (iii) all municipalities contiguous to the  
129 municipalities in subsection (ii); provided, however, that the NAS South Weymouth Region shall  
130 not include the city of Boston.
- 131 (cc) “Parkway,” the east-west parkway connecting Weymouth Street in Rockland to  
132 Route 18 (Main Street) in Weymouth.
- 133 (dd) “Parkway Financing MOA,” the Memorandum of Agreement on Financing for the  
134 South Shore Tri-Town Development Corporation’s Parkway entered into as of March 4, 2010 by  
135 and between the Commonwealth of Massachusetts and South Shore Tri-Town Development  
136 Corporation, as amended by the First Amendment thereto dated June 15, 2010.
- 137 (ee) “Perimeter area,” the geographic area designated as the “perimeter area” on the  
138 existing zoning map.
- 139 (ff) “Permanent water and wastewater infrastructure,” (i) water supply, treatment, and  
140 distribution and (ii) sewer collection, treatment, and disposal capacity for the Project that does  
141 not exist as of the date of this act, and that is financed, designed, constructed, operated and  
142 maintained by the master developer pursuant to, and to the extent provided in, section 15.
- 143 (gg) “Phase I water and wastewater agreement”, the Memorandum of Agreement for  
144 Provision of Water and Wastewater Service entered into on March 7, 2008 by and between the  
145 Town of Weymouth and South Shore Tri-Town Development Corporation, as amended by  
146 Amendment #1 to same effective July 1, 2012.
- 147 (hh) “Pledged revenue,” property tax revenue subject to the pledge established in that  
148 certain Trust Indenture between South Shore Tri-Town Development Corporation and Wells  
149 Fargo Bank, N.A., as Trustee, dated as of August 1, 2010 and relating to South Shore Tri-Town

150 Development Corporation Infrastructure Development Revenue Bonds, Series 2010A, as the  
151 same may be amended from time to time.

152 (ii) “Prior enabling act,” chapter 301 of the Acts of 1998, as amended and restated by  
153 section 27 of chapter 308 of the Acts of 2008.

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

171 (kk) “Resident appointees,” the members of the board appointed pursuant to section  
172 9(a)(v).

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

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

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

180 (oo) “Secretary,” the secretary of the executive office of administration and finance.

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

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

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

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

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

194 (uu) “Towns,” the towns of Abington, Rockland and Weymouth.

195 (vv) “Trust Indenture,” the trust indenture referred to in the definition of pledged  
196 revenue.

197 (ww) “Weymouth appointees,” the members of the board appointed by the town of  
198 Weymouth.

199 (xx) “Zoning by-laws,” the “Zoning and Land Use By-Laws for NAS South  
200 Weymouth,” both in the form existing as of the effective date of this act, “existing zoning by-  
201 laws”, and as it may be revised in accordance with this act.

202 (yy) “Zoning map,” the Zoning District Map referenced in section 4.3 of the existing  
203 zoning by-laws, both in the form existing as of the effective date of this act, “existing zoning  
204 map”, and as it may be revised in accordance with this act.

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



218 Plymouth county registry of deeds in plan number 760 in plan book 42 and the Norfolk county  
219 registry of deeds as plan number 525 in plan book 467.

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

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

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

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

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

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

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

247 (g) own, manage, operate, regulate or lease surface water reservoirs within the NAS  
248 South Weymouth Redevelopment Area or connect to or otherwise purchase or lease water from  
249 the water system of a town, any other municipality or any other governmental or quasi-  
250 governmental agency or any other public or private entity for the provision of water within the  
251 NAS South Weymouth Redevelopment Area, and manage, operate, regulate, convey or lease any  
252 and all systems for the delivery of such water within the NAS South Weymouth Redevelopment

253 Area; provided, however, that the procurement of such water does not materially adversely affect  
254 the supply of water available to any of the towns;

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

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

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

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

267 (l) acquire, hold and dispose of personal property within the NAS South Weymouth  
268 Redevelopment Area for its corporate purposes;

269 (m) acquire easements and other interests in land directly associated with the NAS South  
270 Weymouth Redevelopment Area in connection with the Project;

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

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

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

287 (q) purchase, take, receive, subscribe for, or otherwise acquire, hold, make a tender offer  
288 for, vote, employ, sell, lend, lease, exchange, transfer or otherwise dispose of, mortgage, pledge  
289 or grant a security interest in, use or otherwise deal in and with, bonds and other obligations,  
290 shares or other securities or interests therein issued by others, whether engaged in a similar or  
291 different business or activity;

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

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

309 (t) administer land use, subdivision, zoning and wetland protection controls and  
310 associated permitting, approval and entitlement activities within the central redevelopment area,  
311 and to enter into agreements with the towns whereby any such activities which the authority may  
312 determine shall be more effectively administered by a town shall be within such town's  
313 administration, subject to such town's agreement to enter into such agreement(s); provided,  
314 further, that any town's administration of such activities pursuant to any such agreement(s) shall  
315 be consistent with any expedited permitting standards or requirements then-applicable to the  
316 authority's conduct of such activities. Except as otherwise expressly provided in the zoning by-  
317 laws: (i) in the administration of the activities authorized under this section in the central  
318 redevelopment area, the authority may take action and issue permits, approvals, orders of  
319 conditions, and other land-use entitlements in accordance with the procedures and standards  
320 from time to time applicable to municipalities and their boards, commissions and agencies so  
321 authorized to take such action or to issue any such permit, order of conditions, approval or other  
322 entitlement under the General Laws; provided, however, that the regulations developed and  
323 adopted by the authority under section 14 may provide for expedited permitting under which the  
324 time frames for action applicable to municipalities and their boards, commissions and agencies  
325 under the provisions of the General Laws are shortened; and (ii) all such actions, including a

326 failure to take action, and such permits, approvals, orders of conditions or other land-use  
327 entitlements shall have the legal effect and duration as provided in the General Laws, except for  
328 any shortened time frames expressly provided in such regulations. Upon termination of the  
329 authority under section 33, the authority to administer such activities shall be vested in the towns  
330 in accordance with the dissolution and administration agreement and the General Laws, but no  
331 permit, approval, or other entitlement issued by the authority prior thereto pursuant to this act or  
332 pursuant to the Prior Enabling Act or any activity undertaken or improvement made in  
333 accordance therewith shall be affected thereby. As further provided in section 14(i), any and all  
334 municipal powers which do not involve the administration by the authority of such land use,  
335 subdivision, zoning and wetland controls and related entitlement activities shall remain with the  
336 towns in which the applicable real property is located unless expressly granted to said authority  
337 in this act or elsewhere;

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

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

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

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

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

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

360 (aa) procure insurance against any loss in connection with its property or the Project in  
361 such amounts and from such insurers, including the federal government, and directors and

362 officers liability insurance, as it may deem necessary or desirable, and to pay any premiums  
363 therefor;

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

370 (cc) maintain a principal office within the NAS South Weymouth Redevelopment Area;

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

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

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

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

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

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

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

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

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

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

419 Section 7. The authority shall not be obligated to maintain, operate, improve or provide  
420 services, including police and fire protection, for those portions of the NAS South Weymouth  
421 which remain in federal ownership, nor shall the authority bear any responsibility or be liable for  
422 any injury, damage or loss arising out of or in connection with any activities which may occur on  
423 such federal property, nor as a result of any improvements, damage, deterioration or  
424 environmental hazards occurring thereon.

425 Section 8. In addition to any other duties set forth in this act, the authority shall  
426 coordinate with, and provide information to, the United States and any officials or employees  
427 thereof, regarding any matter relating to the ownership, condition, closure, conversion,  
428 redevelopment or future use or operations of the NAS South Weymouth Redevelopment Area as  
429 required by the Defense Base Realignment and Closure Act. Notwithstanding any other  
430 provision of law, the authority shall be the only person or entity in the commonwealth authorized  
431 to negotiate, purchase or otherwise obtain on behalf of itself, the commonwealth or any of its  
432 political subdivisions, any fee ownership, easement, lease, license or other interest in any  
433 property in or on the NAS South Weymouth Redevelopment Area from the United States, except

434 that a governmental entity of the commonwealth may acquire an interest from the authority to  
435 such property, if such acquisition and use of the property by a governmental entity of the  
436 commonwealth is consistent with the zoning by-laws.

437 Section 9. (a) The powers and management of the authority, which include all rights and  
438 powers of a town council or board of selectmen or mayor of a city or town except as otherwise  
439 provided in, directed by, or limited by this act, shall be vested in a board of 9 directors to be  
440 appointed as follows: (i) 1 member appointed by the board of selectmen of the town of Abington;  
441 (ii) 2 members appointed by the board of selectmen of the town of Rockland; (iii) 2 members  
442 appointed by the mayor of the town of Weymouth; (iv) 1 member, who is an experienced labor  
443 representative and selected by the mayor of the town of Weymouth; (v) 2 members, each of  
444 whom shall have legal residency at NAS South Weymouth, and who are selected by the mayor  
445 of the town of Weymouth, from 4 candidates nominated by the Southfield Neighborhood  
446 Association; and (vi) 1 member, who shall be a member of the board of the South Shore  
447 Chamber of Commerce, selected by said chamber. The board shall appoint a chairman from  
448 among its members who shall serve in that capacity at the pleasure of the board.

449 (b) The terms of all 5 members serving on the board as constituted pursuant to the prior  
450 enabling act shall be terminated, and such existing board shall be deemed dissolved, on the latter  
451 of (i) the date that is 30 days following the effective date of this section and (ii) the date on  
452 which a new board composed in accordance with section 9 is fully appointed which such full  
453 appointment shall occur no later than 60 days following the effective date of this section. Until  
454 the dissolution of the existing board pursuant to this section 9, the existing board shall continue  
455 to manage the business and affairs of the authority in the ordinary course and in a manner  
456 consistent with this act. Members of the existing board shall be eligible, following dissolution of  
457 the existing board, to serve additional terms on the board pursuant to this act. Each of the  
458 chamber, labor, resident, and town appointees shall serve terms of 3 years apiece. Any town  
459 appointee may also be removed from the board by the executive of the town from which he or  
460 she was appointed for reasons deemed by such executive to be sufficient and proper. Any labor  
461 or resident appointment may similarly be removed by the mayor of the town of Weymouth. All  
462 board members shall be eligible for reappointment to additional terms at the expiration of their  
463 current terms. Vacancies shall be filled, as applicable, by the respective appointing authority for  
464 each such vacancy.

465 (c) The town and resident appointees shall have demonstrated expertise and education  
466 and experience in 1 or more of the following areas: real estate development, housing, finance,  
467 planning, or engineering. The towns shall cooperate to assure the appointment of directors from  
468 as many of the foregoing disciplines as possible. The chamber and labor appointees shall have  
469 demonstrated expertise in large-scale real estate development and demonstrated expertise in 1 or  
470 more of the following areas: housing, finance, business, planning, environment, transportation or  
471 municipal government.

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

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

481 (f) Directors shall be residents of the commonwealth. No director or employee of the  
482 authority shall be a local elected public official of the town of Abington, Rockland or  
483 Weymouth, except that residents of the towns of Abington and Rockland who participate in their  
484 respective town meetings shall not be restricted from service as a director or employee of the  
485 authority. Each resident appointee shall maintain a legal residence within NAS South  
486 Weymouth, and each town appointee shall maintain a legal residence in his or her appointing  
487 town, at all times during his or her respective term on the board. Any resident or town appointee  
488 who fails to maintain his or her legal residence as required shall be automatically disqualified  
489 from further service on the board without need for further action by the board or the relevant  
490 appointing authority.

491 (g) Public employees or appointed officials of the federal government and the  
492 commonwealth and its political subdivisions may serve as directors of the authority so long as  
493 their service as director does not constitute a conflict of interest with their duties as public  
494 employees or appointed officials.

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

496 (i) The directors may, from time to time, by majority vote designate employees of the  
497 authority, consultants and other individuals to participate on boards, commissions, committees  
498 and other organizations established by the authority or otherwise related to the Project as a  
499 representative of the directors.

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

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



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

508 Section 10. If a director, or member of his immediate family shall be interested either  
509 directly or indirectly, or shall be a director, officer or employee of or have an ownership interest  
510 in a firm or authority interested directly or indirectly, in a contract or other matter involving the  
511 authority, such interest shall be disclosed to the board and shall be set forth in the minutes of the  
512 board. The member having such interest shall not participate on behalf of the authority in any  
513 proceeding or decision relating to such contract or matter. For the purpose of this section,  
514 immediate family shall include spouse, parent, parent-in-law, brother, brother-in-law, sister,  
515 sister-in-law, son, son-in-law, daughter, daughter-in-law and the parent or child of any of such  
516 individuals. Notwithstanding the foregoing, or the provisions of chapter 268A of the General  
517 Laws, an interest of a resident appointee or of a member of the immediate family of a resident  
518 appointee arising solely on account of the appointee's or immediate family member's residing at  
519 NAS South Weymouth shall not be disqualifying and shall not be deemed an impermissible  
520 conflict of interest.

521 Section 11. (a) There shall be an advisory board to the authority consisting of: (i) 1 voting  
522 representative appointed by the town of Abington and 1 voting representative appointed by the  
523 town of Hingham; (ii) 2 voting representatives appointed by the town of Rockland and 2 voting  
524 representatives appointed by the mayor of Weymouth; (iii) 1 voting representative of the  
525 Metropolitan Area Planning Council who shall be a member of and be designated by the board of  
526 the council and who shall reside in Norfolk county; (iv) 1 voting representative of the Old  
527 Colony Planning Council who shall be a member of and be designated by the board of the  
528 council and who shall reside in Plymouth county; and (v) 3 voting representatives to be  
529 appointed by the governor, 1 of whom shall be the Secretary, 1 of whom shall be the secretary of  
530 the Executive Office of Housing and Economic Development and 1 of whom shall have  
531 demonstrated skill and expertise in matters relating to real estate development. The members of  
532 the advisory board representing a town shall be appointed by, and serve at the pleasure of, the  
533 mayor of the town of Weymouth or board of selectmen of each such other town. The members of  
534 the advisory board appointed by the Metropolitan Area Planning Council and the Old Colony  
535 Planning Council shall serve at the pleasure of the councils. The members of the advisory board  
536 appointed by the governor shall serve at the pleasure of the governor.

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

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

552 (d) The purposes of the advisory board shall be as follows: (i) to review the annual report  
553 of the authority and to prepare comments thereon for the benefit of the authority, the governor  
554 and the towns, and to make such examinations of the reports on the authority's records and  
555 affairs as the advisory board deems appropriate; (ii) to hold regular meetings twice annually with  
556 the board of directors of the authority and, at the discretion of the advisory board and with the  
557 concurrence of the board of directors of the authority, special meetings with the board of  
558 directors of the authority as it deems necessary and appropriate on matters relating to the  
559 authority, and to hold meetings at other times as the advisory board may determine; (iii) to make  
560 recommendations to the authority on its annual budget; (iv) to make recommendations to the  
561 governor, the general court and the towns regarding the authority, its programs, and the Project;  
562 and (v) to determine, from time to time, compensation for the directors pursuant to section 9.

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

566 Section 12. The board may from time to time hire employees and engage outside vendors  
567 or consultants, or both, as necessary to achieve the orderly functioning of the authority.  
568 Employees of the authority shall not be subject to the provisions of chapter 30 or section 45, 46,  
569 51 or 52 of chapter 31 of the General Laws. Employees of the authority shall be subject to the  
570 provisions of chapter 268A of the General Laws. Compensation for employees of the authority  
571 shall be set by the board.

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

577 Section 14. (a)(1) The reuse plan is rescinded and terminated in its entirety as of the  
578 effective date of this act, and is to be of no further force and effect.

579 (2) The master plan is rescinded and terminated in its entirety as of the effective date of  
580 this sub-section, and is to be no further force and effect.

581 (3) The zoning by-laws shall remain in effect, subject to their modification pursuant to  
582 the procedures set forth in this section 14, which such procedures shall apply as of the effective  
583 date of this sub-section, notwithstanding any contrary provisions in the reuse plan, to the extent  
584 and for so long as the reuse plan remains in effect. Such zoning by-laws, as they be modified in  
585 accordance with this section 14 from time to time, shall supersede the zoning by-laws of the  
586 towns with respect to land in the NAS South Weymouth Redevelopment Area.

587 (4) The provisions in the reuse plan regulating the phasing of residential and commercial  
588 development within the project shall be deemed to be abrogated and of no further force and  
589 effect as of the effective date of this sub-section. The provisions in the reuse plan governing the  
590 provision of “Affordable” housing or “Workforce” housing, as such terms are defined in the  
591 affordable and workforce housing plan and the affordable and workforce housing regulations, are  
592 deemed abrogated and of no further force and effect as of the effective date of this sub-section,  
593 and shall be replaced, as of the effective date of this sub-section, by the requirements of section  
594 14(b)(2).

595 (b) Notwithstanding the termination of the reuse plan and master plan pursuant to section  
596 14(a), the following elements of the reuse plan, as they may be modified below, shall remain  
597 applicable to the Project: (1) the commercial minimum, the residential maximum, and the senior  
598 housing minimum shall remain in effect. The zoning by-laws shall be administered and  
599 amended as necessary to enforce and effectuate the commercial minimum, the senior housing  
600 minimum, and the residential maximum; provided, however, that nothing in this act shall be  
601 construed to prevent each town, acting in its sole discretion and consistent with other law, to  
602 allow (i) Commercial Development within the portion of the NAS South Weymouth  
603 Redevelopment Area within its municipal borders to exceed an amount that would cause the total  
604 amount of commercial development within NAS South Weymouth to exceed 2,000,000 square  
605 feet, or (ii) senior housing development within its portion of the NAS South Weymouth  
606 Redevelopment Area to be developed to an extent that would cause either the senior housing  
607 minimum or the residential maximum to be exceeded on a project-wide basis; and provided  
608 further that no town shall administer or amend the zoning by-laws in a manner that prevents the  
609 development of the residential maximum; (2) notwithstanding anything to the contrary contained  
610 in this act or any other general or special law or bylaw or regulation of the authority, or in any  
611 existing agreement between the master developer and the authority or any other entity, of the  
612 residential units at NAS South Weymouth, a minimum of 10% shall meet the requirements of  
613 “Affordable” housing or “Workforce” housing, as such terms are defined in the affordable and  
614 workforce housing plan and the affordable and workforce housing regulations. Affordable or  
615 workforce housing constructed within NAS South Weymouth prior to the effective date of this  
616 act shall be counted towards the aggregate 10% minimum requirement; (3) the Project shall be

617 planned and built-out consistent with the “smart growth” and “sustainable’ principles articulated  
618 in the reuse plan; and

619 (4) passive and active recreational facilities shall be included in the further development  
620 of NAS South Weymouth, with such facilities to be of the type identified in the reuse plan.  
621 Notwithstanding the generality of the preceding sentence, the master developer shall not be  
622 required to construct or operate a golf course.

623 (c) Major zoning revisions shall not be effective until the town in which the land that is  
624 the subject of such revision is located approves the revision. No town shall consider a major  
625 zoning revision except at the initiative of the applicable town executive, the master developer,  
626 the town’s planning board, the town council in the case of Weymouth or a person owning land to  
627 be affected by the revision. Within 90 days of receipt of a petition for a proposed major zoning  
628 revision, the receiving town shall convene a meeting of the town council in Weymouth or a town  
629 meeting if in Rockland or Abington for the purpose of adopting the proposed major zoning  
630 revision. The towns shall notify the authority of any major zoning revisions they may adopt,  
631 such notice to be provided within thirty days of obtaining the attorney general’s approval of such  
632 revision if required pursuant to section 32 of chapter 40 of the General Laws. All other  
633 provisions of chapter 40A of the General Laws shall apply, except that the towns may reconsider  
634 a proposed major zoning revision pursuant to this Act within six months of an unfavorable action  
635 notwithstanding anything to the contrary in section 5 of chapter 40A of the General Laws.  
636 Pursuant to chapter 44, section 53G of the General Laws, a town may request, and the master  
637 developer may elect to provide, reimbursement for legal fees incurred by the town in connection  
638 with the passage of this act.

639 (d) The board shall have the authority to make minor zoning revisions. In addition, the  
640 board shall within 90 days of its initial installation pursuant to section 9(b), make all revisions to  
641 the existing zoning by-laws necessary to make the zoning by-laws conform to this act, including  
642 changes that eliminate all reference in the existing zoning by-laws to the reuse plan or the master  
643 plan. The authority shall be responsible for maintaining a codification of the zoning by-law that  
644 reflects all major zoning revisions adopted by the various towns, all minor zoning revisions  
645 adopted by the board, and all revisions to the zoning map made pursuant to section 14(e).

646 (e) The zoning map shall be deemed as of the effective date of this sub-section to be  
647 revised to establish town-specific sub-districts within any zoning district that is shown on the  
648 existing zoning map as falling within more than one town. Within 180 days of the effective date  
649 of this act, the master developer and the applicable executive or executives shall jointly petition  
650 the applicable town or towns to initiate a zoning map amendment process that establishes the  
651 dedicated commercial zone. Notwithstanding anything to the contrary in this act or any General  
652 Law, no town may, before a time that is fifteen years from the effective date of this act, revise  
653 the location or boundaries of portions of the dedicated commercial zone that falls within its  
654 borders except at the joint initiative of the master developer and that town’s executive.

655 (f) Revisions to the zoning by-laws pursuant to section 14(d) shall be by majority vote of  
656 the board. Prior to approving any minor zoning revision pursuant to section 14(d), the authority  
657 shall publish a notice of public hearing in a newspaper of general circulation within the NAS  
658 South Weymouth Region, and hold at least one public hearing in the NAS South Weymouth  
659 Redevelopment Area or in any one of the towns at which the public shall be afforded the  
660 opportunity to comment on the proposed revision. The administrative provisions of the zoning  
661 by-laws or of any other regulation promulgated by the authority may provide for expedited  
662 permitting under which the time frames for actions, including a failure to take action, applicable  
663 to municipalities and their boards, commissions and agencies under the provisions of the General  
664 Laws may be shortened. Nothing in this section shall require the authority to be governed by the  
665 requirements of chapter 30A of the General Laws.

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

668 (h) Regulations for the effective implementation and enforcement of the zoning by-laws  
669 and revisions thereof shall be developed and adopted by the authority, pursuant to section 6. No  
670 regulation shall be adopted by the authority without first publishing notice of same in a  
671 newspaper of general circulation within the NAS South Weymouth Region, holding at least one  
672 public hearing in the NAS South Weymouth Redevelopment Area or in any one of the towns,  
673 and affording the opportunity for public comment. Nothing in this section shall require the  
674 authority to be governed by the requirements of chapter 30A of the General Laws.

675 (i)(1) As authorized in section 6(t), the authority shall have exclusive authority to issue  
676 and enforce land use, subdivision and zoning permits, approvals, orders of conditions and other  
677 entitlements pursuant to the zoning by-law, regulations promulgated pursuant to section 14(h),  
678 subdivision regulations, and wetland protection laws in effect within the Central Redevelopment  
679 Area. Such authority shall include the exclusive jurisdiction to sit as a permit granting authority  
680 pursuant to section 15 of chapter 40A of the General Laws. All other permitting, licensing,  
681 enforcement and entitlement authority vested in or conferred on municipalities, their executives,  
682 or their various departments and boards including without limitation their boards of health and  
683 inspectional services departments pursuant to the General Laws shall be vested in the town in  
684 which the applicable portion of the Project is located. Without limiting the generality of the  
685 preceding sentence, each town's inspectional services department will be responsible for issuing  
686 and enforcing building permits and certificates of occupancy for construction activities occurring  
687 within the respective town's borders.

688 (2) The town of Weymouth is authorized to issue a maximum of 13 alcoholic beverage  
689 licenses within the portion of the NAS South Weymouth Redevelopment Area located within  
690 Weymouth in accordance with chapter 138 of the General Laws, and the town of Rockland is  
691 authorized to issue a maximum of 2 alcoholic beverage licenses within the portion of the NAS  
692 South Weymouth Redevelopment Area located within Rockland in accordance with said chapter

693 138; provided, however, that said licenses shall not diminish the number of licenses permitted by  
694 the commonwealth to be granted elsewhere within the towns of Weymouth or Rockland. None  
695 of the licenses authorized by this section shall be transferable outside the NAS South Weymouth  
696 Redevelopment Area. Nothing in this section shall be deemed to limit the ability of the towns to  
697 issue entertainment licenses and temporary alcoholic beverage licenses as it deems necessary and  
698 appropriate for activities occurring within their respective borders.

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

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

708 Section 15. The board is hereby directed, within 90 days of its initial installation  
709 pursuant to section 9(b), to revise, re-promulgate, re-issue, re-negotiate, and re-execute all  
710 regulations promulgated by the authority and currently in effect and all material agreements  
711 including the DDA in effect between the authority and the master developer, solely for the  
712 purpose of conforming such regulations, agreements and other documents to this act. Without  
713 limiting the generality of the foregoing, the DDA, as renegotiated pursuant to this section 15  
714 shall:

715 (a) assign to the master developer the responsibility for procuring, financing, operating  
716 and maintaining the permanent water supply and wastewater infrastructure for the Project, and  
717 shall require the master developer to allocate and reserve, for the benefit of the Dedicated  
718 Commercial Zone, such portions of the permanent water supply and wastewater infrastructure as  
719 are adequate and necessary to serve commercial development within said zone. The DDA shall  
720 provide that the foregoing obligations will be contingent on (i) the execution of the agreement  
721 contemplated in section 34 and (ii) the amendment of the trust indenture to permit the towns'  
722 collection and remittance of pledged revenue, as contemplated in section 19(a), or confirmation  
723 that no such amendment is required in order to permit such collection and remittance, each as  
724 evidenced by a certificate delivered to the Secretary on or before October 15, 2014 by the trustee  
725 under the trust indenture. The permanent water and wastewater infrastructure may include the  
726 construction of a wastewater treatment plant and associated groundwater discharge facilities in  
727 the locations contemplated for such infrastructure in the master plan. Nothing in this section shall  
728 prevent the master developer from entering agreements that assign or delegate all or some of the  
729 master developer's rights or obligations with respect to the operation and maintenance of the  
730 permanent water supply and wastewater infrastructure to qualified third parties including, with

731 their consent, any of the towns; and (b) not include any provision imposing monetary penalties or  
732 forfeitures on the master developer in the event the master developer elects not to develop a golf  
733 course as part of the Project.

734 Section 16. The executive office for administration and finance and the executive offices  
735 of housing and economic development and of labor and workforce development shall identify a  
736 senior staff member who shall assist the master developer with establishing a method for  
737 coordinating 1-stop licensing for all businesses and developments to be located within the NAS  
738 South Weymouth Redevelopment Area for the purpose of expediting the process for obtaining  
739 commonwealth licenses, permits, certificates, approvals, registrations, charters and meeting any  
740 other requirements of law.

741 Section 17. Each public agency in the commonwealth involved in the development or  
742 financing of economic development projects shall develop a coordinated 1-stop program for  
743 businesses, institutions and private parties that may intend to locate in the NAS South Weymouth  
744 Redevelopment Area in order to enable development activities within the NAS South Weymouth  
745 Redevelopment Area to be more effectively promoted by the commonwealth.

746 Section 18. (a) The authority may fix, revise, charge, collect, levy and abate betterments,  
747 assessments, special assessments and fees, and other charges for the cost, administration and  
748 operation of the infrastructure improvements. In providing for the payment of the cost of the  
749 infrastructure improvements or for the use of the infrastructure improvements, the authority may  
750 avail itself of the General Laws relative to the assessment, apportionment, division, fixing,  
751 reassessment, revision, abatement and collection of infrastructure charges, including betterments,  
752 assessments, special assessments and fees by municipalities, or the establishment of liens  
753 therefor and interest thereon, and the procedures set forth in sections 5 and 6 of chapter 254 of  
754 the General Laws for the foreclosure of liens, as it shall deem necessary and appropriate for  
755 purposes of the assessment and collection of such infrastructure improvement charges.  
756 Notwithstanding any general or special law to the contrary, the authority may pay the entire cost  
757 of any infrastructure improvements, including the acquisition thereof, during construction or  
758 after completion, or the debt service of notes or bonds used to fund such costs, from betterments,  
759 assessments, special assessments, fees, or other charges, and may establish the betterments,  
760 assessments, special assessments, fees or other charges, prior to, during, or a reasonable time  
761 following the completion of the construction of such infrastructure improvements. The authority  
762 may establish a schedule for the payment of betterments, assessments, special assessments, fees  
763 or other charges, not to exceed 35 years. The authority may determine the circumstances under  
764 which the betterments, assessments, special assessments, fees and other charges, may be  
765 increased, if at all, as a consequence of delinquency or default by the owner of that parcel or any  
766 other parcel within the NAS South Weymouth Redevelopment Area.

767 (b) The betterments, assessments, special assessments, fees and other charges of general  
768 application authorized by this act may be increased in accordance with the procedures to be

769 established by the authority for assuring that interested persons are afforded notice and an  
770 opportunity to present data, views and arguments. The initial schedule of assessments, special  
771 assessments, fees and other charges, may be adopted by the authority at any scheduled meeting  
772 of the board, provided that notice of the meeting, and the proposed schedule, is sent to each  
773 owner of a parcel within the NAS South Weymouth Redevelopment Area, by registered or  
774 certified mail at least 7 days prior to the meeting. Thereafter, the authority shall hold at least 1  
775 public hearing on a revision to its schedule of betterments, assessments, special assessments, fees  
776 and other charges thereof prior to adoption by the authority, notice of which revisions shall be  
777 delivered to the towns and shall be published in a newspaper of general circulation in each of the  
778 towns at least 1 month in advance of the hearing. No later than the date of such publications, the  
779 authority shall make available to the public and deliver to the towns the proposed revisions to the  
780 schedule of special assessments, fees, betterments, assessments and other charges. The  
781 betterments, assessments, special assessments, fees and other charges established by the  
782 authority shall not be subject to supervision or regulation by any department, division,  
783 commission, board, bureau or agency of the commonwealth or its political subdivisions,  
784 including without limitation, the towns, except for the approval of the taxation plan and any  
785 amendments thereof requiring approval by the secretary and commissioner of the department of  
786 revenue.

787 (c) The betterments, assessments, special assessments, fees and other charges established  
788 by the authority in accordance with this act shall be fixed and adjusted in respect of the aggregate  
789 thereof so as to provide revenues sufficient: (i) to pay the principal of, premium, if any, and  
790 interest on bonds, notes or other evidences of indebtedness issued by the authority under this act  
791 as the same become due and payable; (ii) to create and maintain such reasonable reserves as may  
792 be reasonably required by a trust agreement or resolution securing bonds or notes; (iii) to provide  
793 funds for paying the cost of necessary repairs, replacements and renewals of infrastructure  
794 improvements; and (iv) to pay or provide for an amount that the authority may be obligated to  
795 pay or provide for by law or contract, including a resolution or contract with or for the benefit of  
796 the holders of its bonds and notes, provided that the authority shall not be required to increase  
797 any mandatory betterments, assessments, special assessments, fees or other charges by virtue of  
798 any individual proprietor delinquencies. Nothing herein shall be deemed to impose a limitation  
799 on the authority's ability to establish, set, or impose betterments, assessments, special  
800 assessments, fees or charges at levels sufficient to meet any covenant requirements that may be  
801 contained in any resolution or contract with or for the benefit of the holders of its bonds or notes,  
802 or otherwise providing security for the same.

803 (d) As an alternative to levying betterments, assessments, special assessments, fees and  
804 other charges under this act or the General Laws, the authority may levy special assessments on  
805 real estate within the NAS South Weymouth Redevelopment Area to finance the cost,  
806 administration and operation of the infrastructure improvements. In determining the basis for  
807 and amount of the special assessment, the cost, administration, maintenance and operation of the



808 infrastructure improvements, including the cost of the repayment of the debt issued or to be  
809 issued by the authority to finance the improvements, may be calculated and levied using any of  
810 the following methods that result in fairly allocating the costs of the infrastructure improvements  
811 to the real estate in the NAS South Weymouth Redevelopment Area: (1) equally per length of  
812 frontage, or by lot, parcel or dwelling unit, or by the square footage of a lot, parcel or dwelling  
813 unit; (2) according to the value of the property; or (3) in any other reasonable manner that results  
814 in fairly allocating the cost, administration and operation of the infrastructure improvements,  
815 according to the benefit conferred or use received including, but not limited to, by classification  
816 of commercial or residential use or distance from the infrastructure improvements.

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

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

830 (g) The appellate tax board shall have jurisdiction within the NAS South Weymouth  
831 Redevelopment Area pursuant to chapter 58A of the General Laws to the same extent as its  
832 jurisdiction in cities and towns. The authority shall have exclusive responsibility for paying any  
833 reimbursement payments owed under section 69 of chapter 59 of the General Laws, or otherwise,  
834 as a result of the abatement, by such board or another body of competent jurisdiction, of any  
835 property tax assessments made by the authority prior to the complete transition of the assessing  
836 and taxing power to the towns pursuant to section 19(a).

837 Section 19. (a) Notwithstanding any general or special law to the contrary, property taxes  
838 upon personal property, persons, residents and estates lying within the NAS South Weymouth  
839 Redevelopment Area, including both the central redevelopment area and the perimeter area,  
840 shall, commencing January 1, 2015 be imposed, levied and administered by each town for its  
841 respective portion of NAS South Weymouth, consistent with the General Laws that are  
842 applicable to municipalities. The towns shall collect upon the estates, real and personal, within  
843 NAS South Weymouth a property tax rate equal to the base rate plus the Southfield rate. In  
844 connection with the foregoing, the towns shall have all the powers and authority of cities and  
845 towns under chapters 40, 59, 60, 60A, 61B and section 3A of chapter 64G of the General Laws

846 including, with respect to unpaid taxes due and owing as a result of prior assessments by the  
847 corporation, the exclusive power to exercise enforcement and collection rights pursuant to  
848 chapter 60 of the General Laws and other relevant law, and may accept a local option under a  
849 general or special law related to the assessment, exemption or enforcement of property taxes and  
850 excises that cities and towns may accept. A property tax bill issued by a town pursuant to this  
851 section 19(a) prior to the town’s first opportunity to issue assessments pursuant to section 21 of  
852 chapter 59 shall be based on the assessed value established by the authority in its most recent  
853 assessment of the property in question or such other assessed value as may have been determined  
854 for such property through abatement proceedings. The board shall notify each town of the  
855 Southfield rate to be charged in the next following fiscal year no later than March 1 of each year,  
856 and of the amount of pledged revenue to be remitted to the authority in the next following fiscal  
857 year, as provided below. The Southfield rate shall not be set for any given fiscal year until at  
858 least 45 days after the board provides each executive with written notice of and an opportunity to  
859 comment on the proposed rate and the Authority operating budget on which it is based. During  
860 such 45-day period, the executives in Rockland and Abington, and the town council in  
861 Weymouth to which the rate-setting notice shall be referred by the mayor of Weymouth shall  
862 convene a public hearing for the purpose of obtaining public comment on the proposed  
863 Southfield rate. No later than 30 days after collection of property taxes for each fiscal quarter,  
864 each town shall remit to the authority the Southfield revenue collected by such town in the  
865 preceding fiscal quarter. Each town shall also, with each remittance of Southfield Revenue to  
866 the authority, remit pledged revenue that it collected during the relevant period. Nothing in this  
867 act shall be deemed to limit a town’s ability, in respect of any given fiscal year or other period, to  
868 remit property tax revenue in excess of Southfield revenue to the authority. Southfield revenue  
869 shall not be deemed to constitute any part of “total taxes assessed” by the towns for the purposes  
870 of administering section 21C of chapter 59 of the General Laws. Land and improvements  
871 located within each town’s respective portion of NAS South Weymouth shall, in the fiscal year  
872 commencing July 1, 2015, be deemed for all purposes to be additional new growth within that  
873 town within the meaning of paragraph (f) of section 21C of chapter 59 of the General Laws and  
874 section 23D of said chapter 59.

875 (b) In consideration of the collection and retention of base revenue pursuant to section  
876 19(a) and of the transfer of ways and associated infrastructure pursuant to section 19(c),  
877 commencing January 1, 2015, each town shall assume responsibility for providing police and fire  
878 protection, emergency services, schools, public way maintenance, public works, inspectional and  
879 other municipal services, not including waste collection, to its respective portion of NAS South  
880 Weymouth except for portions owned or controlled by agencies of the United States government  
881 on the same basis and terms as it provides such services to other parts of the town.  
882 Notwithstanding the generality of the preceding sentence, no town shall be required to provide  
883 water or sewer services to any portion of NAS South Weymouth except pursuant to agreement  
884 with the authority or the master developer including pursuant to the phase I water and  
885 wastewater agreement. For purposes of determining state education assistance, including

886 without limitation the calculation of each town's foundation enrollment under chapter 70 of the  
887 General Laws, each school-age child living within NAS South Weymouth shall be counted as a  
888 child enrolled in the town in which the child resides, and all expenses incurred by each  
889 respective town on behalf of such childrens' education shall be included as expenses of the town  
890 incurring such costs in the determination of each respective town's share of such assistance,  
891 including without limitation each town's foundation budget under said chapter 70.

892 (c) No later than January 1, 2015, the authority and the master developer, as the case may  
893 be, will take all actions necessary to transfer to the applicable town control of all existing public  
894 ways, or ways maintained and used as public ways, located within NAS South Weymouth,  
895 together with associated infrastructure including public utilities and sewer and storm drain lines  
896 located within or adjacent to the rights of way of such ways, and each town shall, without regard  
897 to the requirements of chapter 82 of the General Laws or other general or special laws, accept the  
898 applicable portion of such way or ways as a public way in said town. Each town shall accept as  
899 a public way any new public way and associated infrastructure developed, constructed or  
900 acquired by the authority or the master developer, as the case may be, within NAS South  
901 Weymouth following the effective date of this Act provided the board has approved the layout  
902 and construction of such way consistent with the authority's subdivision regulations, and  
903 provided further that the customary street acceptance procedures of the town in which the way is  
904 to be accepted as a public way are satisfied and such town agrees that the way has been  
905 constructed in accordance with such regulations. Notwithstanding any general or special law to  
906 the contrary, (i) public ways or portions thereof located within NAS South Weymouth and for  
907 which a town assumes maintenance, repair and other obligations pursuant to this section 19(c)  
908 shall be included in the apportionment for such town of state assistance to cities and towns under  
909 chapter 90 of the General Laws or under any other statute or program providing financial  
910 assistance to cities and towns of the commonwealth in connection with transportation matters,  
911 (ii) any other attributes of a town located within NAS South Weymouth including without  
912 limitation population and employment shall likewise be included for purposes of such  
913 apportionment, and (iii) improvement, maintenance, repair or other projects related to said public  
914 ways shall be eligible for such assistance. The provisions of this section 19(c) shall not apply to  
915 the parkway, existing and future portions of which shall remain subject to the master developer's  
916 control until such time as the master developer transfers control to a third party on such terms as  
917 the master developer and such third party may agree.

918 (d) Except for the phase I water and wastewater agreement and the consecutive water  
919 agreement, any existing agreements between the towns and the authority or the master developer,  
920 as applicable, related to the provision of municipal services to NAS South Weymouth, and the  
921 rates charged for such services, shall be rescinded and shall have no further force and effect as of  
922 January 1, 2015. The phase I water and wastewater agreement is hereby deemed to be extended  
923 until July 1, 2016, notwithstanding any prior expiration of such agreement that may have

924 occurred according to its terms. The term of the consecutive water agreement may be subject to  
925 modification by and between the parties thereto and in accordance therewith.

926 (e) Following the termination of the authority in accordance with section 33, each town  
927 shall have the authority to assess, impose, levy and collect property taxes on properties located  
928 within its respective portion of the NAS South Weymouth Development Area on the same basis  
929 as such town administers its property tax collection system elsewhere within the town.

930 Section 20. (a) The authority may provide by resolution of the board for the issuance of  
931 bonds and notes of the authority for the purposes of paying or refinancing all or any part of the  
932 cost of the Project and its infrastructure improvements. Such cost shall include the cost of: (1)  
933 construction, reconstruction, renovation and acquisition of all lands, structures, real or personal  
934 property, rights, rights-of-way, franchises, easements and interests acquired or to be acquired by  
935 the authority, the towns, the commonwealth or any other political subdivision thereof, including  
936 the costs of any infrastructure and improvements to be transferred to the towns in accordance  
937 with section 19(c); (2) all machinery and equipment including machinery and equipment needed  
938 to expand or enhance services from the towns, the commonwealth or a political subdivision  
939 thereof to the authority; (3) financing charges and interest prior to and during construction, and  
940 for a period not exceeding 1 year after completion of the construction, interest and reserves for  
941 principal and interest, including costs of municipal bond insurance and any other type of  
942 financial guaranty and costs of issuance; (4) extensions, enlargements, additions and  
943 enhancements to infrastructure improvements; (5) architectural, engineering, financial and legal  
944 services; (6) plans, specifications, studies, surveys and estimates of costs and of revenues; (7)  
945 administrative expenses necessary or incident to the construction, acquisition, financing,  
946 operation and maintenance of the Project; and (8) other expenses as may be necessary or incident  
947 to the construction, acquisition, operation, maintenance and financing of the infrastructure  
948 improvements, including the cost of issuing bonds or notes. The authority may issue up to  
949 \$175,000,000 of its bonds. The authority may issue bonds secured in whole or in part by  
950 betterments, assessments, special assessments, fees and other charges, notes, debentures, long  
951 term capital leases, grants and governmental assistance and long-term contracts; provided that  
952 the authority may not secure any bonds or notes issued after the effective date of this section  
953 with a pledge or other commitment of ad valorem property taxes assessed by the authority or the  
954 towns pursuant to section 19. The principal of and interest on such bonds shall be payable solely  
955 from the funds which are identified by the authority and are permitted by this act to provide for  
956 such payment. The bonds of each issue shall be dated, shall bear interest at such rates, which  
957 may be variable or fixed, and shall mature at times not exceeding 35 years from their dates of  
958 initial issuance, as the authority may determine, and may be made redeemable before maturity, at  
959 the option of the authority, at such prices and under such terms and conditions as the authority  
960 may fix prior to the issuance of the bonds. The authority shall determine the form of the bonds  
961 and the manner of execution of the bonds, and shall fix the denominations of the bonds and the  
962 places of payment of principal and interest, which may be at a bank or trust company within or

963 without the commonwealth and such other locations as designated by the authority. In the event  
964 an officer whose signature or a facsimile of whose signature shall appear on any bonds shall  
965 cease to be an officer before the delivery of the bonds, the signature or facsimile shall  
966 nevertheless be valid and sufficient for all purposes as if such officer had remained in office until  
967 the delivery. The bonds shall be issued in registered form. The authority may sell the bonds in a  
968 manner and for a price, either at public or private sale, as it may determine to be for the best  
969 interests of the authority.

970 (b) Prior to the preparation of definitive bonds, the authority may, under like restrictions,  
971 issue interim receipts or temporary notes, with or without coupons, exchangeable for definitive  
972 bonds when such bonds have been executed and are available for delivery. The authority may  
973 also provide for the replacement of bonds that shall become mutilated or shall be destroyed or  
974 lost. The authority may issue, from time to time, notes of the authority in anticipation of federal,  
975 state or local grants for the cost of the Project and acquiring, constructing or improving the  
976 infrastructure improvements. The notes shall be authorized, issued and sold in the same manner  
977 as provided in, and shall otherwise be subject, this act. Such notes shall mature at such times as  
978 provided by the issuing resolution of the authority and may be renewed from time to time;  
979 provided, however, that all such notes and renewals thereof shall mature on or before 20 years  
980 from their date of issuance. Bonds and notes may be issued under this act subject only to those  
981 proceedings, conditions or things that are specifically required by this act.

982 (c) The authority may provide by resolution for issuance of refunding bonds of the  
983 authority for the purpose of refunding bonds then outstanding at maturity or upon acceleration or  
984 redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of  
985 the refunded bonds as the authority deems to be in the public interest. Refunding bonds may be  
986 issued in sufficient amounts to pay or provide for the principal of the bonds being refunded under  
987 this act, and the payment of a redemption premium thereon and interest accrued or to accrue to  
988 the date of redemption of such bonds, and, if deemed advisable by the authority, for the  
989 additional purpose of paying any cost of the Project, including the acquisition, constructing or  
990 reconstructing of the infrastructure improvements. The issuance of such bonds, the maturities  
991 and other details thereof, the rights of the holders thereof, and the duties of the authority in  
992 respect to the same shall be governed by this act insofar as the same may be applicable.

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

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

998 (f) Bonds and notes issued under this section, unless otherwise authorized by law, shall  
999 not be deemed to constitute a debt of the commonwealth or of the towns, or a pledge of the faith

1000 and credit of the commonwealth or of the towns, but such bonds shall be payable solely from the  
1001 funds of the authority or as otherwise provided in this act. Unless the towns or the  
1002 commonwealth subsequently agree to pay the bonds or notes of the authority, such bonds and  
1003 notes shall contain on their faces a statement to the effect that neither the commonwealth nor the  
1004 towns shall be obliged to pay the same or the interest thereon and that neither the faith and credit  
1005 nor taxing power of the commonwealth or the towns is pledged to the payment of the principal of  
1006 or the interest on such bonds or notes. Without limiting the generality of the foregoing, nothing  
1007 in this act shall be construed as imposing on any town any obligation with respect to the  
1008 repayment of the series 2010A bonds and any debt issued by the authority pursuant to this act.

1009 (g) All bonds or notes issued under this act shall have all the qualities and incidents of  
1010 negotiable instruments as defined in section 3-104 of chapter 106 of the General Laws.

1011 (h) Prior to the issuance of bonds with a maturity date later than the date the authority is  
1012 required to be terminated pursuant to section 33, the mayor of the town of Weymouth and boards  
1013 of selectmen of the towns of Abington and Rockland, in consultation with the authority, shall  
1014 enter into an intermunicipal debt service agreement acceptable to the authority, which shall  
1015 provide for the continued payment of principal and interest on such bonds and the maintenance  
1016 of all required reserves and any other obligations as may be set forth in the applicable bond  
1017 instruments from betterments, assessments, special assessments, fees, other charges and other  
1018 revenues generated in the NAS South Weymouth Redevelopment Area and the authority and the  
1019 towns may enter into and perform their respective obligations under such debt service  
1020 agreement; provided, however, that such agreement shall not extend the duration of the authority  
1021 past the date on which it is to be terminated pursuant to section 33.

1022 Section 21. (a) In the discretion of the authority, bonds, refunding bonds or notes may be  
1023 secured by a trust agreement by and between the authority and a corporate trustee, which may be  
1024 a trust company or bank having the powers of a trust company within or without the  
1025 commonwealth. Such trust agreement may pledge or assign the revenues to be received, but  
1026 shall not convey or mortgage the Project or a part thereof.

1027 (b) Either the resolution providing for the issuance of bonds or notes or the trust  
1028 agreement may contain provisions for protecting and enforcing the rights and remedies of the  
1029 bondholders as may be reasonable and proper and not in violation of law, including, without  
1030 limiting the generality of the foregoing, provisions defining defaults and providing for remedies  
1031 in the event thereof, which may include the acceleration of maturities and covenants setting forth  
1032 the duties of, and limitations on, the authority in relation to the acquisition, maintenance,  
1033 operation, insurance and disposition of property, custody, safeguarding, investment, application  
1034 of moneys, use of any surplus bond or note proceeds and establishment of reserves. Such  
1035 resolution or trust agreement may contain, but shall not be limited to, covenants by the authority  
1036 in relation to the following: (i) the establishment, revision and collection of such betterments,  
1037 assessments, special assessments, fees and other charges for services or facilities furnished or

1038 supplied by the authority as shall provide revenues which together with other revenues of the  
1039 Project, if any, are sufficient to pay (1) the cost of maintaining, repairing and operating the  
1040 Project and of making renewals and replacements in connection therewith, (2) the principal of  
1041 and the interest on the bonds or notes, as the same shall become due and payable, (3) payments  
1042 in lieu of taxes, betterments, assessments, special assessments, fees and other charges and (4)  
1043 reserves for all such purposes; (ii) the purposes for which the proceeds of the sale of the bonds or  
1044 notes shall be applied and the use and disposition thereof; (iii) the use and disposition of the  
1045 gross revenues of the authority from the Project, additions thereto and extension and the  
1046 infrastructure improvements thereof, including the creation and maintenance of funds for  
1047 working capital and for renewals and replacements to the Project; (iv) the amount, if any, of  
1048 additional bonds or notes payable from the revenues of the Project and the limitations, terms and  
1049 conditions on which such additional bonds or notes may be issued; and (v) the operation,  
1050 maintenance, management, accounting and auditing of the Project and of the income and  
1051 revenues of the authority.

1052 (c) It shall be lawful for a bank or trust company within or without the commonwealth to  
1053 act as depository of the proceeds of bonds or revenues and to furnish such indemnifying bonds or  
1054 to pledge such securities as may be required by the authority. Such trust agreement may set forth  
1055 the rights and remedies of the bondholders and of the trustee and may restrict the individual right  
1056 of action by bondholders as is customary in trust agreements or trust indentures securing bonds  
1057 and debentures of authorities. Such trust agreement may contain other provisions as the  
1058 authority may deem reasonable and proper for the security of the bondholders. All expenses  
1059 incurred in carrying out the provisions of such trust agreement may be treated as a part of the  
1060 cost of the operation of the Project. The pledge by any such trust agreement or resolution shall  
1061 be valid and binding from the time when the pledge is made. The revenues or other moneys so  
1062 pledged and then held or thereafter received by the authority shall immediately be subject to the  
1063 lien of such pledge without a physical delivery thereof or further act. The lien of any such  
1064 pledge shall be valid and binding as against all parties having claims of any kind in tort, contract  
1065 or otherwise against the authority, irrespective of whether such parties have notice thereof. The  
1066 financing document by which any pledge is created by the authority shall not be required to be  
1067 filed or recorded to perfect such pledge except in the official records of the authority and no  
1068 uniform commercial code filing shall be required to be made. A pledge or assignment made by  
1069 the authority is an exercise of its political and governmental powers, and revenues, funds, assets,  
1070 property and contract or other rights to receive the same and the proceeds thereof which are  
1071 subject to the lien of a pledge or assignment created under this act shall not be applied to  
1072 purposes not permitted by the pledge or assignment.

1073 (d) In addition to other security provided herein or otherwise by law, bonds, notes or  
1074 obligations issued by the authority under this act may be secured, in whole or in part, by a letter  
1075 of credit, line of credit, bond insurance policy, liquidity facility or other credit facility for the  
1076 purpose of providing funds for payments in respect of bonds, notes or other obligations required

1077 by the holder thereof to be redeemed or repurchased prior to maturity or for providing additional  
1078 security for such bonds, notes or other obligations. In connection therewith, the authority may  
1079 enter into reimbursement agreements, remarketing agreements, standby bond purchase  
1080 agreements and any other necessary or appropriate agreements. The authority may pledge or  
1081 assign the authority's revenues as security for the reimbursement by the authority to the  
1082 providers of such letters of credit, lines of credit, bond insurance policies, liquidity facilities or  
1083 other credit facilities of any payments made under the letters of credit, lines of credit, bond  
1084 insurance policies, liquidity facilities or other credit facilities.

1085 (e) In connection with, or incidental to, the issuance of bonds, notes or other obligations,  
1086 the authority may enter into such contracts as it may determine to be necessary or appropriate to  
1087 place the bonds, notes or other obligations of the authority, as represented by the bonds or notes,  
1088 or other obligations in whole or in part, on such interest rate or cash flow basis as the authority  
1089 may determine, including without limitation, interest rate swap agreements, insurance  
1090 agreements, forward payment conversion agreements, futures contracts, contracts providing for  
1091 payments based on levels of, or changes in, interest rates or market indices, contracts to manage  
1092 interest rate risk, including without limitation, interest rate floors or caps, options, puts, calls and  
1093 similar arrangements. Such contracts shall contain such payment, security, default, remedy and  
1094 other terms and conditions as the authority may deem appropriate and shall be entered into with  
1095 such parties as the authority may select, after giving due consideration, where applicable, for the  
1096 creditworthiness of the counter parties, including a rating by a nationally-recognized rating  
1097 agency, the impact on a rating on outstanding bonds, notes or other obligations or other criteria  
1098 the authority may deem appropriate.

1099 (f) The authority shall have the power to purchase its bonds or notes out of any funds  
1100 available therefor. The authority may hold, pledge, cancel or resell such bonds or notes, subject  
1101 to and in accordance with agreements with bondholders.

1102 (g) Any moneys received by the authority, whether as proceeds from the issuance of  
1103 bonds or notes, or as revenue or otherwise, may be designated by the board as trust funds to be  
1104 held and applied solely as provided in this act.

1105 Section 22. Bonds, refunding bonds and notes issued under this act shall be securities in  
1106 which all public officers and public bodies of the commonwealth and its political subdivisions,  
1107 all insurance companies, trust companies and their commercial departments and within the limits  
1108 set forth in chapter 172 of the General Laws, banking associations, investment companies,  
1109 executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may  
1110 hereinafter be authorized to invest in bonds or other obligations of a similar nature may properly  
1111 and legally invest funds, including capital in their control or belonging to them; and such bonds  
1112 are shall be obligations that may properly and legally be made eligible for the investment of  
1113 savings deposits and the income thereof in the manner provided in chapter 168 of the General  
1114 Laws. Such bonds shall be securities that may properly and legally be deposited with and



1115 received by a state or municipal officer or an agency or political subdivision of the  
1116 commonwealth for a purpose for which the deposit of bonds or other obligations of the  
1117 commonwealth is now or may hereafter be authorized by law.

1118 Section 23. A holder of bonds or notes issued under this act and a trustee under a trust,  
1119 except to the extent the rights herein given may be restricted by the trust agreement, may, either  
1120 at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights  
1121 under the laws of the commonwealth or granted hereunder or under the trust agreement, and may  
1122 enforce and compel the performance of all duties required by this act or by the trust agreement,  
1123 to be performed by the authority or by an officer thereof.

1124 Section 24. The towns and the commonwealth are pledged to agree with the holders of  
1125 the bonds or notes that neither the towns nor the commonwealth shall limit or alter or cause to  
1126 limit or alter the rights hereby vested in the authority to acquire or maintain the Project or  
1127 infrastructure improvements, to establish and collect betterments, assessments, special  
1128 assessments, fees and other charges and to fulfill the terms of any agreements made with the  
1129 holders of the bonds or notes nor impair the rights and remedies of the bondholders or  
1130 noteholders, until the bonds or notes, together with interest thereon, with interest on any unpaid  
1131 installments of interest and all costs and expenses in connection with an action or proceeding by  
1132 or on behalf of the bondholders or noteholders, are fully met and discharged.

1133 Section 25. (a) The creation of the authority and the carrying out of its corporate purposes  
1134 shall be for the benefit of the people of the commonwealth and shall be a public purpose, and the  
1135 authority shall be regarded as performing a governmental function in the exercise of the powers  
1136 conferred upon it by this act and shall be required to pay no taxes or assessments upon any of the  
1137 property acquired by it or under its jurisdiction, control or supervision or upon its activities.

1138 (b) Any bonds issued under this act, including an exchange, sale or transfer of such  
1139 bonds, and any income derived therefrom, and the property of the agency shall at all times be  
1140 free from taxation by the commonwealth or any political subdivision or entity thereof.

1141 (c) Bonds or notes may be issued under this act without obtaining the consent of a  
1142 department, division, commission, board, bureau or agency of the commonwealth or the towns,  
1143 and without a proceedings or the happening of any other conditions or things other than those  
1144 proceedings, conditions or things that are specifically required thereof by this act, and the  
1145 validity of and security for bonds or notes issued by the authority shall not be affected by the  
1146 existence or nonexistence of any such consent or other proceeding conditions, or things.

1147 Section 26. The authority shall be liable in contract and in tort in the same manner as a  
1148 municipal authority. The directors, officers, employees and agents of the authority, including  
1149 members of the advisory board established pursuant to section 10, shall not be liable as such on  
1150 their contracts or for torts not committed or directly authorized by them. The property or funds  
1151 of the authority shall not be subject to attachment or to levy and sale on execution, but if the

1152 authority refuses to pay a judgment entered against it in a court of competent jurisdiction, the  
1153 superior court, sitting within and for Norfolk county or Plymouth county, may direct the  
1154 treasurer of the authority to pay such judgment. The real estate owned by the authority shall not  
1155 be subject to liens under chapter 254 of the General Laws, but sections 28 and 29 of chapter 149  
1156 of the General Laws shall be applicable to any construction work by the authority.

1157           Section 27. Notwithstanding any general or special law to the contrary, the authority shall  
1158 be deemed to be a public employer for purposes of chapter 258 of the General Laws.

1159           Section 28. (a) The authority may, if appropriate, make application to the United States  
1160 Department of Housing and Urban Development or, as necessary, any other federal agency, to  
1161 designate all or a portion of the NAS South Weymouth Redevelopment Area as an enterprise  
1162 zone, pursuant to 42 U.S.C. § 11501 et seq., as amended, or an existing or successor statute for  
1163 the purpose of creating jobs and encouraging development in the NAS South Weymouth  
1164 Redevelopment Area.

1165           (b) The NAS South Weymouth Redevelopment Area and the towns of Abington,  
1166 Rockland and Weymouth are hereby designated economic target areas as defined in section 3D  
1167 of chapter 23A of the General Laws. Pursuant to such designation, certain development project  
1168 within the NAS South Weymouth Redevelopment Area and the entirety of the towns of  
1169 Abington, Rockland and Weymouth shall be eligible for tax deductions, credits and abatements  
1170 and other economic incentives as provided for in sections 3E to 3G of said chapter 23A. The  
1171 authority shall render such certifications as are required by law for the Project within the central  
1172 redevelopment area, including the designation of economic opportunity areas, and each town  
1173 shall render such certifications within its respective sector of the perimeter area and portions of  
1174 the towns not included in the NAS South Weymouth Redevelopment Area. The designation of  
1175 the NAS South Weymouth Redevelopment Area and the towns of Abington, Rockland and  
1176 Weymouth as economic target areas shall be in addition to the economic target areas that may be  
1177 established pursuant to paragraph 5 of said section 3E of said chapter 23A.

1178           Section 29. The authority shall be subject to all laws applicable to municipal  
1179 redevelopment authorities created under section 4 of chapter 121B of the General Laws.

1180           Section 30. The authority or its agents may enter into project labor agreements covering  
1181 construction performed by it consistent with its powers under this act.

1182           Section 31. The authority shall keep an accurate account of its activities including its  
1183 receipts and expenditures. The authority shall prepare annual reports of its activities in the NAS  
1184 South Weymouth Redevelopment Area during the preceding fiscal year and submit such reports  
1185 to the governor, secretary, general court, advisory board, mayor of the town of Weymouth, the  
1186 town manager of the town of Abington, the town administrator of the town of Rockland, the  
1187 town council of the town of Weymouth, the boards of selectmen of the towns of Abington and  
1188 Rockland and the town clerk of each of those towns. Each report shall set forth a complete

1189 operating and financial statement covering the authority's operations in the NAS South  
1190 Weymouth Redevelopment Area during the previous year. The authority shall cause an audit of  
1191 its books and accounts relating to the NAS South Weymouth Redevelopment Area to be made at  
1192 least once in each fiscal year by certified public accountants. The audit shall be filed with the  
1193 state auditor annually not later than 120 days after the end of the authority's fiscal year and shall  
1194 be in a form prescribed by the state auditor. The state auditor shall audit the authority's books  
1195 and accounts at least once every 2 fiscal years. The state auditor may investigate the budget,  
1196 finances, transactions and relationships of the authority at any time and may examine the  
1197 authority's records and prescribe methods of accounting and the rendering of periodic reports.  
1198 The audits of the authority shall be public records; provided, however, that the mayor of the town  
1199 of Weymouth, the town manager of the town of Abington, or the town administrator of the town  
1200 of Rockland may each conduct annual audits at the expense of the respective towns. During the  
1201 period between the effective date of this section and January 1, 2015, the authority (i) may not  
1202 incur any expenditure that is not consistent with its then-effective budget without the prior  
1203 written consent of each Executive, and (ii) shall timely pay expenses incurred in the ordinary  
1204 course of its operations, in accordance with said budget (which such budget, for said period,  
1205 must be approved on a line-item basis by the office of the state auditor in order to be effective).  
1206 Any property tax revenue collected by the authority during such period and not expended in  
1207 accordance with the previous sentence shall be remittable to the towns on a ratable basis  
1208 according to the then-assessed value of land within their respective portions of NAS South  
1209 Weymouth on January 1, 2015. Any unexpended fees held by the authority as of January 1,  
1210 2015 in connection with the issuance of a building permit shall be remittable, on such date, to the  
1211 town assuming the further administration of such permit pursuant to section 19(b).

1212 Section 32. Chapter 40B of the General Laws shall not apply to the provision of  
1213 affordable housing within the NAS South Weymouth Redevelopment Area. Such affordable  
1214 housing within the NAS South Weymouth Redevelopment Area shall be governed by section  
1215 14(b)(2), the zoning by-laws and the regulations adopted thereunder. None of the land located  
1216 within the NAS South Weymouth Redevelopment Area, nor any of the housing which may be  
1217 constructed thereon from time to time, shall be included in any calculation applicable to said  
1218 chapter 40B with respect to any of the towns. This section shall continue in full force and effect  
1219 following the dissolution of the authority pursuant to section 33.

1220 Section 33. (a) The authority shall be dissolved upon: (i) the bond termination date; and  
1221 (ii) the approval of the dissolution and administration agreement by the towns as described in  
1222 subsection (b); provided, however, that in no event shall the authority be dissolved prior to  
1223 August 13, 2018. Within 30 days after: (i) the bond termination date; and (ii) such approval of  
1224 the dissolution and administration agreement, the board shall file a certificate acknowledging  
1225 such dissolution with the state secretary. The dissolution of the authority shall take effect upon  
1226 the filing of such certificate, subject to the applicable provisions of section 51 of chapter 155 of  
1227 the General Laws. In connection with the application of said section 51 of said chapter 55, any

1228 real property owned by the authority at the time of dissolution shall be deemed to be distributed  
1229 automatically to and become the property of the town in which it is located, consistent with the  
1230 dissolution and administration agreement, and the personal property of the authority shall be  
1231 equitably allocated to the towns according to the terms of the dissolution and administration  
1232 agreement; provided, however, that the authority shall not issue any bonds after the date that is  
1233 one year following the completion of the redevelopment of the NAS South Weymouth  
1234 Redevelopment Area contemplated in the Reuse Plan and the zoning by-laws.

1235 (b) At least 24 months prior to the bond termination date, the board shall prepare and  
1236 distribute to the towns a dissolution and administration agreement. The dissolution and  
1237 administration agreement shall provide, but shall not be limited to, the following: (i) provisions  
1238 for the disposition of all real and personal property within the NAS South Weymouth  
1239 Redevelopment Area which the authority owns or has an interest in on the bond termination date;  
1240 (ii) provisions for the assumption of all contractual obligations, including all lease agreements of  
1241 the authority, which do not expire on the bond termination date; (iii) provisions for the transfer  
1242 and assumption by the towns of the authority's zoning administration, licensing and permitting  
1243 authorities; and (iv) provisions for the resolution of any other matters relating to the authority  
1244 which may affect the interests of the towns. Within 120 days after receipt of the dissolution and  
1245 administration agreement, the mayor of the town of Weymouth shall convene a meeting of the  
1246 town council of the town of Weymouth and the boards of selectmen of the towns of Abington  
1247 and Rockland shall convene a town meeting of their respective towns for the purpose of adopting  
1248 by majority vote of the town council and each town meeting the dissolution and administration  
1249 agreement. Each town shall vote to adopt or disapprove the agreement as submitted. No  
1250 amendments to the agreement shall be made by the towns. Each town shall, within 30 days after  
1251 adoption or rejection of the agreement at a town council meeting or a town meeting, as the case  
1252 may be, provide the authority with a written notification stating whether the town council or  
1253 town meeting adopted or rejected the agreement. Any town that has rejected the agreement shall  
1254 have 1 year from the date of such disapproval to reconsider its decision and rescind its rejection  
1255 and adopt the dissolution and administration agreement. Once a town adopts the agreement, it  
1256 shall not thereafter vote to disapprove or reject it. If all 3 towns have not adopted the agreement  
1257 at least 1 year prior to the bond termination date, the authority shall remain in existence and carry  
1258 out its functions consistent with this act. If the towns fail to adopt the agreement, the general  
1259 court may, at any time after the bond termination date, terminate the authority's existence,  
1260 provide for the distribution of the its assets and determine other provisions as required for the  
1261 dissolution and administration agreement.

1262 Section 34. No later than October 15, 2014, the authority, the secretary, the secretary of  
1263 the department of transportation, and the master developer shall enter into an agreement  
1264 amending the Parkway Financing MOA to (a) eliminate the data collection and reporting  
1265 obligations described in sections 3 and 4 thereof, (b) eliminate the authority's obligation to  
1266 reimburse the commonwealth any "Deficiency Payment," as defined therein, (c) provide for the

1267 financing by the commonwealth of “Parkway-Phase 2” and the “East Side Connectivity  
1268 Improvements,” as defined therein, the proceeds of which financing are to be available for use on  
1269 said projects commencing during the calendar year 2015, and (d) eliminate the bonding  
1270 covenants described in section 7 therein.

1271 Section 35. The authority shall not offer new bonds, including the refunding or  
1272 refinancing of any outstanding indebtedness, after December 31, 2035 without first obtaining a  
1273 two-thirds majority vote from the town council of the town of Weymouth, and the select boards  
1274 of the towns of Abington and Rockland.

1275 Section 36. Except as provided in section 37, the provisions of this act shall take effect  
1276 thirty days after (i) the execution of the agreement contemplated in section 34 and (ii) the  
1277 amendment of the trust indenture to permit the towns’ collection and remittance of pledged  
1278 revenue, as contemplated in section 19(a), or confirmation that no such amendment is required in  
1279 order to permit such collection and remittance, each as evidenced by a certificate delivered to the  
1280 Secretary on or before October 15, 2014 by the trustee under the trust indenture. Upon the  
1281 taking effect of such provisions, sections 1 through 8, 14(a), 14(d), 14(e), 14(f), 15 through 17,  
1282 19, 21 through 30 and 32 through 34 of the Prior Act shall be repealed and shall be of no further  
1283 force and effect.

1284 Section 37. Notwithstanding anything herein to the contrary, sections 9, 14(a)(2) through  
1285 (4), 14(c), 14(e), 15, 18, 20, 31, 34 and 35 and the definitions of so many of the defined terms set  
1286 forth in section 4 as appear in any of sections 9, 14(a)2 through (4), 15, 18, 20, 31, 34 or 35 of  
1287 this act shall take effect immediately and sections 9, 12, 14(b), 14(c), 18, 20, 31, 35 and 36 of the  
1288 Prior Act are hereby repealed and are of no further force and effect.