

# **HOUSE . . . . . No. 4360**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 28, 2014.

The committee on Ways and Means, to whom was referred the Bill to promote the sustainable economic development of the former Weymouth Naval Air Station for the benefit of the towns of Abington, Rockland, and Weymouth, the NAS South Weymouth Region and the Commonwealth (House, No. 4346), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4360).

For the committee,

BRIAN S. DEMPSEY.

**The Commonwealth of Massachusetts**

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

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

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

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

41         Section 3. There is hereby created a body politic and corporate, to be known as the  
42 Southfield Redevelopment Authority, to carry out this act. The authority is hereby deemed to be  
43 a public instrumentality, and the exercise by the authority of the powers conferred by this act  
44 shall be deemed and held to be the performance of public functions. The authority shall be  
45 included within the definition of a “local government unit or local governmental unit”, as defined  
46 in section 1 of chapter 29C of the General Laws, and its bonds and notes shall be included within  
47 the definition of “local governmental obligations”, as defined in said section 1 of said chapter  
48 29C. The authority shall be included within the definition of a “governmental entity” for  
49 purposes of owning public infrastructure improvements pursuant to chapter 293 of the acts of  
50 2006. The authority shall be an “eligible applicant” and a municipality for the purposes of the  
51 General Laws and the authority, the town of Rockland, the town of Weymouth and the town of  
52 Abington shall be eligible for any financial or other assistance from the Massachusetts School  
53 Building Authority and the Massachusetts Department of Transportation pursuant to chapter 90  
54 of the General Laws.

55         To achieve its primary purpose of securing the redevelopment of NAS South Weymouth  
56 to the greatest benefit of the towns of Abington, Rockland and Weymouth, the authority shall be

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

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

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

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

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

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

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

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

81 (g) "Base rate," the ad valorem property tax rate levied by the town in which the subject  
82 property is 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 37 of chapter 303 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.

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

177 (nn) "Rockland appointees," the members of the board appointed by the town of  
178 Rockland.

179 (oo) "Secretary," the secretary of the executive office for administration and finance.

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

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

187 (rr) "Southfield rate," ad valorem property tax rate levied within NAS South Weymouth  
188 pursuant to section 19, in excess of the base rate and at only that level necessary to fund the

189 operations of the authority as determined by the board pursuant to section 19, the amounts due  
190 on outstanding indebtedness on the Series 2010A Bonds and the pledged revenue.

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

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

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

196 (vv) “Towns,” the towns of Abington, Rockland and Weymouth.

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

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

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

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

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



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

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

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

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

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

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

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

249 (g) own, manage, operate, regulate or lease surface water reservoirs within the NAS  
250 South Weymouth Redevelopment Area or connect to or otherwise purchase or lease water from  
251 the water system of a town, any other municipality or any other governmental or quasi-  
252 governmental agency or any other public or private entity for the provision of water within the  
253 NAS South Weymouth Redevelopment Area, and manage, operate, regulate, convey or lease any  
254 and all systems for the delivery of such water within the NAS South Weymouth Redevelopment  
255 Area; provided, however, that the procurement of such water does not materially adversely affect  
256 the supply of water available to any of the towns;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

331 authority under section 33, the authority to administer such activities shall be vested in the towns  
332 in accordance with the dissolution and administration agreement and the General Laws, but no  
333 permit, approval, or other entitlement issued by the authority prior thereto pursuant to this act or  
334 pursuant to the Prior Enabling Act or any activity undertaken or improvement made in  
335 accordance therewith shall be affected thereby. As further provided in section 14(i), any and all  
336 municipal powers which do not involve the administration by the authority of such land use,  
337 subdivision, zoning and wetland controls and related entitlement activities shall remain with the  
338 towns in which the applicable real property is located unless expressly granted to said authority  
339 in this act or elsewhere;

340 (u) develop, adopt, amend, implement and enforce by-laws and regulations for the  
341 general administration of the NAS South Weymouth Redevelopment Area pursuant to sections  
342 21 through 33 of chapter 40 of the General Laws or as otherwise permitted by law;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

453 (b) The terms of all 5 members serving on the board as constituted pursuant to the prior  
454 enabling act shall be terminated, and such existing board shall be deemed dissolved, on the latter  
455 of (i) the date that is 30 days following the effective date of this act and (ii) the date on which a  
456 new board composed in accordance with section 9 is fully appointed which such full  
457 appointment shall occur no later than 60 days following the effective date of this act. Until the  
458 dissolution of the existing board pursuant to this section 9, the existing board shall continue to  
459 manage the business and affairs of the authority in the ordinary course and in a manner  
460 consistent with this act. Members of the existing board shall be eligible, following dissolution of  
461 the existing board, to serve additional terms on the board pursuant to this act. One town  
462 appointee from each town shall initially be appointed for a five (5) year term, and all other  
463 members shall be appointed for an initial term of three (3) years. Each of the chamber, labor,  
464 resident, and town appointees shall thereafter serve terms of 3 years apiece. Any town appointee  
465 may also be removed from the board by the executive of the town from which he or she was  
466 appointed for reasons deemed by such executive to be sufficient and proper. The resident  
467 appointee appointed by the Southfield Neighborhood Association may only be removed by the  
468 Southfield Neighborhood Association. The resident appointee appointed jointly by the mayor of  
469 the town of Weymouth and the Rockland Board of Selectmen may be removed by any such  
470 executive for reasons deemed to be sufficient and proper. may . The labor representative or  
471 chamber representative may be removed by a vote of the executive authority of at least two (2)  
472 of the towns. All board members shall be eligible for reappointment to additional terms at the  
473 expiration of their current terms. Vacancies shall be filled, as applicable, by the respective  
474 appointing authority for each such vacancy. Any action taken by the Authority as such board was  
475 seated pursuant to the prior enabling act to remove or terminate the master developer shall be  
476 null and void.

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

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

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

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

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

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

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



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

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

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

520 Section 10. If a director, or member of his immediate family shall be interested either  
521 directly or indirectly, or shall be a director, officer or employee of or have an ownership interest  
522 in a firm or authority interested directly or indirectly, in a contract or other matter involving the  
523 authority, such interest shall be disclosed to the board and shall be set forth in the minutes of the  
524 board. The member having such interest shall not participate on behalf of the authority in any  
525 proceeding or decision relating to such contract or matter. For the purpose of this section,  
526 immediate family shall include spouse, parent, parent-in-law, brother, brother-in-law, sister,  
527 sister-in-law, son, son-in-law, daughter, daughter-in-law and the parent or child of any of such  
528 individuals. Notwithstanding the foregoing, or the provisions of chapter 268A of the General  
529 Laws, an interest of a resident appointee or of a member of the immediate family of a resident  
530 appointee arising solely on account of the appointee's or immediate family member's residing at  
531 NAS South Weymouth shall not be disqualifying and shall not be deemed an impermissible  
532 conflict of interest.

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

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

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

564 (d) The purposes of the advisory board shall be as follows: (i) to review the annual report  
565 of the authority and to prepare comments thereon for the benefit of the authority, the governor  
566 and the towns, and to make such examinations of the reports on the authority's records and  
567 affairs as the advisory board deems appropriate; (ii) to hold regular meetings twice annually with  
568 the board of directors of the authority and, at the discretion of the advisory board and with the  
569 concurrence of the board of directors of the authority, special meetings with the board of  
570 directors of the authority as it deems necessary and appropriate on matters relating to the  
571 authority, and to hold meetings at other times as the advisory board may determine; (iii) to make  
572 recommendations to the authority on any budget; (iv) to make recommendations to the governor,  
573 the general court and the towns regarding the authority, its programs, and the Project; and (v) to  
574 determine, from time to time, compensation for the directors pursuant to section 9.

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

578 Section 12. The board may from time to time hire employees and engage outside vendors  
579 or consultants, or both, as necessary to achieve the orderly functioning of the authority.  
580 Employees of the authority shall not be subject to the provisions of chapter 30 or section 45, 46,  
581 51 or 52 of chapter 31 of the General Laws. Employees of the authority shall be subject to the  
582 provisions of chapter 268A of the General Laws. Compensation for employees of the authority  
583 shall be set by the board.

584 Section 13. The board may hire, fix and pay compensation, prescribe duties and  
585 qualifications and establish personnel policies without regard to any personnel or civil service

586 law or personnel or civil service rule of the commonwealth. The employees of the authority  
587 shall not be classified employees of the commonwealth. An individual employed by the  
588 authority shall be deemed an employee at will and shall serve at the pleasure of the authority.

589 Section 14. (a)(1) The reuse plan shall remain in effect, subject to its modification  
590 pursuant to the procedures set forth in this section, which such procedures shall apply as of the  
591 effective date of this subsection.

592 Notwithstanding the foregoing: (i) the provisions in the reuse plan regulating the phasing  
593 of residential and commercial development within the project shall be deemed to be abrogated  
594 and of no further force and effect as of the effective date of this act; and (ii) the provisions in the  
595 reuse plan governing the provision of “Affordable” housing or “Workforce” housing, as such  
596 terms are defined in the affordable and workforce housing plan and the affordable and workforce  
597 housing regulations, are deemed abrogated and of no further force and effect as of the effective  
598 date of this act, and shall be replaced, as of the effective date of this act, by the requirements of  
599 section 14(b)(2).

600 (2) The zoning by-laws shall remain in effect, subject to their modification  
601 pursuant to the procedures set forth in this section. Such zoning by-laws, as they be modified in  
602 accordance with this from time to time, shall supersede the zoning by-laws of the towns with  
603 respect to land in the NAS South Weymouth Redevelopment Area.

604 (b) The following elements of the reuse plan, as they may be modified below, shall  
605 remain applicable to the Project:

606 (1) the commercial minimum, the residential maximum, and the senior housing minimum  
607 shall remain in effect. The zoning by-laws shall be administered and amended as necessary to  
608 enforce and effectuate the commercial minimum, the senior housing minimum, and the  
609 residential maximum; provided, however, that nothing in this act shall be construed to prevent  
610 each town, acting in its sole discretion and consistent with other law, to allow (i) Commercial  
611 Development within the portion of the NAS South Weymouth Redevelopment Area within its  
612 municipal borders to exceed an amount that would cause the total amount of commercial  
613 development within NAS South Weymouth to exceed 2,000,000 square feet, or (ii) senior  
614 housing development within its portion of the NAS South Weymouth Redevelopment Area to be  
615 developed to an extent that would cause either the senior housing minimum or the residential  
616 maximum to be exceeded on a project-wide basis; and provided further that no town shall  
617 administer or amend the zoning by-laws in a manner that prevents the development of the  
618 residential maximum;

619 (2) notwithstanding anything to the contrary contained in this act or any other general or  
620 special law or bylaw or regulation of the authority, or in any existing agreement between the  
621 master developer and the authority or any other entity, of the residential units at NAS South  
622 Weymouth, a minimum of 10% shall meet the requirements of “Affordable” housing or

623 “Workforce” housing, as such terms are defined in the affordable and workforce housing plan  
624 and the affordable and workforce housing regulations. Affordable or workforce housing  
625 constructed within NAS South Weymouth prior to the effective date of this act shall be counted  
626 towards the aggregate 10% minimum requirement;

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

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

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

649 (d) The board shall have the authority to make minor zoning revisions and to modify the  
650 reuse plan and master plan. In addition, the board shall within 90 days of the effective date of  
651 this act, make all revisions to the existing zoning by-laws and the reuse plan necessary to make  
652 the zoning by-laws and the reuse plan conform to this act. The authority shall be responsible for  
653 maintaining a codification of the zoning by-law that reflects all major zoning revisions adopted  
654 by the various towns, all minor zoning revisions adopted by the board, and all revisions to the  
655 zoning map made pursuant to section 14(e).

656 (e) The zoning map shall be deemed as of the effective date of this act to be revised to  
657 establish town-specific sub-districts within any zoning district that is shown on the existing  
658 zoning map as falling within more than one town. Within 180 days of the effective date of this  
659 act, the master developer and the applicable executive or executives shall jointly petition the

660 applicable town or towns to initiate a zoning map amendment process that establishes the  
661 dedicated commercial zone. Notwithstanding anything to the contrary in this act or any General  
662 Law, no town may, before a time that is fifteen years from the effective date of this act, revise  
663 the location or boundaries of portions of the dedicated commercial zone that falls within its  
664 borders except at the joint initiative of the master developer and that town's executive.

665 (f) Revisions to the zoning by-laws or the reuse plan pursuant to section 14(d) shall be by  
666 majority vote of the board. Prior to approving any minor zoning revision or revision to the reuse  
667 plan pursuant to section 14(d), the authority shall publish a notice of public hearing in a  
668 newspaper of general circulation within the NAS South Weymouth Region, send copies of the  
669 proposed zoning revision to the Board of Selectmen in the Towns of Rockland and Abington,  
670 and Mayor of Weymouth, and hold at least one public hearing in the NAS South Weymouth  
671 Redevelopment Area or in any one of the towns at which the public shall be afforded the  
672 opportunity to comment on the proposed revision. The administrative provisions of the zoning  
673 by-laws or the reuse plan or of any other regulation promulgated by the authority may provide  
674 for expedited permitting under which the time frames for actions, including a failure to take  
675 action, applicable to municipalities and their boards, commissions and agencies under the  
676 provisions of the General Laws may be shortened. Nothing in this section shall require the  
677 authority to be governed by the requirements of chapter 30A of the General Laws.

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

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

688 (i)(1) As authorized in section 6(t), the authority shall have exclusive authority to issue  
689 and enforce land use, subdivision and zoning permits, approvals, orders of conditions and other  
690 entitlements pursuant to the zoning by-law, regulations promulgated pursuant to section 14(h),  
691 subdivision regulations, and wetland protection laws in effect within the Central Redevelopment  
692 Area. Such authority shall include the exclusive jurisdiction to sit as a permit granting authority  
693 pursuant to section 15 of chapter 40A of the General Laws. All other permitting, licensing,  
694 enforcement and entitlement authority vested in or conferred on municipalities, their executives,  
695 or their various departments and boards including without limitation their boards of health and  
696 inspectional services departments pursuant to the General Laws shall be vested in the town in  
697 which the applicable portion of the Project is located. Without limiting the generality of the

698 preceding sentence, each town’s inspectional services department will be responsible for issuing  
699 and enforcing building permits and certificates of occupancy for construction activities occurring  
700 within the respective town’s borders.

701 (2) The town of Weymouth is authorized to issue a maximum of 13 alcoholic beverage  
702 licenses within the portion of the NAS South Weymouth Redevelopment Area located within  
703 Weymouth in accordance with chapter 138 of the General Laws, and the town of Rockland is  
704 authorized to issue a maximum of 13 alcoholic beverage licenses within the portion of the NAS  
705 South Weymouth Redevelopment Area located within Rockland in accordance with said chapter  
706 138; provided, however, that said licenses shall not diminish the number of licenses permitted by  
707 the commonwealth to be granted elsewhere within the towns of Weymouth or Rockland. None  
708 of the licenses authorized by this section shall be transferable outside the NAS South Weymouth  
709 Redevelopment Area. Nothing in this section shall be deemed to limit the ability of the towns to  
710 issue entertainment licenses and temporary alcoholic beverage licenses as it deems necessary and  
711 appropriate for activities occurring within their respective borders.

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

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

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

728 (a) assign to the master developer the responsibility for procuring, financing, operating  
729 and maintaining the permanent water supply and wastewater infrastructure for the Project, and  
730 shall require the master developer to allocate and reserve, for the benefit of the Dedicated  
731 Commercial Zone, such portions of the permanent water supply and wastewater infrastructure as  
732 are adequate and necessary to serve commercial development within said zone. The DDA shall  
733 provide that the foregoing obligations will be contingent on the amendment of the trust  
734 indenture to permit the towns’ collection and remittance of pledged revenue, as contemplated in

735 section 19(a), or confirmation that no such amendment is required in order to permit such  
736 collection and remittance, as evidenced by a certificate delivered to the Secretary on or before  
737 October 15, 2014 by the trustee under the trust indenture. The permanent water and wastewater  
738 infrastructure may include the construction of a wastewater treatment plant and associated  
739 groundwater discharge facilities in the locations contemplated for such infrastructure in the  
740 master plan. Nothing in this section shall prevent the master developer from entering agreements  
741 that assign or delegate all or some of the master developer's rights or obligations with respect to  
742 the operation and maintenance of the permanent water supply and wastewater infrastructure to  
743 qualified third parties including, with their consent, any of the towns; and (b) not include any  
744 provision imposing monetary penalties or forfeitures on the master developer in the event the  
745 master developer elects not to develop a golf course as part of the Project.

746 Section 16. The executive office for administration and finance and the executive offices  
747 of housing and economic development and of labor and workforce development shall identify a  
748 senior staff member who shall assist the towns with establishing a method for coordinating 1-  
749 stop licensing for all businesses and developments to be located within the NAS South  
750 Weymouth Redevelopment Area for the purpose of expediting the process for obtaining  
751 commonwealth licenses, permits, certificates, approvals, registrations, charters and meeting any  
752 other requirements of law.

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

758 Section 18. (a) The authority may fix, revise, charge, collect, levy and abate betterments,  
759 assessments, special assessments and fees, and other charges for the cost, administration and  
760 operation of the infrastructure improvements. In providing for the payment of the cost of the  
761 infrastructure improvements or for the use of the infrastructure improvements, the authority may  
762 avail itself of the General Laws relative to the assessment, apportionment, division, fixing,  
763 reassessment, revision, abatement and collection of infrastructure charges, including betterments,  
764 assessments, special assessments and fees by municipalities, or the establishment of liens  
765 therefor and interest thereon, and the procedures set forth in sections 5 and 6 of chapter 254 of  
766 the General Laws for the foreclosure of liens, as it shall deem necessary and appropriate for  
767 purposes of the assessment and collection of such infrastructure improvement charges.  
768 Notwithstanding any general or special law to the contrary, the authority may pay the entire cost  
769 of any infrastructure improvements, including the acquisition thereof, during construction or  
770 after completion, or the debt service of notes or bonds used to fund such costs, from betterments,  
771 assessments, special assessments, fees, or other charges, and may establish the betterments,  
772 assessments, special assessments, fees or other charges, prior to, during, or a reasonable time  
773 following the completion of the construction of such infrastructure improvements. The authority

774 may establish a schedule for the payment of betterments, assessments, special assessments, fees  
775 or other charges, not to exceed 35 years. The authority may determine the circumstances under  
776 which the betterments, assessments, special assessments, fees and other charges, may be  
777 increased, if at all, as a consequence of delinquency or default by the owner of that parcel or any  
778 other parcel within the NAS South Weymouth Redevelopment Area.

779 (b) The betterments, assessments, special assessments, fees and other charges of general  
780 application authorized by this act may be increased in accordance with the procedures to be  
781 established by the authority for assuring that interested persons are afforded notice and an  
782 opportunity to present data, views and arguments. The initial schedule of assessments, special  
783 assessments, fees and other charges, may be adopted by the authority at any scheduled meeting  
784 of the board, provided that notice of the meeting, and the proposed schedule, is sent to each  
785 owner of a parcel within the NAS South Weymouth Redevelopment Area, by registered or  
786 certified mail at least 7 days prior to the meeting. Thereafter, the authority shall hold at least 1  
787 public hearing on a revision to its schedule of betterments, assessments, special assessments, fees  
788 and other charges thereof prior to adoption by the authority, notice of which revisions shall be  
789 delivered to the towns and shall be published in a newspaper of general circulation in each of the  
790 towns at least 1 month in advance of the hearing. No later than the date of such publications, the  
791 authority shall make available to the public and deliver to the towns the proposed revisions to the  
792 schedule of special assessments, fees, betterments, assessments and other charges. The  
793 betterments, assessments, special assessments, fees and other charges established by the  
794 authority shall not be subject to supervision or regulation by any department, division,  
795 commission, board, bureau or agency of the commonwealth or its political subdivisions,  
796 including without limitation, the towns, except for the approval of the taxation plan and any  
797 amendments thereof requiring approval by the secretary and commissioner of the department of  
798 revenue.

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



813 contained in any resolution or contract with or for the benefit of the holders of its bonds or notes,  
814 or otherwise providing security for the same.

815 (d) As an alternative to levying betterments, assessments, special assessments, fees and  
816 other charges under this act or the General Laws, the authority may levy special assessments on  
817 real estate within the NAS South Weymouth Redevelopment Area to finance the cost,  
818 administration and operation of the infrastructure improvements. In determining the basis for  
819 and amount of the special assessment, the cost, administration, maintenance and operation of the  
820 infrastructure improvements, including the cost of the repayment of the debt issued or to be  
821 issued by the authority to finance the improvements, may be calculated and levied using any of  
822 the following methods that result in fairly allocating the costs of the infrastructure improvements  
823 to the real estate in the NAS South Weymouth Redevelopment Area: (1) equally per length of  
824 frontage, or by lot, parcel or dwelling unit, or by the square footage of a lot, parcel or dwelling  
825 unit; (2) according to the value of the property; or (3) in any other reasonable manner that results  
826 in fairly allocating the cost, administration and operation of the infrastructure improvements,  
827 according to the benefit conferred or use received including, but not limited to, by classification  
828 of commercial or residential use or distance from the infrastructure improvements.

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

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

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

849 Section 19. (a) Notwithstanding any general or special law to the contrary, property taxes  
850 upon personal property, persons, residents and estates lying within the NAS South Weymouth  
851 Redevelopment Area, including both the central redevelopment area and the perimeter area,  
852 shall, commencing as of January 1, 2015, for the fiscal year commencing July 1, 2015, be  
853 imposed, levied and administered by each town for its respective portion of NAS South  
854 Weymouth, consistent with the General Laws that are applicable to municipalities. The towns  
855 shall collect upon the estates, real and personal, within NAS South Weymouth a property tax rate  
856 equal to the base rate plus the Southfield rate. In connection with the foregoing, the towns shall  
857 have all the powers and authority of cities and towns under chapters 40, 59, 60, 60A, 61B and  
858 section 3A of chapter 64G of the General Laws including, with respect to unpaid taxes due and  
859 owing as a result of prior assessments by the South Shore Tri-Town Development Corporation,  
860 the exclusive power to exercise enforcement and collection rights pursuant to chapter 60 of the  
861 General Laws and other relevant law, and may accept a local option under a general or special  
862 law related to the assessment, exemption or enforcement of property taxes and excises that cities  
863 and towns may accept. A property tax bill issued by a town pursuant to this section 19(a) prior to  
864 the town's first opportunity to issue assessments pursuant to section 21 of chapter 59 shall be  
865 based on the assessed value established by the authority in its most recent assessment of the  
866 property in question or such other assessed value as may have been determined for such property  
867 through abatement proceedings. The board shall notify each town of the Southfield rate to be  
868 charged in the next following fiscal year no later than March 1 of each year, and of the amount of  
869 pledged revenue to be remitted to the authority in the next following fiscal year, as provided  
870 below. The Southfield rate shall not be set for any given fiscal year until at least 45 days after  
871 the board provides each executive with written notice of and an opportunity to comment on the  
872 proposed rate and the Authority operating budget on which it is based. During such 45-day  
873 period, the executives in Rockland and Abington, and the town council in Weymouth to which  
874 the rate-setting notice shall be referred by the mayor of Weymouth shall convene a public  
875 hearing for the purpose of obtaining public comment on the proposed Southfield rate. No later  
876 than 30 days after collection of property taxes for each fiscal quarter, each town shall remit to the  
877 authority the Southfield revenue collected by such town in the preceding fiscal quarter. Each  
878 town shall also, with each remittance of Southfield Revenue to the authority, remit pledged  
879 revenue that it collected during the relevant period. Nothing in this act shall be deemed to limit a  
880 town's ability, in respect of any given fiscal year or other period, to remit property tax revenue in  
881 excess of Southfield revenue to the authority. Southfield revenue shall not be deemed to  
882 constitute any part of "total taxes assessed" by the towns for the purposes of administering  
883 section 21C of chapter 59 of the General Laws. Land and improvements located within each  
884 town's respective portion of NAS South Weymouth shall, in the fiscal year commencing July 1,  
885 2015, be deemed for all purposes to be additional new growth within that town within the  
886 meaning of paragraph (f) of section 21C of chapter 59 of the General Laws and section 23D of  
887 said chapter 59.

888 (b) In consideration of the collection and retention of base revenue pursuant to section  
889 19(a) and of the transfer of ways and associated infrastructure pursuant to section 19(c),  
890 commencing January 1, 2015, each town shall assume responsibility for providing police and fire  
891 protection, emergency services, schools, public way maintenance, public works, inspectional and  
892 other municipal services, not including waste collection, to its respective portion of NAS South  
893 Weymouth except for portions owned or controlled by agencies of the United States government  
894 on the same basis and terms as it provides such services to other parts of the town.  
895 Notwithstanding the generality of the preceding sentence, no town shall be required to provide  
896 water or sewer services to any portion of NAS South Weymouth except pursuant to agreement  
897 with the authority or the master developer including pursuant to the phase I water and  
898 wastewater agreement. For purposes of determining state education assistance, including  
899 without limitation the calculation of each town's foundation enrollment under chapter 70 of the  
900 General Laws, each school-age child living within NAS South Weymouth shall be counted as a  
901 child enrolled in the town in which the child resides, and all expenses incurred by each  
902 respective town on behalf of such childrens' education shall be included as expenses of the town  
903 incurring such costs in the determination of each respective town's share of such assistance,  
904 including without limitation each town's foundation budget under said chapter 70.

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

928 the parkway, existing and future portions of which shall remain subject to the master developer's  
929 control until such time as the master developer transfers control to a third party on such terms as  
930 the master developer and such third party may agree.

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

939 (e) If (i) the agreement contemplated in section 34 is not executed in accordance  
940 therewith, or (ii) the certificate in section 15(a) is not delivered to the Secretary by October 15,  
941 2014, then section 19(a), 19(b), 19(c), and 19(d) shall be considered void, and the matters  
942 addressed in said sections shall continue to be addressed as they were under the prior enabling  
943 act. Following the termination of the authority in accordance with section 33, each town shall  
944 have the authority to assess, impose, levy and collect property taxes on properties located within  
945 its respective portion of the NAS South Weymouth Development Area on the same basis as such  
946 town administers its property tax collection system elsewhere within the town.

947 (f) This section shall take effect upon approval by the secretary of the commissioner of  
948 revenue of a taxation plan prepared by the board in consultation with the towns for the purpose  
949 of ensuring the orderly assessment and collection of property and other taxes, and payment of  
950 bonds or notes secured with a pledge of such taxes under this section. The taxation plan shall  
951 detail the specific powers and duties of the authority to the towns; provide for the timely transfer  
952 of assessment and collection records from the authority to the towns; detail the oversight to be  
953 provided by the commissioner of revenue regarding the base rate and Southfield rate, including  
954 required reports and other information; and address such other pertinent matters as determined  
955 by the secretary and the commissioner of revenue.

956 Section 20. (a) The authority may provide by resolution of the board for the issuance of  
957 bonds and notes of the authority for the purposes of paying or refinancing all or any part of the  
958 cost of the Project and its infrastructure improvements. Such cost shall include the cost of: (1)  
959 construction, reconstruction, renovation and acquisition of all lands, structures, real or personal  
960 property, rights, rights-of-way, franchises, easements and interests acquired or to be acquired by  
961 the authority, the towns, the commonwealth or any other political subdivision thereof, including  
962 the costs of any infrastructure and improvements to be transferred to the towns in accordance  
963 with section 19(c); (2) all machinery and equipment including machinery and equipment needed  
964 to expand or enhance services from the towns, the commonwealth or a political subdivision  
965 thereof to the authority; (3) financing charges and interest prior to and during construction, and

966 for a period not exceeding 1 year after completion of the construction, interest and reserves for  
967 principal and interest, including costs of municipal bond insurance and any other type of  
968 financial guaranty and costs of issuance; (4) extensions, enlargements, additions and  
969 enhancements to infrastructure improvements; (5) architectural, engineering, financial and legal  
970 services; (6) plans, specifications, studies, surveys and estimates of costs and of revenues; (7)  
971 administrative expenses necessary or incident to the construction, acquisition, financing,  
972 operation and maintenance of the Project; and (8) other expenses as may be necessary or incident  
973 to the construction, acquisition, operation, maintenance and financing of the infrastructure  
974 improvements, including the cost of issuing bonds or notes. The authority may issue up to  
975 \$175,000,000 of its bonds. The authority may issue bonds secured in whole or in part by  
976 betterments, assessments, special assessments, fees and other charges, notes, debentures, long  
977 term capital leases, grants and governmental assistance and long-term contracts; provided that  
978 the authority may not secure any bonds or notes issued after the effective date of this section  
979 with a pledge or other commitment of ad valorem property taxes assessed by the authority or the  
980 towns pursuant to section 19. The principal of and interest on such bonds shall be payable solely  
981 from the funds which are identified by the authority and are permitted by this act to provide for  
982 such payment. The bonds of each issue shall be dated, shall bear interest at such rates, which  
983 may be variable or fixed, and shall mature at times not exceeding 35 years from their dates of  
984 initial issuance, as the authority may determine, and may be made redeemable before maturity, at  
985 the option of the authority, at such prices and under such terms and conditions as the authority  
986 may fix prior to the issuance of the bonds. The authority shall determine the form of the bonds  
987 and the manner of execution of the bonds, and shall fix the denominations of the bonds and the  
988 places of payment of principal and interest, which may be at a bank or trust company within or  
989 without the commonwealth and such other locations as designated by the authority. In the event  
990 an officer whose signature or a facsimile of whose signature shall appear on any bonds shall  
991 cease to be an officer before the delivery of the bonds, the signature or facsimile shall  
992 nevertheless be valid and sufficient for all purposes as if such officer had remained in office until  
993 the delivery. The bonds shall be issued in registered form. The authority may sell the bonds in a  
994 manner and for a price, either at public or private sale, as it may determine to be for the best  
995 interests of the authority.

996 (b) Prior to the preparation of definitive bonds, the authority may, under like restrictions,  
997 issue interim receipts or temporary notes, with or without coupons, exchangeable for definitive  
998 bonds when such bonds have been executed and are available for delivery. The authority may  
999 also provide for the replacement of bonds that shall become mutilated or shall be destroyed or  
1000 lost. The authority may issue, from time to time, notes of the authority in anticipation of federal,  
1001 state or local grants for the cost of the Project and acquiring, constructing or improving the  
1002 infrastructure improvements. The notes shall be authorized, issued and sold in the same manner  
1003 as provided in, and shall otherwise be subject, this act. Such notes shall mature at such times as  
1004 provided by the issuing resolution of the authority and may be renewed from time to time;  
1005 provided, however, that all such notes and renewals thereof shall mature on or before 20 years

1006 from their date of issuance. Bonds and notes may be issued under this act subject only to those  
1007 proceedings, conditions or things that are specifically required by this act.

1008 (c) The authority may provide by resolution for issuance of refunding bonds of the  
1009 authority for the purpose of refunding bonds then outstanding at maturity or upon acceleration or  
1010 redemption. Refunding bonds may be issued at such times prior to the maturity or redemption of  
1011 the refunded bonds as the authority deems to be in the public interest. Refunding bonds may be  
1012 issued in sufficient amounts to pay or provide for the principal of the bonds being refunded under  
1013 this act, and the payment of a redemption premium thereon and interest accrued or to accrue to  
1014 the date of redemption of such bonds, and, if deemed advisable by the authority, for the  
1015 additional purpose of paying any cost of the Project, including the acquisition, constructing or  
1016 reconstructing of the infrastructure improvements. The issuance of such bonds, the maturities  
1017 and other details thereof, the rights of the holders thereof, and the duties of the authority in  
1018 respect to the same shall be governed by this act insofar as the same may be applicable.

1019 (d) While bonds issued by the authority remain outstanding, the powers, duties or  
1020 existence of the authority shall not be diminished or impaired in any way that will adversely  
1021 affect the interests and rights of the holders of such bonds.

1022 (e) The board may by resolution delegate to a person, other than a majority of the board,  
1023 the power to determine any of the matters set forth in this section.

1024 (f) Bonds and notes issued under this section, unless otherwise authorized by law, shall  
1025 not be deemed to constitute a debt of the commonwealth or of the towns, or a pledge of the faith  
1026 and credit of the commonwealth or of the towns, but such bonds shall be payable solely from the  
1027 funds of the authority or as otherwise provided in this act. Unless the towns or the  
1028 commonwealth subsequently agree to pay the bonds or notes of the authority, such bonds and  
1029 notes shall contain on their faces a statement to the effect that neither the commonwealth nor the  
1030 towns shall be obliged to pay the same or the interest thereon and that neither the faith and credit  
1031 nor taxing power of the commonwealth or the towns is pledged to the payment of the principal of  
1032 or the interest on such bonds or notes. Without limiting the generality of the foregoing, nothing  
1033 in this act shall be construed as imposing on any town any obligation with respect to the  
1034 repayment of the series 2010A bonds and any debt issued by the authority pursuant to this act.

1035 (g) All bonds or notes issued under this act shall have all the qualities and incidents of  
1036 negotiable instruments as defined in section 3-104 of chapter 106 of the General Laws.

1037 (h) Prior to the issuance of bonds with a maturity date later than the date the authority is  
1038 required to be terminated pursuant to section 33, the mayor of the town of Weymouth and boards  
1039 of selectmen of the towns of Abington and Rockland, in consultation with the authority, shall  
1040 enter into an intermunicipal debt service agreement acceptable to the authority, which shall  
1041 provide for the continued payment of principal and interest on such bonds and the maintenance  
1042 of all required reserves and any other obligations as may be set forth in the applicable bond

1043 instruments from betterments, assessments, special assessments, fees, other charges and other  
1044 revenues generated in the NAS South Weymouth Redevelopment Area and the authority and the  
1045 towns may enter into and perform their respective obligations under such debt service  
1046 agreement; provided, however, that such agreement shall not extend the duration of the authority  
1047 past the date on which it is to be terminated pursuant to section 33.

1048           Section 21. (a) In the discretion of the authority, bonds, refunding bonds or notes may be  
1049 secured by a trust agreement by and between the authority and a corporate trustee, which may be  
1050 a trust company or bank having the powers of a trust company within or without the  
1051 commonwealth. Such trust agreement may pledge or assign the revenues to be received, but  
1052 shall not convey or mortgage the Project or a part thereof.

1053           (b) Either the resolution providing for the issuance of bonds or notes or the trust  
1054 agreement may contain provisions for protecting and enforcing the rights and remedies of the  
1055 bondholders as may be reasonable and proper and not in violation of law, including, without  
1056 limiting the generality of the foregoing, provisions defining defaults and providing for remedies  
1057 in the event thereof, which may include the acceleration of maturities and covenants setting forth  
1058 the duties of, and limitations on, the authority in relation to the acquisition, maintenance,  
1059 operation, insurance and disposition of property, custody, safeguarding, investment, application  
1060 of moneys, use of any surplus bond or note proceeds and establishment of reserves. Such  
1061 resolution or trust agreement may contain, but shall not be limited to, covenants by the authority  
1062 in relation to the following: (i) the establishment, revision and collection of such betterments,  
1063 assessments, special assessments, fees and other charges for services or facilities furnished or  
1064 supplied by the authority as shall provide revenues which together with other revenues of the  
1065 Project, if any, are sufficient to pay (1) the cost of maintaining, repairing and operating the  
1066 Project and of making renewals and replacements in connection therewith, (2) the principal of  
1067 and the interest on the bonds or notes, as the same shall become due and payable, (3) payments  
1068 in lieu of taxes, betterments, assessments, special assessments, fees and other charges and (4)  
1069 reserves for all such purposes; (ii) the purposes for which the proceeds of the sale of the bonds or  
1070 notes shall be applied and the use and disposition thereof; (iii) the use and disposition of the  
1071 gross revenues of the authority from the Project, additions thereto and extension and the  
1072 infrastructure improvements thereof, including the creation and maintenance of funds for  
1073 working capital and for renewals and replacements to the Project; (iv) the amount, if any, of  
1074 additional bonds or notes payable from the revenues of the Project and the limitations, terms and  
1075 conditions on which such additional bonds or notes may be issued; and (v) the operation,  
1076 maintenance, management, accounting and auditing of the Project and of the income and  
1077 revenues of the authority.

1078           (c) It shall be lawful for a bank or trust company within or without the commonwealth to  
1079 act as depository of the proceeds of bonds or revenues and to furnish such indemnifying bonds or  
1080 to pledge such securities as may be required by the authority. Such trust agreement may set forth  
1081 the rights and remedies of the bondholders and of the trustee and may restrict the individual right

1082 of action by bondholders as is customary in trust agreements or trust indentures securing bonds  
1083 and debentures of authorities. Such trust agreement may contain other provisions as the  
1084 authority may deem reasonable and proper for the security of the bondholders. All expenses  
1085 incurred in carrying out the provisions of such trust agreement may be treated as a part of the  
1086 cost of the operation of the Project. The pledge by any such trust agreement or resolution shall  
1087 be valid and binding from the time when the pledge is made. The revenues or other moneys so  
1088 pledged and then held or thereafter received by the authority shall immediately be subject to the  
1089 lien of such pledge without a physical delivery thereof or further act. The lien of any such  
1090 pledge shall be valid and binding as against all parties having claims of any kind in tort, contract  
1091 or otherwise against the authority, irrespective of whether such parties have notice thereof. The  
1092 financing document by which any pledge is created by the authority shall not be required to be  
1093 filed or recorded to perfect such pledge except in the official records of the authority and no  
1094 uniform commercial code filing shall be required to be made. A pledge or assignment made by  
1095 the authority is an exercise of its political and governmental powers, and revenues, funds, assets,  
1096 property and contract or other rights to receive the same and the proceeds thereof which are  
1097 subject to the lien of a pledge or assignment created under this act shall not be applied to  
1098 purposes not permitted by the pledge or assignment.

1099 (d) In addition to other security provided herein or otherwise by law, bonds, notes or  
1100 obligations issued by the authority under this act may be secured, in whole or in part, by a letter  
1101 of credit, line of credit, bond insurance policy, liquidity facility or other credit facility for the  
1102 purpose of providing funds for payments in respect of bonds, notes or other obligations required  
1103 by the holder thereof to be redeemed or repurchased prior to maturity or for providing additional  
1104 security for such bonds, notes or other obligations. In connection therewith, the authority may  
1105 enter into reimbursement agreements, remarketing agreements, standby bond purchase  
1106 agreements and any other necessary or appropriate agreements. The authority may pledge or  
1107 assign the authority's revenues as security for the reimbursement by the authority to the  
1108 providers of such letters of credit, lines of credit, bond insurance policies, liquidity facilities or  
1109 other credit facilities of any payments made under the letters of credit, lines of credit, bond  
1110 insurance policies, liquidity facilities or other credit facilities.

1111 (e) In connection with, or incidental to, the issuance of bonds, notes or other obligations,  
1112 the authority may enter into such contracts as it may determine to be necessary or appropriate to  
1113 place the bonds, notes or other obligations of the authority, as represented by the bonds or notes,  
1114 or other obligations in whole or in part, on such interest rate or cash flow basis as the authority  
1115 may determine, including without limitation, interest rate swap agreements, insurance  
1116 agreements, forward payment conversion agreements, futures contracts, contracts providing for  
1117 payments based on levels of, or changes in, interest rates or market indices, contracts to manage  
1118 interest rate risk, including without limitation, interest rate floors or caps, options, puts, calls and  
1119 similar arrangements. Such contracts shall contain such payment, security, default, remedy and  
1120 other terms and conditions as the authority may deem appropriate and shall be entered into with



1121 such parties as the authority may select, after giving due consideration, where applicable, for the  
1122 creditworthiness of the counter parties, including a rating by a nationally-recognized rating  
1123 agency, the impact on a rating on outstanding bonds, notes or other obligations or other criteria  
1124 the authority may deem appropriate.

1125 (f) The authority shall have the power to purchase its bonds or notes out of any funds  
1126 available therefor. The authority may hold, pledge, cancel or resell such bonds or notes, subject  
1127 to and in accordance with agreements with bondholders.

1128 (g) Any moneys received by the authority, whether as proceeds from the issuance of  
1129 bonds or notes, or as revenue or otherwise, may be designated by the board as trust funds to be  
1130 held and applied solely as provided in this act.

1131 Section 22. Bonds, refunding bonds and notes issued under this act shall be securities in  
1132 which all public officers and public bodies of the commonwealth and its political subdivisions,  
1133 all insurance companies, trust companies and their commercial departments and within the limits  
1134 set forth in chapter 172 of the General Laws, banking associations, investment companies,  
1135 executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may  
1136 hereinafter be authorized to invest in bonds or other obligations of a similar nature may properly  
1137 and legally invest funds, including capital in their control or belonging to them; and such bonds  
1138 are shall be obligations that may properly and legally be made eligible for the investment of  
1139 savings deposits and the income thereof in the manner provided in chapter 168 of the General  
1140 Laws. Such bonds shall be securities that may properly and legally be deposited with and  
1141 received by a state or municipal officer or an agency or political subdivision of the  
1142 commonwealth for a purpose for which the deposit of bonds or other obligations of the  
1143 commonwealth is now or may hereafter be authorized by law.

1144 Section 23. A holder of bonds or notes issued under this act and a trustee under a trust,  
1145 except to the extent the rights herein given may be restricted by the trust agreement, may, either  
1146 at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights  
1147 under the laws of the commonwealth or granted hereunder or under the trust agreement, and may  
1148 enforce and compel the performance of all duties required by this act or by the trust agreement,  
1149 to be performed by the authority or by an officer thereof.

1150 Section 24. The towns and the commonwealth are pledged to agree with the holders of  
1151 the bonds or notes that neither the towns nor the commonwealth shall limit or alter or cause to  
1152 limit or alter the rights hereby vested in the authority to acquire or maintain the Project or  
1153 infrastructure improvements, to establish and collect betterments, assessments, special  
1154 assessments, fees and other charges and to fulfill the terms of any agreements made with the  
1155 holders of the bonds or notes nor impair the rights and remedies of the bondholders or  
1156 noteholders, until the bonds or notes, together with interest thereon, with interest on any unpaid

1157 installments of interest and all costs and expenses in connection with an action or proceeding by  
1158 or on behalf of the bondholders or noteholders, are fully met and discharged.

1159 Section 25. (a) The creation of the authority and the carrying out of its corporate purposes  
1160 shall be for the benefit of the people of the commonwealth and shall be a public purpose, and the  
1161 authority shall be regarded as performing a governmental function in the exercise of the powers  
1162 conferred upon it by this act and shall be required to pay no taxes or assessments upon any of the  
1163 property acquired by it or under its jurisdiction, control or supervision or upon its activities.

1164 (b) Any bonds issued under this act, including an exchange, sale or transfer of such  
1165 bonds, and any income derived therefrom, and the property of the agency shall at all times be  
1166 free from taxation by the commonwealth or any political subdivision or entity thereof to the  
1167 extent permitted by federal law.

1168

1169 Section 26. The authority shall be liable in contract and in tort in the same manner as a  
1170 municipal authority. The directors, officers, employees and agents of the authority, including  
1171 members of the advisory board established pursuant to section 10, shall not be liable as such on  
1172 their contracts or for torts not committed or directly authorized by them. The property or funds  
1173 of the authority shall not be subject to attachment or to levy and sale on execution, but if the  
1174 authority refuses to pay a judgment entered against it in a court of competent jurisdiction, the  
1175 superior court, sitting within and for Norfolk county or Plymouth county, may direct the  
1176 treasurer of the authority to pay such judgment. The real estate owned by the authority shall not  
1177 be subject to liens under chapter 254 of the General Laws, but sections 28 and 29 of chapter 149  
1178 of the General Laws shall be applicable to any construction work by the authority.

1179 Section 27. Notwithstanding any general or special law to the contrary, the authority shall  
1180 be deemed to be a public employer for purposes of chapter 258 of the General Laws.

1181 Section 28. (a) The authority may, if appropriate, make application to the United States  
1182 Department of Housing and Urban Development or, as necessary, any other federal agency, to  
1183 designate all or a portion of the NAS South Weymouth Redevelopment Area as an enterprise  
1184 zone, pursuant to 42 U.S.C. § 11501 et seq., as amended, or an existing or successor statute for  
1185 the purpose of creating jobs and encouraging development in the NAS South Weymouth  
1186 Redevelopment Area.

1187 (b) The NAS South Weymouth Redevelopment Area and the towns of Abington,  
1188 Rockland and Weymouth are hereby designated economic target areas as defined in section 3D  
1189 of chapter 23A of the General Laws. Pursuant to such designation, certain development project  
1190 within the NAS South Weymouth Redevelopment Area and the entirety of the towns of  
1191 Abington, Rockland and Weymouth shall be eligible for tax deductions, credits and abatements  
1192 and other economic incentives as provided for in sections 3E to 3G of said chapter 23A. The

1193 authority shall render such certifications as are required by law for the Project within the central  
1194 redevelopment area, including the designation of economic opportunity areas, and each town  
1195 shall render such certifications within its respective sector of the perimeter area and portions of  
1196 the towns not included in the NAS South Weymouth Redevelopment Area. The designation of  
1197 the NAS South Weymouth Redevelopment Area and the towns of Abington, Rockland and  
1198 Weymouth as economic target areas shall be in addition to the economic target areas that may be  
1199 established pursuant to paragraph 5 of said section 3E of said chapter 23A.

1200 Section 29. The authority shall be subject to all laws applicable to municipal  
1201 redevelopment authorities created under section 4 of chapter 121B of the General Laws.

1202 Section 30. The authority or its agents may enter into project labor agreements covering  
1203 construction performed by it consistent with its powers under this act.

1204 Section 31. The authority shall keep an accurate account of its activities including its  
1205 receipts and expenditures. The authority shall prepare annual reports of its activities in the NAS  
1206 South Weymouth Redevelopment Area during the preceding fiscal year and submit such reports  
1207 to the governor, secretary, general court, advisory board, mayor of the town of Weymouth, the  
1208 town manager of the town of Abington, the town administrator of the town of Rockland, the  
1209 town council of the town of Weymouth, the boards of selectmen of the towns of Abington and  
1210 Rockland and the town clerk of each of those towns. Each report shall set forth a complete  
1211 operating and financial statement covering the authority's operations in the NAS South  
1212 Weymouth Redevelopment Area during the previous year. The authority shall cause an audit of  
1213 its books and accounts relating to the NAS South Weymouth Redevelopment Area to be made at  
1214 least once in each fiscal year by certified public accountants. The audit shall be filed with the  
1215 state auditor annually not later than 120 days after the end of the authority's fiscal year and shall  
1216 be in a form prescribed by the state auditor. The state auditor shall audit the authority's books  
1217 and accounts in accordance with section 12 of chapter 11 of the General Laws. The state auditor  
1218 may investigate the budget, finances, transactions and relationships of the authority at any time  
1219 and may examine the authority's records and prescribe methods of accounting and the rendering  
1220 of periodic reports. The audits of the authority shall be public records; provided, however, that  
1221 the mayor of the town of Weymouth, the town manager of the town of Abington, or the town  
1222 administrator of the town of Rockland may each conduct annual audits at the expense of the  
1223 respective towns. During the period between the effective date of this act and January 1, 2015,  
1224 the authority (i) may not incur any expenditure that is not consistent with its then-effective  
1225 budget without the prior written consent of each Executive, and (ii) shall timely pay expenses  
1226 incurred in the ordinary course of its operations, in accordance with said budget. Any property  
1227 tax revenue collected by the authority during such period and not expended in accordance with  
1228 the previous sentence shall be remittable to the towns on a ratable basis according to the then-  
1229 assessed value of land within their respective portions of NAS South Weymouth on January 1,  
1230 2015. Any unexpended fees held by the authority as of January 1, 2015 in connection with the

1231 issuance of a building permit shall be remittable, on such date, to the town assuming the further  
1232 administration of such permit pursuant to section 19(b).

1233           Section 32. Chapter 40B of the General Laws shall not apply to the provision of  
1234 affordable housing within the NAS South Weymouth Redevelopment Area. Such affordable  
1235 housing within the NAS South Weymouth Redevelopment Area shall be governed by section  
1236 14(b)(2), the zoning by-laws and the regulations adopted thereunder. None of the land located  
1237 within the NAS South Weymouth Redevelopment Area, nor any of the housing which may be  
1238 constructed thereon from time to time, shall be included in any calculation applicable to said  
1239 chapter 40B with respect to any of the towns. This section shall continue in full force and effect  
1240 following the dissolution of the authority pursuant to section 33.

1241           Section 33. (a) The authority shall be dissolved upon: (i) the bond termination date; and  
1242 (ii) the approval of the dissolution and administration agreement by the towns as described in  
1243 subsection (b); provided, however, that in no event shall the authority be dissolved prior to  
1244 August 13, 2018. Within 30 days after: (i) the bond termination date; and (ii) such approval of  
1245 the dissolution and administration agreement, the board shall file a certificate acknowledging  
1246 such dissolution with the state secretary. The dissolution of the authority shall take effect upon  
1247 the filing of such certificate, subject to the applicable provisions of section 51 of chapter 155 of  
1248 the General Laws. In connection with the application of said section 51 of said chapter 55, any  
1249 real property owned by the authority at the time of dissolution shall be deemed to be distributed  
1250 automatically to and become the property of the town in which it is located, consistent with the  
1251 dissolution and administration agreement, and the personal property of the authority shall be  
1252 equitably allocated to the towns according to the terms of the dissolution and administration  
1253 agreement; provided, however, that the authority shall not issue any bonds after the date that is  
1254 one year following the completion of the redevelopment of the NAS South Weymouth  
1255 Redevelopment Area contemplated in the Reuse Plan and the zoning by-laws.

1256           (b) At least 24 months prior to the bond termination date, the board shall prepare and  
1257 distribute to the towns a dissolution and administration agreement. The dissolution and  
1258 administration agreement shall provide, but shall not be limited to, the following: (i) provisions  
1259 for the disposition of all real and personal property within the NAS South Weymouth  
1260 Redevelopment Area which the authority owns or has an interest in on the bond termination date;  
1261 (ii) provisions for the assumption of all contractual obligations, including all lease agreements of  
1262 the authority, which do not expire on the bond termination date; (iii) provisions for the transfer  
1263 and assumption by the towns of the authority's zoning administration, licensing and permitting  
1264 authorities; and (iv) provisions for the resolution of any other matters relating to the authority  
1265 which may affect the interests of the towns. Within 120 days after receipt of the dissolution and  
1266 administration agreement, the mayor of the town of Weymouth shall convene a meeting of the  
1267 town council of the town of Weymouth and the boards of selectmen of the towns of Abington  
1268 and Rockland shall convene a town meeting of their respective towns for the purpose of adopting  
1269 by majority vote of the town council and each town meeting the dissolution and administration

1270 agreement. Each town shall vote to adopt or disapprove the agreement as submitted. No  
1271 amendments to the agreement shall be made by the towns. Each town shall, within 30 days after  
1272 adoption or rejection of the agreement at a town council meeting or a town meeting, as the case  
1273 may be, provide the authority with a written notification stating whether the town council or  
1274 town meeting adopted or rejected the agreement. Any town that has rejected the agreement shall  
1275 have 1 year from the date of such disapproval to reconsider its decision and rescind its rejection  
1276 and adopt the dissolution and administration agreement. Once a town adopts the agreement, it  
1277 shall not thereafter vote to disapprove or reject it. If all 3 towns have not adopted the agreement  
1278 at least 1 year prior to the bond termination date, the authority shall remain in existence and carry  
1279 out its functions consistent with this act. If the towns fail to adopt the agreement, the general  
1280 court may, at any time after the bond termination date, terminate the authority's existence,  
1281 provide for the distribution of the its assets and determine other provisions as required for the  
1282 dissolution and administration agreement.

1283           Section 34. (a) Notwithstanding any provision of this act to the contrary, the authority  
1284 shall perform its obligations under the Parkway Financing MOA, including without limitation,  
1285 reimbursement to the commonwealth of any "deficiency payment," as defined in the Parkway  
1286 Financing MOA, which obligation of the authority shall constitute a general obligation of the  
1287 authority for which the full faith and credit of the authority shall be pledged for the benefit of the  
1288 commonwealth. The betterments, assessments, special assessments, fees and other charges  
1289 established by the authority in accordance with this act shall be fixed and adjusted so as to  
1290 provide revenues at least sufficient to pay, in addition to all other amounts set forth in section 18,  
1291 any amounts that the authority may be obligated to pay or provide for, pursuant to the Parkway  
1292 Financing MOA or the financing agreement referenced therein. The corporation may collect the  
1293 data described in sections 3 and 4 of the Parkway Financing MOA for the purposes described  
1294 therein.

1295           (b) This sub-section shall take effect upon approval by the secretary and the secretary of  
1296 the Executive Office for Housing and Economic Development of the revisions to the reuse plan  
1297 made pursuant to Section 14(d). The secretary may enter into amendments to the Parkway  
1298 Financing MOA to allow for deficiency payments allocated to fiscal years 2013 to 2018 to be  
1299 deferred until the beginning of fiscal year 2019. The secretary may extend this deferral to  
1300 additional fiscal years if the secretary determines that this deferral is fiscally responsible and  
1301 serves the public interest.].

1302           (c) Additional financing by the commonwealth of "Parkway-Phase 2" and the "East Side  
1303 Connectivity Improvements" shall be subject to the commonwealth's capital plan and its  
1304 statutory debt limit.

1305           Section 35. The authority shall not offer new bonds, including the refunding or  
1306 refinancing of any outstanding indebtedness, after December 31, 2035 without first obtaining a

1307 two-thirds majority vote from the town council of the town of Weymouth, and the select boards  
1308 of the towns of Abington and Rockland.

1309           Section 36. The authority and SSTDC shall be considered a state authority for purposes  
1310 of section 29K of chapter 29 of the General Laws and shall be considered a state entity for  
1311 purposes of section 97 of chapter 6 of the General Laws.