

**SENATE . . . . . No. 2968**

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**The Commonwealth of Massachusetts**

—  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
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SENATE, February 26, 2026.

The committee on Senate Ways and Means to whom was referred the Senate Bill authorizing the Commonwealth of Massachusetts, acting by and through its Division of Capital Asset Management and Maintenance, to grant permanent easements over certain land in the town of Milton for highway purposes (Senate, No. 2657), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2968).

For the committee,  
Michael J. Rodrigues

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An Act authorizing the Commonwealth of Massachusetts, acting by and through its Division of Capital Asset Management and Maintenance, to grant permanent easements over certain land in the town of Milton for highway purposes.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the commissioner of capital asset management and maintenance, in consultation with the commissioner of conservation and recreation, to grant certain easements to the Massachusetts department of transportation for highway purposes to support the intersection improvement project being undertaken by the commonwealth at the intersection of Randolph Avenue (state highway 28) and Chickatawbut Road, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and 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. Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General  
2 Laws or any general or special law to the contrary, the commissioner of capital asset  
3 management and maintenance, in consultation with the commissioner of conservation and  
4 recreation, may transfer to the Massachusetts Department of Transportation for highway  
5 purposes certain parcels of land under the care and control of the department of conservation and  
6 recreation and located in the town of Milton and identified as permanent easement parcel  
7 numbers 8-E-3, 8-E-4, 8-HL-1, 8-HL-2, 8-HL-3, 8-HL-PUE-4, 8-HS-1, 8-W-4, 8-D-1 and 8-  
8 PUE-W-5 on a plan of land entitled, “Massachusetts Department of Transportation Highway

9 Division Plan and Profile of Reconstruction of Randolph Avenue (Route 28) at Chickatawbut  
10 Road in the town of Milton Norfolk County Federal Aid Project No. Preliminary Right of Way  
11 Plans”, which is on file with the Massachusetts Department of Transportation.

12 SECTION 2. (a) As mitigation for the transfers described in section 1, the Massachusetts  
13 Department of Transportation shall compensate the department of conservation and recreation in  
14 an amount not less than 110 per cent of the fair market value or value in use of the impacted  
15 lands, whichever is greater, as determined by an independent professional appraisal prepared in  
16 accordance with the usual and customary professional appraisal practice by a qualified appraiser  
17 commissioned by the commissioner of capital asset management and maintenance, in  
18 consultation with the commissioner of conservation and recreation.

19 (b) The department of conservation and recreation shall deposit such funds into the  
20 Conservation Trust established in section 1 of chapter 132A of the General Laws and shall  
21 expend such funds within 3 years to acquire land or interests in land, which it shall permanently  
22 hold and manage for conservation and recreation purposes and which shall be in a comparable  
23 location and of equal or greater natural resource value as determined by the secretary of energy  
24 and environmental affairs.

25 (c) The commissioner of capital asset management and maintenance shall submit the  
26 appraisal and a report thereon to the inspector general for review and comment. The inspector  
27 general shall review and approve the appraisal and the review shall include an examination of the  
28 methodology utilized for the appraisal. The inspector general shall prepare a report of the review  
29 and file the report with the commissioner of capital asset management and maintenance, who  
30 shall submit copies of the appraisal and the inspector general’s report and comments, if any, to

31 the house and senate committees on ways and means and the joint committee on state  
32 administration and regulatory oversight not less than 15 days prior to the execution of the  
33 conveyance authorized in section 1.

34 SECTION 3. The Massachusetts Department of Transportation shall assume all costs  
35 associated with engineering, surveys, appraisals, deed preparation and other expenses necessary  
36 to execute the conveyances authorized in section 1.