

SENATE No. 3050

The Commonwealth of Massachusetts

—
**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**
—

SENATE, April 8, 2026.

The committee on Senate Ways and Means to whom was referred the Senate Bill to build resilience for Massachusetts communities (Senate, No. 2542), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 3050). [This legislation authorizes \$3,642,645,000 in bond obligations.]

For the committee,
Michael J. Rodrigues

SENATE No. 3050

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An Act to build resilience for Massachusetts communities.

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

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

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

8 SECTION 2.

9 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

10 Department of Conservation and Recreation

11 2800-1123 For the acquisition of land and interests in land by the department of
12 conservation and recreation and for associated costs including planning, study, due diligence,
13 title and appraisal services, site restoration and stewardship including, but not limited to, coastal
14 land acquisition and securing access to protected coastal lands and lands to provide for the inland
15 movement of coastal habitats; provided, that funds may be used for capital investments related to
16 the stewardship of the land; and provided further, that funds may be used for the restoration and
17 reclamation of acquired land, including demolition of structures, removal of debris, eradication
18 of non-native species and other services essential to these reclamation efforts....\$40,000,000

19 2800-7024 For a forestry and tree planting program for projects throughout the
20 commonwealth including, but not limited to, the evaluation and planning of forestry and tree
21 planting projects, tree stock, planting and associated costs; provided, that the secretary of energy
22 and environmental affairs shall grant priority to the planting of trees that are in areas: (i)
23 experiencing heat island effects; (ii) underserved with tree cover; (iii) with disadvantaged
24 populations; (iv) affected by severe weather events or insect infestation; (v) where aquifers,
25 recharge areas, wells, reservoirs and other water bodies are located that will improve and protect
26 water quality as part of a natural ecosystem; and (vi) that will further climate change mitigation,
27 adaptation and resiliency strategies; provided further, that the program shall prioritize the use and
28 growth of native tree species; provided further, that the secretary may provide guidance for
29 coordination between municipal and utility stakeholders on incorporating utility gas leaks data
30 into planning for street tree planting projects and for testing street tree pits for methane before
31 planting; and provided further, that funds from this item may be expended to provide grants,
32 technical assistance or other support to landowners to undertake capital projects including, but

33 not limited to, sustainable forest management and long-term conservation practices, to protect
34 the ecological integrity of the commonwealth’s forestlands under the Forests as Climate
35 Solutions plan.....\$20,000,000

36 2800-7026 For the: (i) design, construction, maintenance, repair, removal and
37 improvements of state-owned or abandoned dams identified by the office of dam safety,
38 including improvements to the aquatic habitat, inland flood control projects and projects for
39 related facilities and equipment; (ii) design, construction, maintenance, repair or improvement of
40 the department’s coastal and marine infrastructure and coastal ecological resources including, but
41 not limited to, shore protection, docks, piers, culverts, beaches, dunes and salt marshes; and (iii)
42 navigational and ecological performance of the commonwealth’s tidal and nontidal waterways;
43 provided, that the department of conservation and recreation shall give priority to dams and flood
44 control projects that pose the greatest risk to public health, public safety or the environment;
45 provided further, that the secretary of energy and environmental affairs may provide guidance for
46 planning, prioritizing, selecting and implementing projects in furtherance of the goals of the state
47 hazard mitigation and climate change adaptation plan; and provided further, that not less than
48 \$120,000,000 shall be expended for long-term coastal flood resilience improvements to the
49 Amelia Earhart dam and its embankments in the cities of Somerville and Everett....\$428,100,000

50 2840-7028 For the study, planning, permitting, design, construction, reconstruction,
51 repair, removal, demolition, improvement, furnishing, equipping or rehabilitating of department
52 of conservation and recreation properties including, but not limited to, reservations, facilities
53 infrastructure, forests, parks, campgrounds, comfort stations, harbor islands, skating rinks, skate
54 parks, swimming and wading pools, spray parks, golf courses, tennis courts, basketball courts,
55 ball fields, playgrounds, exercise and fitness paths, tracks, other recreational facilities, historic

56 sites, beaches and storage buildings, office buildings, visitor centers, fire towers, maintenance
57 facilities and other park buildings structures, equipment, including upgrades to information
58 technology equipment to be considered in consultation with the secretary of technology services
59 and security and for the planning, design, acquisition, construction, reconstruction, repair,
60 removal, improvement or rehabilitation of bike paths, greenways, accessible trails, recreational
61 trails and equipment; provided, that the secretary of energy and environmental affairs may
62 provide guidance for planning, prioritizing, selecting and implementing capital projects in
63 furtherance of the goals of climate change mitigation and adaptation consistent with the state
64 hazard mitigation and climate change adaptation plan and in support of disadvantaged
65 populations; provided further, that funds may be expended to support municipal equipment needs
66 for combating wildland and forest fires; provided further, that the department of conservation
67 and recreation may expend funds for technical assistance and grants to public and nonpublic
68 entities in accordance with rules and regulations adopted by the department to implement this
69 item; provided further, that in expending funds from this item, the commissioner shall prioritize
70 public health, public safety and capital to maintain public assets; and provided further, that not
71 less than \$25,000,000 shall be expended for the establishment of a water treatment system for
72 King's beach in the city of Lynn.....\$612,375,000

73 2890-7036 For the study, planning, permitting, design, engineering, construction,
74 reconstruction, repair, improvement or rehabilitation of department of conservation and
75 recreation roadway, bridge and path of travel related infrastructure including, but not limited to,
76 parkways, boulevards, multi-use trails, roads within state parks, transportation infrastructure,
77 recreational trails, pedestrian bridges and related appurtenances and equipment; provided, that
78 funds may be expended for pedestrian and bicycle safety, traffic calming, landscape

79 improvements, street lighting, safety equipment and accessibility; provided further, that all work
80 funded by this item shall be carried out according to standards developed by the department
81 pursuant to historic parkways preservation treatment guidelines to protect the scenic and historic
82 integrity of the bridges and parkways under its control; and provided further, that the secretary of
83 energy and environmental affairs may provide guidance for planning, prioritization, selection
84 and implementation of projects in furtherance of the state hazard mitigation and climate change
85 adaptation plan and in support of disadvantaged populations.....\$176,670,000

86 SECTION 2A.

87 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

88 Department of Environmental Protection

89 2200-7026 For the assessment, containment, monitoring, cleanup, control, public
90 participation, removal of or response actions concerning oil or hazardous materials or for any
91 other action necessary to implement chapter 21E of the General Laws and the Massachusetts
92 Contingency Plan established pursuant to said chapter 21E....\$42,000,000

93 2200-7027 For capital investments in air, water and land resource protection, climate
94 adaptation and decarbonization and ensuring access to clean water and air including, but not
95 limited to, energy, climate and environmental projects and programs that optimize and preserve
96 environmental quality and public health and that provide for appropriate protection, restoration,
97 management and best use of air, water and land resources, assets and infrastructure including,
98 but not limited to, upgrades to laboratory equipment, projects related to nonpoint and point
99 sources of water pollution and the wetlands circuit rider program; provided, that funds may be
100 used to provide grants to public and nonpublic entities including, but not limited to, cities, towns,

101 counties and districts, or any authority, commission, board or instrumentality thereof, and tribal
102 governments for the protection and restoration of the commonwealth’s environmental resources
103 to invest in efficient and effective mitigation projects and initiatives to restore and preserve the
104 commonwealth’s air, climate, energy, water and land resources, assets and infrastructure; and
105 provided further, that the secretary of energy and environmental affairs may provide guidance for
106 planning, prioritization, selection and implementation of projects in furtherance of the goals of
107 climate change mitigation, resiliency and adaptation.....\$27,800,000

108 2200-7028 For the assessment, containment, monitoring, cleanup and closure of
109 existing or closed solid waste facilities causing or threatening to cause pollution pursuant to
110 section 4 of chapter 21H of the General Laws and for capital expenditures associated with
111 composting, recycling and waste reduction programs consistent with the comprehensive
112 statewide master plan for solid waste disposal established pursuant to section 21 of chapter 16 of
113 the General Laws.....\$28,100,000

114 2200-7029 For investments in clean water and drinking water infrastructure by the
115 department of environmental protection to address per- and polyfluoroalkyl substance
116 contamination of public water supplies, private wells or imminent hazard conditions pursuant to
117 section 3A of chapter 21E of the General Laws including, but not limited to, planning,
118 construction, replacement, repair or modernization of infrastructure that enhances ground and
119 surface water resources, ensures the safety of drinking water or protects public health; provided,
120 that funds in this item may be used for response actions that create a capital asset or result in
121 improvements to capital assets including, but not limited to, installing filters or other treatment
122 systems, excavation, covering and fencing contaminated soil and associated planning and
123 design.....\$120,000,000

124 SECTION 2B.

125 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

126 Department of Fish and Game

127 2300-0422 For the acquisition of land and interests in land by the department of fish
128 and game and for associated costs including, but not limited to, planning, studies, due diligence,
129 title and appraisal services, site restoration and stewardship; provided, that such lands may be
130 purchased after approval by the commissioner of fish and game; provided further, that funds may
131 be expended on the development and implementation of a capital stewardship program on lands
132 under the care and control of the department of fish and game and its divisions; provided further,
133 that funds may be used for restoration, repair and reclamation of acquired land including, but not
134 limited to, demolition of structures, removal of debris, eradication of nonnative species and other
135 capital investments essential to the reclamation efforts; and provided further, that projects may
136 be carried out with other public and nonpublic entities including, but not limited to, federal and
137 state agencies, cities, towns, counties and districts, or any authority, commission, board or
138 instrumentality thereof, nonprofit and conservation organizations, public and private land owners
139 and tribal governments.....\$53,500,000

140 2300-7019 For planning, design, engineering, construction, reconstruction,
141 renovation, repair, demolition, acquisition, enhancements, improvements, removal and
142 replacement of the infrastructure, facilities and equipment under the care and control of the
143 department of fish and game and its divisions including, but not limited to, buildings and other
144 structures, education centers, district headquarters, hatchery facilities, offices, storage buildings,
145 shooting ranges, archery facilities, dams, laboratories, equipment, vehicles, vessels and site

146 clearance; provided, that funds may be used to: (i) incorporate energy efficiency and renewable
147 technologies; (ii) decrease energy use and greenhouse gas emissions; (iii) increase climate
148 resiliency; or (iv) enhance accessibility; and provided further, that funds may be used for
149 implementation of projects in furtherance of the statewide hazard mitigation and climate
150 adaptation plan.....\$15,000,000

151 2300-7030 For the rehabilitation, reconstruction, modernization and decarbonization
152 of the department of fish and game’s division of fisheries and wildlife Charles L. McLaughlin
153 Fish Hatchery in the town of Belchertown including, but not limited to, new construction, repair
154 and rehabilitation of buildings and rounds.....\$20,000,000

155 2300-7031 For ecological restoration capital programs and projects at the department
156 of fish and game’s division of ecological restoration; provided, that funds from this item may be
157 used for river, wetland and watershed restoration and protection including, but not limited to: (i)
158 dam and barrier removal; (ii) streamflow and water quality restoration; (iii) road-stream crossing
159 upgrades; (iv) improving public access, including enhancements to accessibility; (v) restored
160 rivers and wetlands; (vi) and other capital activities that restore biodiversity and support nature-
161 based approaches for adapting to climate change; provided, that the commissioner of fish and
162 game or the commissioner’s designee may enter into cooperative agreements with state and
163 federal agencies, cities, towns, counties and districts, or any authority, commission, board or
164 instrumentality thereof, nongovernmental organizations, regional planning agencies, tribal
165 governments and others; provided further, that funds in this item may be used for the purchase of
166 equipment; provided further, that the commissioner of fish and game may award grants to public
167 and nonpublic entities including, but not limited to, cities, towns, counties and districts, or any
168 authority, commission, board or instrumentality thereof and tribal governments, to carry out this

169 item; provided further, that not less than \$50,000,000 shall be expended for flood mitigation and
170 resiliency projects in the Connecticut River Valley including, but not limited to, initiatives or
171 projects recommended by the special commission established in section 71; and provided further,
172 that not less than \$5,000,000 shall be expended to the Southeastern Regional Planning and
173 Economic Development District for capital improvement projects including, but not limited to,
174 the removal of sediment, the repair of dams and culverts and the implementation of water flow
175 management improvements, to mitigate flooding issues and promote ecological sustainability in
176 the Assawompset pond complex and the contributing and interconnected watersheds within the
177 towns of Freetown, Lakeville, Middleborough and Rochester and the cities of New Bedford and
178 Taunton\$95,000,000

179 2300-7032 For the planning, engineering, design, construction, acquisition,
180 development and reconstruction of existing and new coastal and inland access sites identified by
181 the department of fish and game’s office of fishing and boating access including, but not limited
182 to, boat launching facilities, fishermen boat access facilities, car-top boat launching facilities,
183 canoe and kayak access facilities, sport fishing piers and shore fishing areas including, but not
184 limited to, ramps, docks, floats and appurtenant facilities throughout the commonwealth;
185 provided, that funds may be used on enhancements to accessibility, construction of signage and
186 informational kiosks and the implementation of coastal projects developed jointly with the
187 Marine Recreational Fisheries Development Fund established in section 35NN of chapter 10 of
188 the General Laws.....\$10,000,000

189 2300-7033 For marine fisheries resource conservation and restoration and capital
190 support of local commercial and recreational fisheries which may include, but shall not be
191 limited to, fish and habitat restoration, marine habitat creation, hard bottom habitat enhancement,

192 vessels, vehicles and equipment; provided, that projects may be carried out in cooperation with
193 public and nonpublic entities, tribal governments and other management agencies; and provided
194 further, that the department may award grants to public and nonpublic entities and tribal
195 governments to carry out this item.....\$5,000,000

196 2300-7034 For the planning and implementation of capital projects and programs at
197 the department of fish and game and its divisions in furtherance of Executive Order no. 618
198 entitled “Biodiversity Conservation in Massachusetts” which shall include, but not be limited to,
199 a local biodiversity capital grant program to support community-led biodiversity efforts;
200 provided, that the projects and programs may be carried out in cooperation with public and
201 nonpublic entities, tribal governments and other management agencies including, but not limited
202 to, other state agencies, cities, towns, counties and districts, or any authority, commission, board
203 or instrumentality thereof, regional planning agencies and nonprofit organizations; and provided
204 further, that the department and its divisions may award grants to public and nonpublic entities,
205 tribal governments and other management agencies including, but not limited to, cities, towns,
206 counties and districts, or any authority, commission, board or instrumentality thereof, regional
207 planning agencies and nonprofit organizations, to carry out this item.....\$20,000,000

208 SECTION 2C.

209 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

210 Office of the Secretary

211 2000-7067 For improvements and replacements to the infrastructure and holdings of
212 the executive office of energy and environmental affairs and its departments and divisions and
213 for capital assets and improvements to infrastructure and holdings that support the mission of the

214 executive office of energy and environmental affairs; provided, that this may include, but shall
215 not be limited to, buildings, equipment and vehicles; provided further, that investments may
216 support the development and implementation of capital projects that support the Massachusetts
217 Hazard Mitigation and Climate Adaptation Plan; provided further, that the secretary of energy
218 and environmental affairs may grant priority to critical actions and strategies identified in the
219 plan; provided further, that the secretary of energy and environmental affairs may provide
220 guidance for the planning, prioritization, selection and implementation of projects in furtherance
221 of the goals of climate change mitigation and adaptation and consistent with the Massachusetts
222 Hazard Mitigation and Climate Adaptation Plan; provided further, that funds may support
223 development of outdoor recreation sites and facilities and infrastructure; provided further, that
224 funds may be awarded to public and nonpublic entities including, but not limited to, tribal
225 governments, cities, towns, counties and districts, or any authority, commission, board or
226 instrumentality thereof, regional planning agencies and nonprofit organizations, or expended
227 directly by the executive office of energy and environmental affairs and its departments and
228 divisions; provided further, that grant funds may be used for planning, engineering, design,
229 acquisition, permitting, construction, repair and renovation; and provided further, that grants
230 shall be awarded in a manner that promotes accessibility, supports geographic equity and
231 supports disadvantaged populations.....\$73,000,000

232 2000-7068 For a tree planting greening program for projects on publicly-owned land
233 or on private lands with the consent of the owner and subject to appropriate covenants that shall
234 assure the continued presence and effectiveness of the commonwealth’s investment including,
235 but not limited to, the evaluation and planning of tree greening projects, tree stock and planting
236 and capital maintenance of urban trees; provided, that the program shall prioritize the use of

237 native tree species; provided further, that the secretary shall give priority to the planting of trees
238 in cities and towns with a completed tree management plan; provided further, that funds may be
239 expended to assist cities and towns in the development of a tree management plan; and provided
240 further, that funds may be used to provide grants, technical assistance or other support to public
241 and nonpublic entities and tribal governments to fulfill the purposes of this item...\$10,000,000

242 2000-7076 For capital grants or other financial assistance to be administered by the
243 executive office of energy and environmental affairs, in consultation with the department of
244 agricultural resources and division of marine fisheries, to promote and support the growth and
245 economic competitiveness of the commonwealth's agricultural, commercial fishing and
246 cranberry-growing sectors; provided, that the executive office shall prioritize applicants for
247 grants or other financial assistance that focus on innovative approaches to enhance
248 environmental benefits, promote climate resiliency and encourage increased economic activity in
249 its respective sector including, but not limited to: (i) capital infrastructure improvements that
250 promote energy efficiency; (ii) the purchase or expanded use of clean and renewable energy
251 technologies; (iii) tools to address barriers to economic growth, including the purchase of energy
252 efficient equipment and technology; (iv) tools and technologies to support practices that promote
253 resilience against the impacts of climate change; (v) tools and technologies to facilitate
254 sustainability and new product development; (vi) acquisition and purchase of innovative
255 commercial fishing gear designed to protect stocks and species of concern; and (vii) capital
256 infrastructure improvements related to developing and strengthening workforce development and
257 training programs; provided further, that grants or other financial assistance shall be distributed
258 on a competitive basis and awarded in a manner that promotes geographic equity; and provided

259 further, that grants or other financial assistance awarded in this item shall be distributed equally
260 among the agriculture, commercial fishing and cranberry-growing sectors....\$20,000,000

261 2000-7078 For the MassTrails program and other capital improvements to the
262 commonwealth’s trails; provided, that funds may be used for the planning, engineering, design,
263 permitting, construction, repair, technical assistance and improvement of trails and the
264 acquisition of property interests for trail purposes; provided further, that not less than
265 \$10,000,000 shall be expended for the design and construction of accessible trails for people
266 with disabilities including, but not limited, to upgrades in accordance with guidelines from the
267 United States Forest Service and the United States Access Board’s accessibility standards for
268 federal outdoor developed areas; provided further, that funds may be granted at the discretion of
269 the secretary of energy and environmental affairs to public and nonpublic entities, including
270 municipalities, regional planning agencies and nonprofit organizations, or expended directly by
271 the executive office of energy and environmental affairs and its departments and divisions;
272 provided further, that trails are to be broadly defined to include water, recreational, multi-use,
273 motorized use by recreational and snow vehicles, trails designed to enhance accessibility and
274 may be paved, improved, natural surface or on-road for limited distances when necessary to
275 make key connections; provided further, that any project funded from this item shall be open to
276 the public; provided further, that wherever practicable, property interests acquired shall be
277 permanently conserved such that the trail thereon is permanently accessible to the public but may
278 be subject to long-term leases where necessary to advance trail projects; and provided further,
279 that a match from the funding recipient, which may include in-kind match, may be required at
280 the discretion of the secretary of energy and environmental affairs.....\$50,000,000

281 2000-7082 For grant programs related to and investments in: (i) land, soil, water and
282 natural resource conservation, open space preservation and other capital expenditures that
283 conserve land and natural resources that provide ecosystem services, including clean air and
284 water, including watershed remediation, water conservation and other capital investments related
285 to water resource protection and flood prevention; (ii) coastal resource protection including, but
286 not limited to, securing access to protected coastal lands and lands to provide for the inland
287 migration of coastal habitats; (iii) recreation, including the acquisition, development,
288 construction, rehabilitation and improvement of parks and all related facilities in neighborhoods
289 underserved with parks, including assessment and remediation of brownfield sites intended for
290 park use; (iv) environmental equity and wildlife and endangered species protection including, but
291 not limited to, the: (a) local acquisition for natural diversity grant program; (b) parkland
292 acquisition and renovation for communities grant program; (c) tribal land acquisition grant
293 program; (d) healthy soils grant program; (e) woodlands partnership grant program; (f)
294 conservation partnership grant programs including, but not limited to, programs to support
295 landscape-scale land conservation projects, the drinking water supply protection grant program,
296 grant programs to assist and provide funding to conservation districts, grants to support projects
297 and initiatives that promote carbon sequestration and climate change resiliency through
298 sustainable forestry and salt marsh restoration; (v) capital grants and technical assistance to
299 facilitate the conservation of land by municipalities, tribal governments, land trusts and other
300 conservation organizations; (vi) MassTrails grants and other capital investments to advance trails
301 of all kinds; and (vii) grants and other expenditures to support local, regional and state land use
302 planning and management capabilities to advance smart growth efforts, which shall be pursuant
303 to rules and regulations adopted by the secretary of energy and environmental affairs to

304 effectuate this item; provided, that funds may be used to provide grants to public and nonpublic
305 entities and tribal governments to carry out this item; provided further, that not less than
306 \$5,500,000 shall be expended for the healthy soils program and the implementation of the
307 Healthy Soils Action Plan; provided further, that the secretary of energy and environmental
308 affairs may provide guidance and expend funds for planning, prioritization, selection and
309 implementation of projects in furtherance of the goals of climate change mitigation and
310 adaptation consistent with the Massachusetts Hazard Mitigation and Climate Adaptation Plan
311 and in support of disadvantaged populations; and provided further, that all projects shall provide
312 appropriate public access as determined by the secretary.....\$125,500,000

313 2000-7083 For the design, construction, acquisition, reconstruction, rehabilitation,
314 retrofitting, repair or removal of coastal infrastructure and resilience measures including, but not
315 limited to, seawalls, jetties, revetments, retaining walls, port infrastructure, beach nourishment,
316 living shorelines, nature-based research and demonstration projects, coastal lands and other
317 nature-based solutions, which shall mean strategies that conserve, restore and employ the natural
318 resources of the commonwealth to enhance climate adaptation, build resilience and support
319 mitigation; provided, that costs payable from this item may include, but shall not be limited to,
320 the costs of engineering and other technical assistance and planning services essential to these
321 projects rendered by the office of coastal zone management in the executive office of energy and
322 environmental affairs, the office of waterways in the department of conservation and recreation
323 and other commonwealth employees or consultants; provided further, that grants and loans may
324 be made to local government units to carry out this item; provided further, that grants may also
325 be awarded to nonpublic entities for approved projects funded herein; provided further, that
326 funds may be used on lands held by municipal, county, state or federal agencies or other

327 governmental bodies on lands held by nonprofit conservation organizations or on private lands
328 with the consent of the owner and subject to covenants that assure the continued presence and
329 effectiveness of such projects for the expected life of the projects; provided further, that the use
330 of such funds by county and municipal governmental bodies on lands held by nonprofit
331 conservation organizations or on private lands, shall require, in a county, a vote of the county
332 commissioners, in a city having a Plan D or Plan E charter, by a majority vote of all the members
333 of the city council, in a city not having such a charter, by a majority vote of the city council,
334 subject to the charter of that city, and in a town, by a majority vote of the selectboard; provided
335 further, that the secretary of energy and environmental affairs may provide guidance for
336 planning, prioritization, selection and implementation of projects in furtherance of the goals of
337 climate change mitigation and adaptation and consistent with the Massachusetts State Hazard
338 Mitigation and Climate Change Adaptation.....\$200,000,000

339 2000-7086 For the design, construction, reconstruction, rehabilitation, retrofitting,
340 repair or removal of municipally-owned dams, publicly-owned dams and other dams for which
341 emergency action or hazard mitigation is required and for inland flood control projects and
342 projects for related facilities and equipment including, but not limited to, seawalls, jetties,
343 revetments, retaining walls, beach nourishment and other nature-based solutions on publicly-
344 owned land or related to state or municipal climate change adaptation and preparedness or for
345 which emergency action or hazard mitigation is required; provided, that the secretary of energy
346 and environmental affairs shall give priority to dams and flood control projects that pose the
347 greatest risk to public health, public safety or the environment; provided further, that funds shall
348 be made available for a program of planning, permitting and construction of fish ways and other
349 aquatic habitat improvements. including the removal or breaching of selected dams and

350 impoundments on commonwealth-owned land and waterways; provided further, that funds may
351 be used for dam safety technical assistance; provided further, that funds may be used to provide
352 grants to public and nonpublic entities to carry out this item; and provided further, that the
353 secretary may provide guidance for planning, prioritization, selection and implementation of
354 projects in furtherance of the goals of climate change mitigation and adaptation and consistent
355 with the Massachusetts State Hazard Mitigation and Climate Change Adaptation.....\$93,500,000

356 2000-7087 For the acquisition of land and interests in land by the executive office of
357 energy and environmental affairs and for associated costs including, but not limited to, planning,
358 study, due diligence, title and appraisal services, site restoration, monitoring and stewardship
359 including, but not limited to, acquisitions for open space, recreation, conservation, wildlife and
360 endangered species protection and forest land protection and for related costs and activities in
361 support of conservation goals; provided, that not more than \$25,000,000 may be used to
362 capitalize the Transfer of Development Rights Revolving Fund established in section 35HHH of
363 chapter 10 of the General Laws; provided further, that funds from this item may be used to
364 develop and implement a capital stewardship program on lands under the care and control of the
365 executive office or its departments and divisions or subject to conservation restrictions or other
366 related interests in land purchased through this item; provided further, that funds may be used for
367 restoration, repair and reclamation of acquired land, including demolition of structures, removal
368 of debris, eradication of nonnative species and other services essential to such reclamation
369 efforts; and provided further, that the secretary of energy and environmental affairs may provide
370 guidance and expend funds for preservation and acquisition of land and interests in land in
371 furtherance of the goals of climate change mitigation and adaptation, consistent with the

372 Massachusetts State Hazard Mitigation and Climate Adaptation Plan and in support of
373 disadvantaged populations.....\$85,000,000

374 2000-7088 For the municipal vulnerability preparedness grant program to support and
375 provide technical assistance for the political subdivisions of the commonwealth including, but
376 not limited to, cities, towns, counties and districts, tribal governments, regional planning
377 agencies, nonprofit organizations, or any authority, commission, board or instrumentality
378 thereof, to complete climate-related vulnerability assessments, develop equitable, action-oriented
379 resiliency plans and complete integrated climate change adaptation plans and local hazard
380 mitigation plans and to implement local and regional adaptation solutions identified through such
381 plans; provided, that such funds may be used on lands held by municipal, state or federal
382 agencies, tribal governments or other governmental bodies, nonprofit organizations or on private
383 lands with the consent of the owner and subject to covenants that shall assure the continued
384 presence and effectiveness of such projects for the expected life of the projects; provided further,
385 that the use of such funds by municipal governmental bodies on lands held by nonprofit
386 organizations or on private lands shall require the vote of a majority of the grantee’s legislative
387 body or board of directors or the equivalent thereof; provided further, that funds may be used to
388 develop wastewater facility adaptation plans; provided further, that such funds may be used for
389 the political subdivisions of the commonwealth including, but not limited to, cities, towns,
390 counties and districts, tribal governments, regional planning agencies, nonprofit organization, or
391 any authority, commission, board or instrumentality thereof, to appoint and retain coordinators to
392 advance sustainability, resiliency and climate adaptation; provided further, that the program may
393 prioritize low income and environmental justice communities; and provided further, that grants
394 from this item shall only be awarded to eligible entities or projects in cities and towns that have

395 been deemed in compliance or interim compliance with the multi-family zoning requirement in
396 section 3A of chapter 40A of the General Laws.....\$500,000,000

397 2030-1011 For the replacement and purchase of environmental law enforcement
398 vehicles and maritime law enforcement patrol vessels and accompanying equipment; provided,
399 that funds may be expended for equipment purchased in conjunction with the operation of the
400 environmental law enforcement vehicle and vessel fleet including, but not limited to, mobile data
401 terminals, installation of mounts and multi-band radios, search and rescue equipment, boat
402 trailers, engines, lower units, remotely-operated vehicles, portable side scan sonar, navigation
403 systems and communication radios.....\$9,000,000

404 2000-7089 For local environmental, recreational, resiliency and preservation
405 projects.....\$100,000

406 2000-7090 For the planning, design, construction and installation of boreholes and
407 other thermal infrastructure on publicly-owned or leased property to access thermal energy
408 located in the ground, water, sea or waste water; provided, that financial assistance in this item
409 may be administered by the executive office of energy and environmental affairs through a
410 contract with the Massachusetts clean energy technology center established in section 2 of
411 chapter 23J of the General Laws; provided further, that the installation, operation and
412 maintenance of such boreholes shall be performed by a contractor approved by the department of
413 public utilities in compliance with relevant laws, rules and regulations and guidelines; provided
414 further, that funds may be used for retrofitting of local buildings to support geothermal
415 infrastructure and connections to thermal networks with the consent of the owner of any such
416 building and under the oversight of the Mass Save program established pursuant to section 21 of

417 chapter 25 of the General Laws; provided further, that projects funded by this item may be
418 connected to a geothermal network for the purpose of providing or selling noncombusting energy
419 to the geothermal network in furtherance of the commonwealth’s 2050 net zero goals; and
420 provided further, that funds may be used to provide technical assistance or planning grants to
421 public and nonpublic entities for the expansion or adoption of boreholes and other geothermal
422 technology.....\$15,000,000

423 SECTION 2D.

424 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

425 Massachusetts Department of Agricultural Resources

426 2500-7022 For capital programs designed to address agricultural economic and
427 environmental sustainability and resiliency including, but not limited to, the development and
428 implementation of farm viability plans and other technical and engineering assistance, urban
429 agriculture and hydroponics, and to facilitate improvements to agricultural infrastructure, energy
430 conservation and efficiency and climate change adaptation and resiliency; provided, that funds
431 may be expended for infrastructure and equipment upgrades to prevent or reduce food safety
432 risk, combat invasive and disease-borne insects and for capital programs to support aquaculture,
433 anaerobic digesters and agricultural composters; provided further, that funds may be expended
434 for capital projects that foster the adoption of sustainable farming practices that enhance
435 resilience, reduce greenhouse gas emissions and promote environmental stewardship; provided
436 further, that funds may be expended on programs that support the commonwealth’s farmland
437 protection and access goals; provided further, that funds may be expended to provide grants,
438 technical assistance and other support to farms, public and nonpublic entities and tribal

439 governments to support the agricultural economy and to enable recovery from natural disasters,
440 market disruptions and other financial challenges; and provided further, that funds may be
441 allocated by the commissioner through competitive grants pursuant to rules and regulations
442 promulgated by the commissioner to implement this item.....\$26,000,000

443 2511-0124 For food security grant programs to support equitable access to nutritious,
444 local food and to strengthen food supply and distribution systems; provided, that programs may
445 consider the unique needs of rural and urban areas and gateway municipalities as defined in
446 section 3A of chapter 23A of the General Laws to provide greater access to local food; provided
447 further, that programs may provide grants that support food banks and other parts of the food
448 distribution system by expanding services; provided further, that funds may be used to provide
449 grants to public and nonpublic entities and tribal governments to carry out this item which may
450 include, but shall not be limited to, farms, retailers, fisheries, food system businesses, food
451 distributors, food processors, food banks, farm stands, food hubs, food retailers, elder services
452 and community-supported agriculture farms; and provided further, that not less than \$5,000,000
453 shall be expended for the Massachusetts Food Trust Program established in section 65 of chapter
454 23A of the General Laws.....\$130,000,000

455 2511-0125 For a program to acquire land or interests in land for the purpose of
456 preserving agricultural land, including agricultural preservation restrictions under sections 23 to
457 26, inclusive, of chapter 20 of the General Laws; provided, that funds may be expended for
458 associated acquisition and implementation costs including, but not limited to, grants, planning,
459 due diligence, title examinations, appraisal services, site restoration and capital improvements on
460 nonpublic lands subject to those agricultural preservation restrictions and on state-owned lands
461 leased for agricultural purposes.....\$42,000,000

462 SECTION 2E.

463 OFFICE OF THE TREASURER AND RECEIVER GENERAL

464 0640-1008 For the water pollution abatement trust established in section 2 of chapter
465 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund
466 established in section 2L of chapter 29 of the General Laws for application by the trust to the
467 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
468 matching grant by the commonwealth to federal capitalization grants received under Title VI of
469 the Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section
470 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said
471 chapter 29C, any portion of which may be used as a matching grant by the commonwealth to
472 federal capitalization grants received under the Safe Drinking Water Act; provided, that funds
473 may be used to assist homeowners in complying with 310 CMR 15.00 for subsurface disposal of
474 sanitary waste; provided further, that funds may be used to assist with per-and polyfluoroalkyl
475 substances contamination remediation and the remediation of nitrogen-sensitive areas as
476 designated by the department of environmental protection; and provided further, that not less
477 than \$50,000,000 shall be expended for projects identified by the special commission established
478 in section 72 to address wastewater infrastructure needs and reduce nitrogen pollution in
479 southeastern Massachusetts near Buzzards Bay.....\$450,000,000

480 SECTION 2F.

481 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

482 Office of the Secretary

483 1100-2524 For grants to cities, towns, tribal governments, regional organizations
484 whose membership is exclusively composed of municipal governments, municipal
485 redevelopment authorities or agencies and other state agencies or quasi-governmental agencies to
486 support capital investments that support climate mitigation, adaption, resiliency and recovery
487 efforts in the commonwealth; provided, that purposes may include, but shall not be limited to,
488 planning and studies, preparation of plans and specifications, site assembly and preparation,
489 dispositions, acquisitions, repairs, renovations, improvements, construction, demolition,
490 remediation, modernization and reconstruction of facilities, infrastructure, equipment and other
491 capital assets.....\$50,000,000

492 SECTION 2G.

493 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

494 Office of the Secretary

495 7004-4785 For the Massachusetts Housing Finance Agency established in section 3 of
496 chapter 708 of the acts of 1966 to capitalize a permanent, revolving residential production
497 momentum fund for the purpose of accelerating the development of mixed-income and
498 workforce multifamily housing production projects by providing financial assistance in the form
499 of innovative, low-cost and flexible capital funding, which may be in the form of debt, equity, or
500 other instruments, depending on individual underwriting needs of the project; provided, that not
501 less than 20 per cent of the units in a project that receives financial assistance under this item
502 shall be restricted to households with incomes between 60 per cent and 120 per cent, inclusive,
503 of the area median income; provided further, that notwithstanding paragraph (f) of section 5 of
504 said chapter 708, the agency may in its discretion set the terms and prepayment options for any

505 mortgage or other loan or instrument issued to any project receiving such financial assistance
506 based on the individual underwriting needs of the project; provided further, that such financial
507 assistance shall be awarded in a manner that promotes geographic equity; provided further, that
508 funds expended from this item shall, to the maximum extent feasible, be prioritized for projects
509 that comply with decarbonization and sustainability standards; provided further, that
510 prioritization shall be determined through objective scoring criteria in the Qualified Allocation
511 Plan developed by the executive office of housing and livable communities; provided further,
512 that for new construction projects, the standards set forth in the commonwealth’s Opt-in
513 Specialized Energy Code under 225 CMR 22.00 and 23.00 and the Enterprise Green
514 Communities standards shall be the applicable standards for prioritization; provided further, that
515 any project proposing less than full compliance with those standards shall provide detailed
516 analysis demonstrating why full compliance would render the project infeasible notwithstanding
517 utilization of all available federal and state incentives, including rebates and tax credits; provided
518 further, that for retrofits of existing units, prioritization shall be given to projects that include
519 energy efficiency and electrification decarbonization measures including, but not limited to,
520 electric or ground source heat pumps, net-zero developments, Passive House Institute
521 certification or an equivalent energy efficiency certification and all-electric buildings and
522 projects that incorporate green, sustainable and climate-resilient elements; and provided further,
523 that projects that include lower embodied carbon construction materials and methods shall be
524 further prioritized..... \$50,000,000

525 SECTION 3. Chapter 10 of the General Laws is hereby amended by inserting after
526 section 35TTT the following section:-

527 Section 35UUU. (a) There shall be established and set up on the books of the
528 commonwealth a separate, non-budgeted special revenue fund to be known as the Quabbin Host
529 Community Trust Fund. The fund shall be administered by the secretary of energy and
530 environmental affairs and shall be used to support the services, public safety and development of
531 municipalities within the Quabbin Reservoir watershed, as defined by the department of
532 conservation and recreation, including, but not limited to, lands authorized to be taken under
533 chapter 321 of the acts of 1927 or any successor statute granting the taking of land for a similar
534 purpose.

535 (b) The fund shall be credited with: (i) revenue from appropriations or other money
536 authorized by the general court and specifically designated to be credited to the fund; (ii) funds
537 from public or private sources, including gifts, grants, donations, rebates and settlements
538 received by the commonwealth that are specifically designated to be credited to the fund; and
539 (iii) interest earned on any money in the fund. Amounts credited to the fund shall be expended
540 without further appropriations and the unexpended balance in the fund at the end of a fiscal year
541 shall remain available for expenditure in subsequent fiscal years. No expenditure made from the
542 fund shall cause the fund to be in deficit at any point.

543 (c) The secretary, in consultation with the several select boards of the municipalities
544 within the Quabbin Reservoir watershed, shall establish rules and regulations for the
545 administration of the fund.

546 (d) Annually, not later than October 1, the secretary shall file with the clerks of the senate
547 and house of representatives and the house and senate committees on ways and means a report of

548 the fund’s activities, including but not limited to expenditures made and income received by the
549 fund.

550 SECTION 4. Section 48 of said chapter 10 of the General Laws, as appearing in the 2024
551 Official Edition, is hereby amended by adding the following sentence:- The fund shall be for the
552 purpose of supporting, through grant programs, dairy farms registered pursuant to chapter 94.

553 SECTION 5. Section 6C of chapter 20 of the General Laws, as so appearing, is hereby
554 amended by striking out, in line 3, the figure “18” and inserting in place thereof the following
555 figure:- 20.

556 SECTION 6. Said section 6C of said chapter 20, as so appearing, is hereby further
557 amended by inserting after the word “affairs”, in line 19, the following words:- ; 1 of whom shall
558 be the director of the division of marine fisheries or a designee; 1 of whom shall be the director
559 of the University of Massachusetts center for agriculture, food and the environment or a
560 designee.

561 SECTION 7. Chapter 21 of the General Laws is hereby amended by inserting after
562 section 2G the following section:-

563 Section 2H. (a) The commissioner of conservation and recreation shall consider land
564 under the care and control of the department for potential designation and long-term passive
565 management as a forest reserve and shall recommend designation of land as a forest reserve;
566 provided, however, that such designation shall: (i) contribute to carbon sequestration and storage
567 as part of the commonwealth’s climate mitigation strategy; (ii) allow forest habitats to mature
568 and develop over time without human intervention in ecological processes as part of a holistic,
569 statewide, biodiversity conservation strategy; (iii) maintain connections between natural

570 landscape blocks and species movement corridors; (iv) allow for passive outdoor recreation; and
571 (v) facilitate ecological research, comparative studies of forest dynamics and long-term
572 monitoring to evaluate reserves as compared to other land management approaches.

573 (b) The commissioner, with the approval of a simple majority of the stewardship council
574 members present at a duly called meeting of the council, may designate land under the care and
575 control of the department as a forest reserve. Forest reserves shall be managed consistent with
576 such designation, unless the commissioner, with the approval of not less than a two-thirds
577 majority of the council present at a duly called meeting of the council, and with the approval of
578 the secretary of energy and environmental affairs, de-designates such land.

579 (c) Designation or de-designation of land as a forest reserve shall constitute an
580 administrative designation and shall not constitute a change to the care, custody, control, use or
581 classification of the land or cause the disposal of land or an interest in land.

582 (d) The department shall passively manage forest reserves with minimal interference to
583 the natural ecology of the land. Forest reserves shall not be managed for production of timber or
584 natural resources. After consultation with a forest reserve science and technical advisory
585 committee to be administered by the secretary of energy and environmental affairs, the
586 department may actively manage or make restorations to: (i) support ecological functions; (ii)
587 control pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv)
588 protect public safety; or (v) address other unforeseen circumstances. The department may
589 undertake such other management actions as may be required by law.

590 Regulated hunting and trapping, conversion or removal of plantations, maintenance or
591 repair of existing roads, trails and administrative access points, preservation of historic and

592 cultural resources, removal of immediate threats to public safety, selective understory invasive
593 plant control and monitoring and research activities shall be permitted within forest reserves.

594 SECTION 8. Said chapter 21 is hereby further amended by inserting after section 3G the
595 following section:-

596 Section 3H. (a) The commissioner of conservation and recreation may promulgate rules
597 and regulations for: (i) the management and use of all property under the control of the
598 department including all roads and highways wholly or in part within the boundaries of such
599 property, including rules and regulations relative to hunting and fishing, except in great ponds,
600 not inconsistent with the laws protecting fish, birds, mammals and quadrupeds; (ii) the
601 management and use of the Charles river, Mystic river and Neponset river; provided that no such
602 rule or regulation shall affect the water rights of any person, including, but not limited to, a mill
603 owner; and (iii) the care, maintenance, protection and policing of the Charles river basin as
604 defined in section 2 of chapter 524 of the acts of 1909 and amendments thereto; provided that no
605 such rule or regulation shall impair freight traffic. Such rules and regulations may provide for the
606 payment of fees and other charges for the parking of vehicles and for the enjoyment of other
607 special privileges within the territory under such control.

608 No such rule or regulation shall prohibit the use of passenger or station wagon type motor
609 vehicles with a gross weight of not more than 5,000 pounds and which are registered for
610 commercial use, on ways, parkways or boulevards where non-commercial passenger-type motor
611 vehicles are permitted to operate.

612 The commissioner may enter into and issue agreements, licenses and permits for
613 recreational and other uses, and grant concessions for the sale of refreshments and other articles

614 and the furnishing of services on department property which they deem compatible and
615 consistent with this section and Article XCVII of the amendments to the Constitution; provided,
616 however, that such agreements, licenses and permits shall be for periods not exceeding 10 years
617 and shall be in writing.

618 (b) A violation of such a rule or regulation shall be punished by a fine of not more than
619 \$500 and each day a violation continues, including the unauthorized or unpermitted use and
620 occupation of department property, shall constitute a separate violation.

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

623 A police officer employed by a city or town in whose boundaries department property is
624 located shall have all the same powers within any such department property and the power to
625 enforce the laws of the commonwealth and the rules and regulations of the department as
626 applicable to such property.

627 (d) Notwithstanding any other general or special law to the contrary, revenue from any
628 fines or penalties recovered for violation under this section shall be accounted for by the clerk of
629 the court of jurisdiction and forwarded to the department of conservation and recreation to be
630 deposited as revenue.

631 (e) The department may assess a civil administrative penalty of not more than \$1,000 per
632 day for the continuing violation of any rule, regulation or issued or promulgated pursuant to this
633 section, including, but not limited to , the use, occupation or alteration of department property
634 without written authorization as required by the department or for noncompliance with such
635 written authorization. Each day a violation continues shall constitute a separate violation. The

636 remedies provided in this paragraph shall be available in addition to any other penalties or
637 remedies provided by law. The department may adopt and promulgate regulations to effectuate
638 the purposes of this paragraph. A penalty assessed pursuant to this paragraph shall be assessed
639 only in addition to any other civil penalty otherwise provided for by law. Notice of assessment of
640 a penalty pursuant to this paragraph shall be made by service in hand, or by certified mail, return
641 receipt requested, and shall state the amount of the administrative penalty, the date the penalty
642 shall be due, a statement of the violator's right to an adjudicatory hearing pursuant to chapter
643 30A regarding the assessment, a statement of the actions the person may take in order to avoid
644 assessment of additional penalties or to avoid waiving the right to a hearing relative to the
645 penalty and the manner of acceptable payment if an election to waive a hearing is made. A
646 person or political subdivision of the commonwealth shall be deemed to have waived all right to
647 an adjudicatory hearing unless, within 21 days of the date of the department's notice, a written
648 notice is received by the department, by hand or by certified mail, return receipt requested,
649 requesting such adjudicatory hearing. In the event that such request is not received in accordance
650 with this section, the proposed administrative penalty shall become final and payment shall be
651 due in accordance with the notice.

652 SECTION 9. Paragraph (b) of section 67 of said chapter 21, as appearing in the 2024
653 Official Edition, is hereby amended by striking out the third sentence and inserting in place
654 thereof the following sentence:- The regulations shall be in accordance with generally accepted
655 standards of irrigation practice.

656 SECTION 10. Paragraph (c). of said section 67 of said chapter 21, as so appearing, is
657 hereby amended by inserting after the word "lands", in line 29, the following words:- or golf
658 courses.

659 SECTION 11. Chapter 21H of the General Laws is hereby amended by adding the
660 following 2 sections:-

661 Section 9. (a) As used in this section, the following words shall have the following
662 meanings unless the context clearly requires otherwise:

663 “Aerosol coating product”, a pressurized coating product containing pigments or resins
664 dispensed by means of a propellant and packaged and sold in a disposable aerosol container for
665 handheld application, or for use in specialized equipment for ground traffic or marking
666 applications.

667 “Architectural paint”, interior and exterior architectural coatings sold in containers of not
668 more than 5 gallons; provided, however, that “architectural paint” shall not include industrial or
669 original equipment.

670 “Collection site”, a location or event at which paint is accepted into a postconsumer paint
671 stewardship program pursuant to a program plan.

672 “Department”, the department of environmental protection.

673 “Environmentally sound management practices”, procedures for the collection, storage,
674 transportation, reuse, recycling, energy recovery, and disposal of paint, that comply with all
675 applicable federal, state and local laws, including adequate record keeping, tracking and
676 documenting of the final disposition of materials and appropriate environmental liability
677 coverage.

678 “Household waste”, all solid or liquid waste materials from households including single
679 and multiple dwellings, hotels, motels and other residential sources which shall include: (i)

680 garbage, rubbish and sludge but shall not include sewage; (ii) materials defined as hazardous
681 wastes in section 2 of chapter 21C; and (iii) materials defined as source, special nuclear or by-
682 product material under the provisions of the Atomic Energy Act of 1954.

683 “Manufacturer”, a manufacturer of paint product who sells, offers for sale or distributes
684 the paint product in the commonwealth under the manufacturer’s own name or brand.

685 “Paint” or “paint product,” architectural paint, aerosol coating products or additional
686 products as covered in a program plan; provided, however, that “paint” or “paint product” shall
687 not include industrial or original equipment.

688 “Postconsumer paint”, paint not used and no longer of use to a purchaser.

689 “Program plan”, a postconsumer paint stewardship program established pursuant to
690 subsection (b).

691 “Recycling”, the separation and reuse or remanufacture of materials which might
692 otherwise be disposed of as solid waste.

693 “Representative organization”, a nonprofit organization established by a manufacturer to
694 implement a program plan.

695 “Retailer”, a company that offers paint or other allied products for retail sale in the
696 commonwealth.

697 “Very small quantity generator”, a person who: (i) generates not more than 100 kilograms
698 of regulated recyclable material in a calendar month; provided, that no acutely hazardous
699 regulated recyclable material is included; and (ii) accumulates not more than 1,000 kilograms of
700 regulated recyclable material at any one time.

701 (b)(1) A manufacturer or representative organization shall submit to the department a
702 program plan for the establishment of a postconsumer paint product stewardship program for
703 postconsumer paint. Additional paint products may be proposed in a subsequent program plan in
704 consultation with the department.

705 (2) A program plan submitted to the department under this section shall:

706 (i) provide a list of participating manufacturers and brands covered;

707 (ii) provide information on the paint products;

708 (iii) describe how the plan will provide for convenient and cost-effective statewide
709 collection of postconsumer paint in the commonwealth; provided, that the manufacturer or
710 representative organization may coordinate with existing household waste collection
711 infrastructure as is mutually agreeable; provided further, that a paint retailer may be authorized
712 by the manufacturer or representative organization as a paint collection site if the paint retailer
713 volunteers to act as such, complies with all applicable laws and regulations and the retail location
714 is consistent with the maintenance of a cost-effective network of paint collection sites;

715 (iv) establish a goal for the quantity and geographic distribution of collection sites for
716 postconsumer paint using geographic modeling that would ensure: (A) not less than 90 per cent
717 of residents have a collection site within a 15-mile radius of their domicile; and (B) at least 1
718 collection site will be available for every 50,000 of an urbanized area, as defined by the United
719 States Census Bureau, unless otherwise approved by the department;

720 (v) describe how paint products will be managed using environmentally sound
721 management practices with an emphasis on local reuse options;

722 (vi) describe education and outreach efforts to inform consumers about the program plan
723 including, but not limited to: (A) information about collection opportunities for postconsumer
724 paint products; (B) information about the fee for the operation of the program that shall be
725 included in the purchase price of all paint products sold in the commonwealth; and (C) efforts to
726 promote the source reduction, reuse and recycling of architectural paint; and

727 (vii) describe any added fee to paint products sold in the commonwealth as a result of a
728 program plan and administrative fees paid to the department deposited to the Paint Extended
729 Producer Responsibility Trust Fund.

730 (3) An independent auditor selected by the manufacturer or representative organization,
731 in consultation with the department, shall verify that the fee added to each container of a paint
732 product will not exceed the costs to operate and sustain a program plan, including costs of the
733 department. The cost of any work performed by such independent auditor shall be funded by a
734 program plan.

735 (4) Not later than 120 days after submission of a program plan under this section, the
736 department shall make a determination in writing whether to approve a program plan as
737 submitted or disapprove a program plan. The department shall make the proposed program plan
738 or amendment available for public review and comment for not less than 30 days.

739 (5) The department shall enforce an approved program plan and may promulgate
740 regulations to enforce this section, including establishing enforcement procedures.

741 (c)(1) A manufacturer or retailer shall not sell, or offer for sale, a paint product to any
742 person in the commonwealth unless the manufacturer or representative organization is
743 implementing an approved program plan as required by subsection (b).

744 (2) A manufacturer or retailer shall be in compliance with this paragraph if, on the date
745 the paint product was offered for sale, the manufacturer or retailer is listed on the department's
746 website as implementing or participating in an approved program plan, or if the paint product
747 brand is listed on the department's website as being included in the program plan.

748 (3) A paint collection site shall not charge any additional amount for the management of
749 paint products when it is solicited for collection.

750 (4) Each manufacturer and retailer shall include the per-container fee amount set forth in
751 an approved plan in the purchase price of any paint product sold in or into the commonwealth.
752 Retailers may incorporate the fee as part of the price amount displayed to consumers. Retailers
753 are not required to incorporate the fee as part of the price amount displayed to consumers,
754 provided that those retailers make information about the fee available to consumers prior to
755 purchase.

756 (d) A manufacturer or representative organization implementing or participating in a
757 program plan shall not be liable for any claim of a violation of antitrust, restraint of trade, unfair
758 trade practice or other anticompetitive conduct arising from action undertaken in accordance
759 with a program plan.

760 (e) A manufacturer or representative organization implementing a program plan shall
761 submit a report annually, not later than June 1, for the proceeding calendar year to the
762 department detailing results of the program plan for the previous year.

763 (f) Financial, production or sales data reported to the department by a manufacturer,
764 retailer or a representative organization shall not be subject to public disclosure, but the

765 department may release a summary form of such data that does not disclose financial, production
766 or sales data of the manufacturer, retailer or representative organization.

767 (g) A program plan shall be implemented not more than 6 months after the date that such
768 manufacturer or representative organization program plan is approved. The department may
769 extend the date of implementation.

770 (h)(1) Generators of household waste and very small quantity generators may transport or
771 send their paint products to a paint collection site in accordance with the program plan.

772 (2) Notwithstanding any general or special law to the contrary, paint collection sites may
773 collect and temporarily store postconsumer paint generated by persons specified in subsection (b)
774 in accordance with the requirements of the program plan.

775 (3) Nothing in this section shall be construed as restricting the collection of postconsumer
776 paint products by a stewardship program where such collection is authorized under any other
777 laws or regulations.

778 (4) Nothing in this section shall be construed to affect any requirements applicable to
779 facilities that treat, dispose or recycle postconsumer paint products under an otherwise applicable
780 law, rule or regulation.

781 (i)(1) Any program plan amendment shall be submitted to the department for approval
782 when the amendment proposes changes to the program fee or substantial changes to program
783 services.

784 (2) The department shall review any program plan amendment for compliance with this
785 section and shall approve, disapprove or conditionally approve the plans or plan amendments in

786 writing within 120 days of their receipt. If the department disapproves a plan amendment
787 submitted, the department shall explain how the plan amendment does not comply with this
788 section. The manufacturer or representative organization shall resubmit to the department a
789 revised program plan amendment or withdraw the amendment within 60 days of the date the
790 written notice of disapproval is issued and the department shall review the revised program plan
791 or plan amendment within 30 days of resubmittal.

792 (3) When an amendment to an approved plan is submitted under this subsection, the
793 department shall make the proposed amendment available for public review and comment for not
794 less than 30 days.

795 Section 10. (a) There shall be established and set up on the books of the commonwealth
796 an expendable trust account known as the Paint Extended Producer Responsibility Trust Fund,
797 which shall be administered by the commissioner of environmental protection. The fund shall be
798 credited with: (i) fees authorized under section 9; (ii) any appropriation, grant, gift or other
799 contribution made to the fund; and (iii) any interest earned on money in the fund.

800 (b) Amounts credited to the trust shall be expended, without further appropriation, for the
801 department of environmental protection to administer the postconsumer paint stewardship
802 program established in section 9. The unexpended balance in the trust at the end of a fiscal year
803 shall remain available for expenditure in subsequent fiscal years. No expenditure made from the
804 trust shall cause the fund to be in deficit at any point.

805 SECTION 12. The General Laws are hereby amended by inserting after chapter 21O the
806 following chapter:-

807 Chapter 21P

808 MASSACHUSETTS PLASTICS REDUCTION ACT

809 Section 1. As used in this chapter, the following words shall have the following
810 meanings unless the context clearly requires otherwise:

811 “Bag”, a container made of flexible material with an opening at the top that is used to
812 carry items.

813 “Carryout bag”, a bag provided to a customer to carry items purchased from or serviced
814 by a business, retailer, organization or other entity; provided, however, that “carryout bag” shall
815 not include a bag without handles: (i) provided by a pharmacy to a customer purchasing
816 prescription medication; (ii) used to protect items from damaging or contaminating other
817 purchased items placed in a recycled paper bag or a reusable bag; (iii) provided to contain an
818 unwrapped food item; (iv) used to protect articles of clothing on a hanger; (v) used to prevent
819 frozen food items from thawing; (vi) provided or made available to a customer purchasing raw
820 meat, uncooked seafood or other similar products; (vii) used to contain and secure small items;
821 or (viii) a similar non-handled bag as determined by the department to be essential and not
822 readily replaceable.

823 “Customer”, a person who purchases or otherwise receives goods, services or materials
824 from a business, organization, corporation or other entity.

825 “Department”, the department of environmental protection.

826 “Disposable”, designed to be discarded after a single or limited number of uses and not
827 designed or manufactured for long-term multiple reuse.

828 “Food service ware”, disposable products used for serving or transporting foods or
829 beverages for human consumption including, but not limited to, plates, bowls, trays, cups,
830 cartons, hinged or lidded containers, straws, stirrers, cup spill plugs, cup sleeves, condiments
831 containers, utensils, cocktail sticks or picks, toothpicks, film wrap and napkins; provided,
832 however, that “food service ware” shall not include detachable lids for beverage cups or food
833 containers, coolers or ice chests.

834 “Plastic”, any synthetic or semi-synthetic material made partially or entirely from fossil
835 fuel-based petrochemical polymers that retains its shape during its lifecycle, including, but not
836 limited to, polystyrene, polyethylene, polypropylene and polycarbonate.

837 “Postconsumer recycled material”, material used in a recycled paper bag that would
838 otherwise be disposed of as solid waste and that does not comprise any material or byproduct
839 generated from, and commonly reused within, an original manufacturing and fabrication process.

840 “Recycle”, to separate, dismantle or process the materials, components or commodities
841 in materials for the purpose of preparation for use or reuse in new products or components;
842 provided, however, that “recycle” shall not include energy recovery or energy generation by
843 means of combustion, including, but not limited to, pyrolysis, gasification or other heat chemical
844 conversion processes, or landfill disposal.

845 “Recycled paper bag”, a paper bag that is 100 per cent recyclable and contains not
846 less than 50 per cent postconsumer recycled material.

847 “Reusable bag”, a bag that: (i) is made of machine-washable cloth, fabric, hemp
848 or other woven or non-woven fibers; (ii) has handles that are stitched with thread and not heat-

849 fused; and (iii) is designed and manufactured for multiple uses; provided, however, that a
850 “reusable bag” shall not include a bag made of plastic film of any thickness.

851 “Serviced” or “servicing”, the past or present act of cleaning, repairing, improving,
852 refinishing or altering an item owned by a customer by a person engaged in a retail business of
853 customarily providing such services, including, but not limited to, dry cleaning and tailoring
854 articles of clothing, jewelry repair and shoe and leather repair.

855 Section 2. (a) A retailer or charging entity shall not provide a customer a carryout bag
856 unless such carryout bag is a recycled paper bag or a reusable bag; provided, however, that a
857 customer shall be charged not less than 10 cents per recycled paper bag provided; provided
858 further, that a recycled paper bag purchased under this section shall not be subject to taxation
859 pursuant to chapter 64H or 64I.

860 (b) Five cents per recycled paper bag sold shall be remitted by the retailer or charging
861 entity to the department of revenue at the same time and in the same manner as sales taxes are
862 due to the commonwealth. The department of revenue shall deposit such amounts into the
863 Plastics Environmental Protection Fund established under section 2QQQQQQ of chapter 29. The
864 department of revenue may promulgate regulations to facilitate the collection of the fee set forth
865 in this paragraph. The retailer or charging entity shall retain the remainder of the amount charged
866 to customers.

867 (c) Nothing in this section shall prohibit the sale or offering for sale of packages
868 containing several bags, products or goods with a protective or other bag received from a
869 manufacturer or distributor or bags offered for sale as a product or merchandise that are not
870 carryout bags.

871 (d) This section shall not apply to: (i) bags otherwise required to be used under state or
872 federal law; or (ii) a nonprofit organization, charity or religious institution in the provision or
873 distribution of food, clothing or other items at no cost or substantially reduced cost.

874 (e) A business with not more than 1 store location with an area of not more than 4,000
875 square feet of retail selling space and not more than 10 employees, and which provided not more
876 than 10,000 carryout bags in total during the previous calendar year, shall not be required to
877 collect or remit bag fees as otherwise set forth in this section.

878 Section 3. (a) Except as provided in subsection (b), a retailer or charging entity shall not
879 provide a customer with food service ware unless requested by the customer.

880 (b) A retailer or charging entity may make food service ware available to a customer for
881 self-service to allow for non-bundled, single-use food service ware to be obtained.

882 Section 4. (a) For the purposes of this section, “state agency” shall mean any department
883 of state government, independent state authority, quasi-public authority, board, district,
884 commission, instrumentality or agency of the commonwealth and the executive, legislative and
885 judicial branches.

886 (b) State agencies shall not expend state funds to procure single-use plastic bottles that
887 have a capacity of 21 fluid ounces or less; provided, however, that state agencies shall be exempt
888 from this requirement if such exemption is required to provide for disability or accessibility
889 related accommodations.

890 (c) Subsection (b) shall not apply: (i) when no alternative is available or practicable; (ii)
891 when necessary to protect public health, safety and welfare; (iii) when compliance with this

892 section would conflict with contract requirements or labor agreements in existence as of the
893 effective date of this section or agreements solicited before the effective date of this section; and
894 (iv) to prepare for or respond to an emergency.

895 Section 5. The department shall establish a statewide program to provide for the recycling
896 of bulk plastic materials, including, but not limited to, child passenger restraints as defined in
897 section 1 of chapter 90, and may: (i) implement local or regional bulk plastic recycling programs;
898 (ii) accept applications from municipalities for grants and to award grants to assist in the
899 development or establishment of local and regional bulk plastic recycling programs; and (iii)
900 partner or contract with private organizations to assist in the development or establishment of a
901 bulk plastic recycling program.

902 Section 6. A municipality shall not pass, adopt, promulgate or otherwise effectuate an
903 ordinance, by-law or other rule or regulation inconsistent with this chapter.

904 Section 7. Except as otherwise provided, the department shall promulgate regulations to
905 implement and enforce this chapter. The department may promulgate regulations to increase the
906 minimum postconsumer recycled material required for recycled paper bags.

907 Section 8. The department shall establish and assess civil administrative penalties
908 pursuant to section 16 of chapter 21A for violations of this chapter.

909 The superior court department of the trial court may assess civil penalties as set forth in
910 this section and enjoin violations of, and grant such additional relief as it deems necessary or
911 appropriate to secure compliance with, the provisions of this chapter, or any regulation, rule or
912 other order or action adopted or issued pursuant to this section. The attorney general and district

913 attorneys may bring enforcement actions under this section in the superior court department of
914 the trial court or any other court of competent jurisdiction.

915 SECTION 13. Section 22 of chapter 25 of the General Laws, as amended by chapter 239
916 of the acts of 2024, is hereby further amended by adding the following 3 subsections:-

917 (f) Public and private water utilities shall file quarterly reports with the executive office
918 of energy and environmental affairs regarding customer service data. The reports shall be public
919 record and shall include, but shall not be limited to, the following information, disaggregated by
920 zip codes:

921 (1) The number of customers receiving service from a water utility provider;

922 (2) The number customer disconnection notices sent due to bill nonpayment;

923 (3) The number and dates of water shut offs that took place and average time between
924 service disconnection due to non-payment and service reconnection;

925 (4) The number of customer accounts that became eligible for disconnection due to bill
926 nonpayment but were not disconnected because of any legally mandated or voluntary suspension
927 of disconnections;

928 (5) The number of customers charged late fees, penalties, reconnection fees, interest, and
929 any other charge associated with late payment of a bill;

930 (6) The number of liens on real property placed, sold, or enforced due to nonpayment;

931 (7) The number of customers enrolled in deferred payment agreements at the end of each
932 month, and the average length of the repayment term under those agreements;

933 (8) The number of customers that entered into, successfully completed, or defaulted from
934 a deferred payment agreement;

935 (9) Customer assistance programs available to water consumers, including terms of
936 eligibility, and available budget for each program;

937 (10) The number of customers receiving assistance under each customer assistance
938 program at the end of each month, the total dollar amount of assistance provided, and the number
939 of customers who were denied assistance; and

940 (11) The methods and contents of general communications by local utilities and public
941 utilities to customers concerning their rights and available assistance programs if customers are
942 unable to pay their bills in full.

943 (g) The executive office of energy and environmental affairs may adopt regulations
944 necessary to implement this section.

945 (h) Annually, not later than March 15, the executive office of energy and environmental
946 affairs shall report to the senate and house committees on ways and means and the joint
947 committee on environment, natural resources and agriculture data concerning the results of such
948 equity audit reports.

949 SECTION 14. Chapter 29 of the General Laws is hereby amended by inserting after
950 section 2NNNNNN the following 3 sections:-

951 Section 2000000. (a) There shall be established and set up on the books of the
952 commonwealth a separate, non-budgeted special revenue fund known as the Resilience
953 Revolving Fund. The fund shall be administered by the board of trustees of the Massachusetts

954 Clean Water Trust established by section 2 of chapter 29C. The fund shall be credited with
955 amounts credited or transferred to the fund by the general court or any other source, including,
956 but not limited to: fees or tax revenue specified to be credited to the fund; federal grants; loan
957 repayments; investment earnings on monies in the fund; and any other amounts required to be
958 credited to the trust by operation of law, resolution or agreement entered into by the board. The
959 state treasurer shall be the treasurer-custodian of the fund, and, subject to any applicable trust
960 agreement, the state treasurer is authorized to invest monies held in the fund in such investments
961 as may be legal investments for funds of the commonwealth.

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

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

972 (b) There shall be an advisory committee to the board consisting of the state treasurer,
973 who shall serve ex officio; the secretary of administration and finance who shall serve ex officio;
974 the secretary of energy and environmental affairs who shall serve ex officio, 1 member appointed
975 by the trust and 1 member appointed by the secretary of energy and environmental affairs. Each

976 member of the advisory committee may appoint a designee pursuant to section 6A of chapter 30.
977 The committee shall choose its chair. The advisory committee shall recommend eligible climate
978 resilient infrastructure projects and expenditures for technical support and program management
979 to the board for approval for loans in subsection (d). The executive office of energy and
980 environmental affairs shall promulgate regulations setting forth the criteria for a climate
981 resilience project and any key project requirements, including but not limited to the scope of the
982 project, any ongoing requirements and covenants and compliance with subsection (b) of section
983 283 of chapter 238 of the acts of 2024 regarding the use of project labor agreements. The
984 advisory committee shall consider only projects for which it has received a certificate issued by
985 the executive office of energy and environmental affairs that approves the project in accordance
986 with regulations and that identifies the specific project requirements, including but not limited to
987 the scope, timeline and costs of the project.

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

992 The bonds of each issue may be dated, may bear interest at such rate or rates, including
993 rates variable from time to time, and may mature or otherwise be payable or redeemable at such
994 times as the board may determine. The board shall determine the denominations of bonds, the
995 details of their execution and authentication and their places of payment within or without the
996 commonwealth. In case any trustee or officer whose signature appears on any bonds shall cease
997 to be such officer before their delivery, the signature shall nevertheless be valid and sufficient as
998 if the officer had remained in office until delivery. Bonds may be issued in certificated or

999 uncertificated form, payable to bearer or registered owners, and, if notes, may be made payable
1000 to bearer or to order. The board may sell the bonds of the trust at public or private sale at par or
1001 for such premium or discount price as it may determine. The board may by resolution delegate to
1002 any trustee or officer of the trust the power to determine any of the matters set forth in this
1003 section.

1004 Bonds of the trust may be secured by a trust agreement between the trust and the bond
1005 owners or a corporate trustee which may be any trust company or bank having the powers of a
1006 trust company within or without the commonwealth. A trust agreement may pledge or assign, in
1007 whole or in part, any loan agreements and local governmental obligations, and the revenues,
1008 funds and other assets or property held or to be received by the trust with respect to the
1009 Resilience Revolving Fund, including without limitation all monies and investments on deposit
1010 from time to time in the fund or any account of such trust agreement and any contract or other
1011 rights to receive the same, whether then existing or thereafter coming into existence and whether
1012 then held or thereafter acquired by the trust, and the proceeds thereof. A trust agreement may
1013 contain, without limitation, provisions for protecting and enforcing the rights, security and
1014 remedies of the bondholders, provisions defining defaults and establishing remedies, which may
1015 include acceleration and may also contain restrictions on the remedies by individual
1016 bondholders. A trust agreement may also contain covenants of the trust concerning the custody,
1017 investment and application of monies, the enforcement of loan agreements and local
1018 governmental obligations, the issue of additional or refunding bonds, the use of any surplus bond
1019 proceeds, the establishment of reserves and the regulation of other matters customarily treated in
1020 trust agreements. At the request of the board, the state treasurer shall and is hereby authorized to
1021 join in any trust agreement or to otherwise agree with the trust, any lender or any trustee for

1022 bondholders to hold the fund in compliance with any covenants and provisions relating to the
1023 fund contained in any trust agreement.

1024 Bonds may be issued by the trust in the form of lines of credit or other banking
1025 arrangements under terms and conditions determined by the board. In addition to other lawful
1026 security, bonds may be secured, in whole or in part, by financial guarantees, by insurance, by
1027 letters or lines of credit or by other credit enhancement issued to the trust or to a trustee or other
1028 person, by any bank, trust company, insurance or surety company or other financial institution,
1029 within or without the commonwealth; the trust may pledge or assign, in whole or in part, any
1030 loan agreements and local governmental obligations and the revenues, funds and other assets and
1031 property held or to be received by the trust with respect to the Resilience Revolving Fund, and
1032 any contract or other rights to receive the same, whether then existing or thereafter coming into
1033 existence and whether then held or thereafter acquired by the trust, and the proceeds thereof, as
1034 security for such guarantees or insurance or for the reimbursement to any issuer of a line or letter
1035 of credit.

1036 The board may by resolution provide for the issue by the trust of interim receipts or
1037 temporary bonds, exchangeable for definitive bonds when the bonds are executed and are
1038 available for delivery. The board may also provide for replacement of mutilated, destroyed or
1039 lost bonds. The trust may purchase and invite offers to tender for purchase any outstanding
1040 bonds; provided, however, that no purchase by the trust shall be made at a price, exclusive of
1041 accrued interest, if any, exceeding the bond's principal amount or, if greater, its redemption price
1042 when next redeemable at the option of the trust. The trust may resell any bonds it purchases in
1043 such manner and for such price as it may determine.

1044 The board may also issue refunding bonds of the trust for the purpose of paying any
1045 bonds at or prior to maturity. Refunding bonds may be issued at any time at or prior to the
1046 maturity or redemption or purchase of the refunded bonds. Refunding bonds may be issued in
1047 sufficient amounts to pay or provide for payment of the principal of the bonds being refunded,
1048 together with any redemption premium thereon, any interest or discount accrued or to accrue to
1049 the date of payment, costs of issuance and other expenses and reserves reasonably necessary to
1050 achieve the refunding.

1051 Bonds of the trust shall be: (i) securities in which public officers and agencies, insurance
1052 companies, financial institutions, investment companies, executors, administrators, trustees and
1053 others may properly invest funds including capital within their control; and (ii) securities which
1054 may be deposited with any public officer or any agency for any purpose for which the deposit of
1055 bonds is authorized by law.

1056 Bonds issued by the trust shall not be deemed to be a debt or a pledge of the faith and
1057 credit of the commonwealth or of any of its political subdivisions, but shall be payable solely
1058 from the revenues and monies of the Resilience Revolving Fund and other monies and rights
1059 pledged to their payment. Bonds shall recite that neither the commonwealth nor any political
1060 subdivision thereof shall be obligated to pay the same and neither the faith and credit nor the
1061 taxing power of the commonwealth or any political subdivision is pledged to their payment.

1062 Every bond shall recite it is a special obligation payable solely from the revenues, funds, assets
1063 or other property of the Resilience Revolving Fund.

1064 Bonds of the trust shall be deemed to be investment securities under chapter 106. Bonds,
1065 their transfer and the income therefrom, including any profit made on the sale thereof, shall at all

1066 times be exempt from taxation by and within the commonwealth. The trust shall not be required
1067 to pay any taxes, assessments or excises upon its income, existence, operation, or assets, monies
1068 or revenues.

1069 It shall be lawful for any bank or trust company to act as a depository of the fund or
1070 trustee under a trust agreement, provided it furnishes indemnification and reasonable security as
1071 the board may require. Any assignment or pledge of revenues, funds and other assets and
1072 property made by the trust shall be valid and binding and shall be deemed continuously perfected
1073 for the purposes of chapter 106 and other laws when made. The revenues, funds and other assets
1074 and property, rights therein and thereto and proceeds so pledged and then held or thereafter
1075 acquired or received by the trust shall immediately be subject to the lien of such pledge without
1076 any physical delivery or segregation or further act, and the lien of any such pledge shall be valid
1077 and binding against all parties having claims of any kind in tort, contract or otherwise against the
1078 trust, whether or not such parties have notice thereof. The trust agreement by which a pledge is
1079 created need not be filed or recorded to perfect the pledge except in the records of the board and
1080 no filing need be made pursuant to said chapter 106. Any pledge or assignment made by the trust
1081 is an exercise of its political and governmental powers, and loan agreements, local governmental
1082 obligations, revenues, funds, assets, property and contract or other rights to receive the same and
1083 the proceeds thereof which are subject to the lien of a pledge or assignment created under this
1084 chapter shall not be applied to any purposes not permitted by the pledge or assignment. Any
1085 holder of a bond and any trustee under a trust agreement, except to the extent its rights may be
1086 restricted by the trust agreement, may bring suit upon the bonds and may pursue any other legal
1087 action to protect and enforce its rights and compel performance of all duties required to be
1088 performed by the trust and the board.

1089 (d) In addition to the other powers set forth in Chapter 29C, the board shall have the
1090 power to make loans and other forms of financial assistance to finance or refinance costs of
1091 climate resilient infrastructure projects as authorized by subsection (a), and to acquire, hold and
1092 sell local governmental obligations and other instruments evidencing the loans and other forms
1093 of financial assistance at such prices and in such manner as the board shall deem advisable and to
1094 secure bonds of the trust with loans, local governmental obligations and other instruments.

1095 Any municipality, tribal government and public water and wastewater district may apply
1096 to the executive office of energy and environmental affairs for a loan to assist in financing the
1097 cost of a climate resilient infrastructure project. At the option of the trust, loans may be
1098 unsecured or may be secured by local governmental obligations for delivery to the trust to
1099 evidence the loan. Each loan shall be made pursuant to a loan agreement between the trust and
1100 such entity acting by and through the officer or officers, board, committee or other body
1101 authorized by law, or otherwise its chief executive officer. The trust shall have such remedies
1102 with respect to defaults on such loans as set forth in section 11 of chapter 29C.

1103 Section 2PPPPPP. (a) For the purposes of this section, “Historic Connecticut River Water
1104 Trail” shall mean, unless the context clearly indicates otherwise, the portion of the Connecticut
1105 River beginning at the Holyoke Dam located at river mile 83.4, and ending at the northern border
1106 of the municipality of Hatfield located at river mile 104.3.

1107 (b) There shall be established and set up on the books of the commonwealth a separate,
1108 non-budgeted special revenue fund known as the Historic Connecticut River Water Trail
1109 Marking Fund, which shall be administered by the executive office of energy and environmental
1110 affairs to support maintenance of the Historic Connecticut River Water Trail.

1111 (c) The fund shall be credited with: (i) money transferred to the fund by a municipality;
1112 (ii) money transferred to the fund by the municipal gas and electric commission of the city of
1113 Holyoke; (iii) money transferred to the fund by the general court and specifically designated to
1114 be credited to the fund; (iv) funds from public and private sources, including, but not limited to,
1115 gifts, grants and donations; and (v) interest earned on such money.

1116 (d) Amounts credited to the fund shall be expended, without further appropriation, by the
1117 secretary of energy and environmental affairs, in consultation with the director of the office of
1118 law enforcement, the director of the office of outdoor recreation and the chief executive officers
1119 of the municipalities of Easthampton, Hadley, Hatfield, Holyoke, Northampton and South
1120 Hadley, to ensure the placement of river markers to ensure safe navigable passage and recreation
1121 on the Historic Connecticut River Water Trail.

1122 (e) The unexpended balance in the fund at the end of a fiscal year shall not revert to the
1123 General Fund and shall remain available for expenditure in subsequent fiscal years. To
1124 accommodate timing discrepancies between the receipt of revenues and related expenditures, the
1125 secretary of the executive office of energy and environmental affairs may incur expenses, and the
1126 comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as
1127 certified by the Massachusetts environmental police, as reported in the state accounting system.

1128 Section 2QQQQQQ. (a) There shall be a Plastics Environmental Protection Fund to be
1129 expended, without prior appropriation, by the department of environmental protection. The fund
1130 shall consist of: (i) revenue from appropriations or other money authorized by the general court
1131 and specifically designated to be credited to the fund; (ii) interest earned on such revenues; (iii)
1132 funds from public and private sources, including, but not limited to, gifts, grants, donations and

1133 settlements received by the commonwealth that are designated to be credited to the fund; (iv)
1134 federal funds paid to the commonwealth designated to be credited to the fund; and (v) monies
1135 paid to the commonwealth pursuant to chapter 21P, including all funds collected by the
1136 department of revenue pursuant to section 2 of said chapter 21P. The fund shall be expended to:
1137 (i) improve the air, water, soil or other environmental conditions for low and moderate income
1138 communities; (ii) provide reusable bags at no-cost to low and moderate income communities and
1139 individuals receiving benefits administered by the department of transitional assistance at no
1140 cost; (iii) issue grants to small businesses that are incorporated and have principal places of
1141 business in the commonwealth to assist in the reduction of plastic use within each business,
1142 including, but not limited to, small businesses in the food service and production industries; and
1143 (iv) provide multilingual, culturally competent educational materials and programming on bag
1144 reuse and recycling and other aspects of environmental protection. Any bond proceeds deposited
1145 into the fund shall be kept separate from any and all other funds deposited into the fund. No
1146 expenditure from the fund shall cause the fund to be in deficiency at the close of a fiscal year.
1147 Monies deposited into the fund that are unexpended at the end of a fiscal year shall not revert to
1148 the General Fund and shall be available for expenditure in the subsequent fiscal years.

1149 (b) The department of environmental protection shall administer the fund. Annually, not
1150 later than March 1, the department shall report on the activities of the fund from the previous
1151 calendar year to the senate and house committees on ways and means and the joint committee on
1152 environment and natural resources. The department may promulgate regulations or issue other
1153 guidance to implement this section. The department shall consult with the department of
1154 transitional assistance to equitably implement the provision of no-cost reusable bags as set forth
1155 in subsection (a). The department shall consult with the Massachusetts Growth Capital

1156 Corporation to equitably implement the provision of grants to small businesses to assist in the
1157 reduction of plastic use.

1158 SECTION 15. Section 2000000 of chapter 29 of the General Laws, as inserted by
1159 section 10, is hereby amended by inserting after the words “including, but not limited to:” the
1160 following words:- any amounts transferred pursuant to paragraph (2) of subsection (d) of section
1161 168 of chapter 175;

1162 SECTION 16. Section 62E of said chapter 30, as so appearing, is hereby amended by
1163 adding the following paragraph:-

1164 The secretary may establish priority housing projects consistent with commonwealth land
1165 use planning and housing strategies, climate resilient design guidelines, environmental priorities
1166 and nature based solutions projects, as categories of projects that are not presumed likely to
1167 cause damage to the environment and do not require an environmental impact report regardless
1168 of location; provided however, that such projects meet standards as determined by the secretary.
1169 Notwithstanding the foregoing, the secretary may determine that a particular project requires an
1170 environmental impact report based on review of a notification form submitted under section 62A.

1171 SECTION 17. Section 1 of chapter 61 of the General Laws, as so appearing, is hereby
1172 amended by striking out the definition of “forest products” and inserting in place thereof the
1173 following definition:-

1174 “Forest products”, wood, timber, Christmas trees, other tree forest growth, carbon
1175 sequestration and storage and any other product produced by forest vegetation.

1176 SECTION 18. Said section 1 of said chapter 61, as so appearing, is hereby further
1177 amended by striking out, in line 18, the words “including intermediate” and inserting in place
1178 thereof the following words:- which may include, but shall not be limited to, intermediate.

1179 SECTION 19. Section 8 of said chapter 61, as so appearing, is hereby amended by
1180 striking out, in lines 94 and 111, the words “section 23B of chapter 39” and inserting in place
1181 thereof, in each instance, the following words:- sections 18 to 25, inclusive, of chapter 30A.

1182 SECTION 20. Said chapter 61 is hereby amended by inserting after section 8 the
1183 following section:-

1184 Section 8A. The department of conservation and recreation shall have a first refusal
1185 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 8 or an
1186 option to purchase such land at full and fair market value in the case of conversion, which option
1187 shall be subordinate to that of a town or city pursuant to section 8. Except as provided herein, the
1188 department shall have all applicable rights and obligations of cities and towns under section 8
1189 including, but not limited to, the right of entry upon the land, the provision of non-exercise
1190 notices and the recording of notices of exercise at the appropriate registry of deeds. The
1191 department, or its assignee, and the town or city may cooperate to satisfy the appraisal
1192 requirements or other obligations required by section 8 or this section.

1193 If the notice of intent to sell or convert required by section 8 does not contain all the
1194 required material, then the department, within 30 days of receipt of the notice, shall notify the
1195 landowner and town or city in writing that the notice is insufficient and does not comply.

1196 A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1197 commissioner of the department in the same manner as to other parties as required by section 8.

1198 A city or town shall provide to the commissioner any notice of public hearing, notice of
1199 exercise or non-exercise, and notice of assignment in the same manner, and containing the same
1200 materials, as is required to be given to the landowner pursuant to section 8.

1201 The department may assign its option to the division of fisheries and wildlife of the
1202 department of fisheries, wildlife and environmental law enforcement; provided, however, that a
1203 notice of assignment shall be recorded pursuant to section 8.

1204 The department or its assignee may exercise its option only after: (i) consultation with the
1205 executive office of housing and livable communities and the executive office of economic
1206 development; and (ii) holding a public hearing. Said hearing shall be held pursuant to sections 18
1207 to 25, inclusive, of chapter 30A within the town or city where the land is located or in 1 such
1208 town or city if the land crosses a municipal boundary and shall be held prior to submission of a
1209 written notice of intent to exercise an option under this section. The department, or assignee, at
1210 said hearing, shall disclose the reasons for exercise of the option pursuant to this section and
1211 identify any assignment by the department. The department, or its assignee, may comply with the
1212 public hearing requirement by participating in a scheduled public meeting of a town or city.

1213 The department, or its assignee, may exercise an option under this section by providing
1214 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1215 period available to the town or city for exercise of its option pursuant to section 8. An option so
1216 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1217 the registry of deeds or that the town's or city's option otherwise expires.

1218 The department shall record its notice of assignment or notice of exercise within 30 days
1219 of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town or

1220 city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice of
1221 assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1222 any other reason.

1223 Land acquired by the department or division pursuant to this section shall be permanently
1224 dedicated for public purposes as specified in, and subject to, Article XCVII of the Amendments
1225 to the Constitution of the Commonwealth.

1226 SECTION 21. Section 14 of chapter 61A of the General Laws, as appearing in the 2024
1227 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words “section 23B
1228 of chapter 39” and inserting in place thereof, in each instance, the following words:- sections 18
1229 to 25, inclusive, of chapter 30A.

1230 SECTION 22. Said chapter 61A of the General Laws is hereby amended by inserting
1231 after section 14 the following section:-

1232 Section 14A. The department of agricultural resources shall have a first refusal option to
1233 meet a bona fide offer to purchase land proposed for sale pursuant to section 14 or an option to
1234 purchase such land at full and fair market value in the case of conversion, which option shall be
1235 subordinate to that of a town or city pursuant to section 14. Except as provided herein, the
1236 department shall have all applicable rights and obligations of cities and towns under section 14
1237 including, but not limited to, the right of entry upon the land, the provision of non-exercise
1238 notices and the recording of notices of exercise at the appropriate registry of deeds. The
1239 department, or its assignee, and the town or city may cooperate to satisfy the appraisal
1240 requirements or other obligations required by section 14 or this section.

1241 Any notice of intent to sell or convert required by section 14 and all required
1242 accompanying materials shall be provided to the commissioner of agricultural resources in the
1243 same manner as they are conveyed by the landowner to other parties. If the notice of intent to sell
1244 or convert provided to the commissioner does not contain all the required material, then the
1245 department, within 30 days of receipt of the notice, shall notify the landowner and town or city in
1246 writing that the notice is insufficient and does not comply.

1247 A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1248 commissioner in the same manner as to other parties as required by section 14.

1249 Any city or town shall provide to the commissioner any notice of public hearing, notice
1250 of exercise or non-exercise, and notice of assignment in the same manner, and containing the
1251 same materials, as is required to be given to the landowner pursuant to section 14.

1252 The department may assign its option to the department of conservation and recreation,
1253 provided that a notice of assignment shall be recorded pursuant to section 14.

1254 The department or its assignee shall exercise its option only after: (i) consultation with
1255 the executive office of housing and livable communities and the executive office of economic
1256 development; and (ii) holding a public hearing. Said hearing shall be held pursuant to sections 18
1257 to 25, inclusive, of chapter 30A; within the town or city where the land is located or in 1 such
1258 town or city if the land crosses a municipal boundary; and prior to submission of a written notice
1259 of intent to exercise an option under this section. The department, or assignee, at said hearing,
1260 shall disclose the reasons for exercise of the option pursuant to this section and identify any
1261 assignment by the department. The department, or its assignee, may comply with the public
1262 hearing requirement by participating in a scheduled public meeting of a town or city.

1263 The department, or its assignee, may exercise an option under this section by providing
1264 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1265 period available to the town or city for exercise of its option pursuant to section 14. An option so
1266 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1267 the registry of deeds or that the town’s or city’s option otherwise expires.

1268 The department shall record its notice of assignment or notice of exercise within 30 days
1269 of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town or
1270 city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice of
1271 assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1272 any other reason.

1273 Land acquired by the department of agricultural resources or the department of
1274 conservation and recreation pursuant to this section shall be permanently dedicated for public
1275 purposes as specified in, and subject to, Article XCVII of the Amendments to the Constitution of
1276 the Commonwealth.

1277 SECTION 23. Section 9 of chapter 61B of the General Laws, as appearing in the 2024
1278 Official Edition, is hereby amended by striking out, in lines 95 and 112, the words “section 23B
1279 of chapter 39” and inserting in place thereof, in each instance, the following words:- sections 18
1280 to 25, inclusive, of chapter 30A.

1281 SECTION 24. Said chapter 61B is hereby amended by inserting after section 9 the
1282 following section:-

1283 Section 9A. The department of conservation and recreation shall have a first refusal
1284 option to meet a bona fide offer to purchase land proposed for sale pursuant to section 9 or an

1285 option to purchase such land at full and fair market value in the case of conversion, which option
1286 shall be subordinate to that of a town or city pursuant to section 9. Except as provided herein, the
1287 department shall have all applicable rights and obligations of cities and towns under section 9
1288 including, but not limited to, the right of entry upon the land, the provision of non-exercise
1289 notices and the recording of notices of exercise at the appropriate registry of deeds. The
1290 department, or its assignee, and the town or city may cooperate to satisfy the appraisal
1291 requirements or other obligations required by section 9 or this section.

1292 If the notice of intent to sell or convert required by section 9 does not contain all the
1293 required material, then the department, within 30 days of receipt of the notice, shall notify the
1294 landowner and town or city in writing that the notice is insufficient and does not comply.

1295 A holder of a mortgage shall send written notice of a mortgage foreclosure sale to the
1296 commissioner in the same manner as to other parties as required by section 9.

1297 A city or town shall provide to the commissioner any notice of public hearing, notice of
1298 exercise or non-exercise, and notice of assignment in the same manner, and containing the same
1299 materials, as is required to be given to the landowner pursuant to section 9.

1300 The department may assign its option to the division of fisheries and wildlife of the
1301 department of fish and game, provided that a notice of assignment shall be recorded as provided
1302 in section 9.

1303 The department, or its assignee, shall exercise its option only after: (i) consultation with
1304 the executive office of housing and livable communities and the executive office of economic
1305 development; and (ii) holding a public hearing. Said hearing shall be held pursuant to sections 18
1306 to 25, inclusive, of chapter 30A; within the town or city where the land is located or in 1 such

1307 town or city if the land crosses a municipal boundary; and prior to submission of a written notice
1308 of intent to exercise an option under this section. The department, or assignee, at said hearing,
1309 shall disclose the reasons for exercise of the option pursuant to this section and identify any
1310 assignment by the department. The department, or its assignee, may comply with the public
1311 hearing requirement by participating in a scheduled public meeting of a town or city.

1312 The department, or its assignee, may exercise an option under this section by providing
1313 written notice of its intent to the town or city and landowner prior to the end of the same 120-day
1314 period available to the town or city for exercise of its option pursuant to section 9. An option so
1315 exercised shall be effective at such time as the town or city records a notice of non-exercise with
1316 the registry of deeds or that the town's or city's option otherwise expires.

1317 The department shall record its notice of assignment or notice of exercise within 30 days
1318 of the earliest of: (i) receipt by the commissioner of a notice of non-exercise from the town or
1319 city; (ii) expiration of a town or city option by failure to record a notice of exercise or notice of
1320 assignment; or (iii) receipt by the commissioner of notice from the landowner of expiration for
1321 any other reason.

1322 Land acquired by the department of conservation and recreation or the department of fish
1323 and game pursuant to this section shall be permanently dedicated for public purposes as specified
1324 in, and subject to, Article XCVII of the Amendments to the Constitution of the Commonwealth.

1325 SECTION 25. Section 2 of chapter 91 of the General Laws, as appearing in the 2024
1326 Official Edition, is hereby amended by striking out, in line 22, the words "and council" and
1327 inserting in place thereof the following words:- or a designee.

1328 SECTION 26. Section 2A of said chapter 91, as so appearing, is hereby amended by
1329 striking out, each time they appear, in lines 11, 15, and 20, the words “and council” and inserting
1330 in place thereof, in each instance, the following words:- or a designee.

1331 SECTION 27. Section 4 of said chapter 91, as so appearing, is hereby amended by
1332 striking out, in line 4, the words “and council” and inserting in place thereof the following
1333 words:- or a designee.

1334 SECTION 28. Section 5 of said chapter 91, as so appearing, is hereby amended by
1335 striking out, in line 1, the words “and council” and inserting in place thereof the following
1336 words:- or a designee.

1337 SECTION 29. Section 6 of said chapter 91, as so appearing, is hereby amended by
1338 striking out, in lines 9 and 10, the words “and council” and inserting in place thereof the
1339 following words:- or a designee.

1340 SECTION 30. Section 9A of said chapter 91, as so appearing, is hereby amended by
1341 striking out, in lines 17 and 18, the words “and council” and inserting in place thereof the
1342 following words:- or a designee.

1343 SECTION 31. Section 13 of said chapter 91, as so appearing, is hereby amended by
1344 striking out, in lines 11 and 12, the words “and council” and inserting in place thereof the
1345 following words:- or a designee.

1346 SECTION 32. Section 14 of said chapter 91, as so appearing, is hereby amended by
1347 striking out, in lines 6 and 7, the words “and council” and inserting in place thereof the following
1348 words:- or a designee.

1349 SECTION 33. Section 18 of said chapter 91, as so appearing, is hereby amended by
1350 striking out, in lines 55 and 56, the words “newspaper or newspapers having a circulation in the
1351 area affected by said license at the expense of the applicant” and inserting in place thereof the
1352 following words:- manner specified by the department in regulations for the area affected by said
1353 license at the expense of the applicant, which manner shall include, but not be limited to, in local
1354 media where available. Until such regulations are promulgated and become effective, said notice
1355 shall be published at the same time in a newspaper or newspapers having circulation in the area
1356 affected by said license at the expense of the applicant.

1357 SECTION 34. Section 18 of said chapter 91, as so appearing, is hereby further amended
1358 by striking out the tenth paragraph and inserting in place thereof the following paragraph:-

1359 No license shall be granted for private tidelands unless, upon or prior to applying for a
1360 license pursuant to this section, the applicant shall submit to the clerk of the affected cities or
1361 towns where the work is to be performed an application containing the proposed use, the
1362 location, the dimensions and limits and the mode of work to be performed.

1363 SECTION 35. Said Chapter 91 of the General Laws is hereby further amended by
1364 inserting after section 18C the following 2 sections:-

1365 Section 18D. (a) Notwithstanding any general or special law to the contrary, the
1366 department may issue a general license or general permit authorizing dredging, fill and structures
1367 associated with certain activities and projects, as specified by the department, in tidelands, great
1368 ponds, rivers and streams, otherwise subject to individual licensing under sections 12, 12A, 13,
1369 14, 18 and 19 including, but not limited to: (i) marsh restoration and other ecosystem creation or
1370 restoration activities, such as vegetative plantings and streambed alteration that could include

1371 wads, and pedestrian bridge crossings; (ii) nature based solutions projects and nature based
1372 research and demonstration projects; (iii) culvert replacements including, but not limited to,
1373 those associated with bridges; (iv) great pond drawdowns; (v) dredging and placement of benthic
1374 barriers for invasive vegetation removal and harvesting; (vi) aquaculture not eligible for a permit
1375 or license under section 10A; (vii) dredging associated with activities not subject to licensing or
1376 permitting; (viii) temporary navigational and access impacts that last less than 1 year and are
1377 associated with activities not subject to licensing or permitting; (ix) pipelines, cables, conduits,
1378 sewers and similar structures installed under flowed tidelands or great ponds that are entirely
1379 embedded in the soil and that are installed by horizontal directional drilling or micro tunneling
1380 methods; (x) placement of cultch; and (xi) any other activities and projects that the department
1381 determines through regulations to be subject to a general license or general permit.

1382 (b) Projects beyond any established harbor line shall not be eligible for coverage under a
1383 general license or general permit pursuant to this section unless said project is specifically
1384 authorized by law, or, if not so authorized, is limited to dredging activities or a structure or fill
1385 that is entirely embedded in the soil and does not in any part occupy or project into such
1386 tidewater beyond the harbor line; provided however, that the department may, at any time,
1387 require any structure or fill to be removed or relocated if channel changes or alteration demands
1388 the same, as required by section 14; and provided further, that this subsection shall not affect the
1389 eligibility of projects in areas without established harbor lines.

1390 (c) The department may consider the cumulative impacts or benefits of activities in a
1391 geographic area in determining whether a particular project is appropriate for coverage under a
1392 general license or general permit.

1393 (d) The licensee or permittee shall comply with all general license or general permit
1394 standards issued as regulations by the department and any specific conditions prescribed by the
1395 department pursuant to the general license or general permit.

1396 (e) A proponent of a project eligible for coverage under a general license or general
1397 permit under this section shall certify compliance with its terms and conditions to the department
1398 and shall pay all applicable fees required by this chapter before beginning construction. The
1399 department may perform annual audits to monitor compliance with the general license or general
1400 permit requirements of this section.

1401 (f)(1) Upon or prior to applying for coverage under a general license or general permit
1402 pursuant to this section, the project proponent shall: (i) submit to the planning board of a city or
1403 town where the work is to be performed and to the clerk of said city or town a statement of the
1404 proposed use, the location, the dimensions and limits and the mode of work to be performed; (ii)
1405 provide notice to the select board of the town or the mayor of the city and the conservation
1406 commission of the town or city where the work is to be performed; and (iii) provide public notice
1407 in a manner specified by the department by regulation.

1408 (2) The project proponent shall specify by metes, bounds and otherwise the location, the
1409 dimensions and limits and the mode of performing the work and shall submit a plan of the work
1410 or structure in its application to the department for coverage under the general license or general
1411 permit; provided, however, ecological restoration projects permitted under section 40 of chapter
1412 131 that qualify for a general permit may submit the plan approved in the order of conditions.

1413 (3) A department certification of a general license for a project shall be void unless,
1414 within 60 days after certification, the department certification and the accompanying plan are

1415 recorded in the registry of deeds for the county or district in which the work is to be performed.
1416 Work or change in use shall not commence until the certification of the general license is
1417 recorded and the department has received notification of said recordation. Such recording
1418 requirement shall not apply to a certification of a general permit.

1419 (4) The cost of assessments for tidewater displacement and occupation of commonwealth
1420 tidelands shall be paid by the project proponent in connection with its application for coverage to
1421 the department.

1422 (g) Any change in use or structural alteration of a licensed or permitted structure or fill
1423 shall require a new application to the department and, for projects seeking new coverage under a
1424 general license or general permit, compliance with the requirements of subsection (f). Any
1425 unauthorized substantial change in use or unauthorized substantial structural alteration shall
1426 render coverage under the general license or general permit void. Coverage under the general
1427 license or general permit granted by the department pursuant to this chapter shall be revocable by
1428 the department for noncompliance with the conditions set forth therein. The department shall not
1429 revoke coverage under any general license or general permit until it has given written notice of
1430 the alleged noncompliance to the licensee or permittee and to those persons who have filed a
1431 written request for such notice with the department and afforded the licensee or permittee a
1432 reasonable opportunity to correct said noncompliance.

1433 (h) Section 18 and section 20 shall not apply to projects subject to a general license or
1434 general permit; provided, however, that the project proponent shall submit to the department
1435 plans of any proposed work to be performed and a copy of any legislative grant in its application
1436 for coverage to the department.

1437 (i) No license or permit shall be required under this section for dredge or fill, as defined
1438 by the department, as part of work to restore tidelands or salt marshes; provided, however, that
1439 such project is permitted by the department or local issuing authority pursuant to section 40 of
1440 chapter 131; and provided further, that such a project does not impair public access or navigation
1441 and does not involve placement of a structure.

1442 (j) The department shall adopt regulations to implement this section. Such regulations
1443 shall prescribe which activities are eligible for the general license or general permit, as well as
1444 those projects that may allow for fill or structures to acclimatize to natural conditions, so long as
1445 they do not significantly interfere with any rights held by the commonwealth in trust for the
1446 public to use tidelands, great ponds and other waterways for lawful purposes and public rights of
1447 access on private tidelands, great ponds and other waterways for any lawful use.

1448 Section 18E. (a) Notwithstanding any general or special law to the contrary, the
1449 department may issue a general license authorizing priority housing projects, as defined in
1450 section 62 of chapter 30, consistent with commonwealth land use planning and housing strategies
1451 and plans, climate resilient design guidelines and environmental priorities in tidelands otherwise
1452 subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19.

1453 (b) Projects beyond any established harbor line shall not be eligible for coverage under a
1454 general license pursuant to this section unless said project is specifically authorized by law, or, if
1455 not so authorized, is limited to dredging activities or a structure or fill that is entirely embedded
1456 in the soil and does not in any part occupy or project into such tidewater beyond the harbor line;
1457 provided however, that the department may, at any time, require any structure or fill to be
1458 removed or relocated if channel changes or alteration demands the same, as required by section

1459 14; and provided further, that this subsection shall not affect the eligibility of projects in areas
1460 without established harbor lines.

1461 (c) The department may consider the cumulative impacts of activities in a geographic
1462 area in determining whether a particular project is appropriate for coverage under a general
1463 license.

1464 (d) The licensee shall comply with all general license standards issued as regulations by
1465 the department and any specific conditions prescribed by the department pursuant to the general
1466 license.

1467 (e) A proponent of a project eligible for coverage under a general license pursuant to this
1468 section shall certify compliance with its terms and conditions to the department and shall pay all
1469 applicable fees required by this chapter before beginning construction. The department may
1470 perform annual audits to monitor compliance with the general license requirements of this
1471 section.

1472 (f)(1) Upon or prior to applying for coverage under a general license pursuant to this
1473 section, the project proponent shall: (i) submit to the planning board of a city or town where the
1474 work is to be performed and to the clerk of said city or town a statement of the proposed use, the
1475 location, the dimensions and limits and the mode of work to be performed; (ii) provide notice to
1476 the select board of the town or the mayor of the city and the conservation commission of the
1477 town or city where the work is to be performed; and (iii) provide public notice in a manner
1478 specified by the department by regulation.

1479 (2) The project proponent shall specify by metes, bounds and otherwise the location, the
1480 dimensions and limits and the mode of performing the work and shall submit a plan of the work
1481 or structure in its application to the department for coverage under the general license.

1482 (3) A department certification of a general license for a project shall be void unless,
1483 within 60 days after certification, the department certification and the accompanying plan are
1484 recorded in the registry of deeds for the county or district where the work is to be performed.
1485 Work or change in use shall not commence until the certification of the general license is
1486 recorded and the department has received notification of said recordation.

1487 (4) The cost of assessments for tidewater displacement and occupation of commonwealth
1488 tidelands shall be paid by the project proponent in connection its application for coverage to the
1489 department.

1490 (g) Any change in use or structural alteration of a licensed structure or fill shall require a
1491 new application to the department and, for projects seeking new coverage under a general
1492 license, compliance with the requirements of subsection (f). Any unauthorized substantial change
1493 in use or unauthorized substantial structural alteration shall render coverage under the general
1494 license void. Coverage under the general license granted by the department pursuant to this
1495 chapter shall be revocable by the department for noncompliance with the conditions set forth
1496 therein. The department shall not revoke coverage under any general license until it has given
1497 written notice of the alleged noncompliance to the licensee and to those persons who have filed a
1498 written request for such notice with the department and afforded the licensee a reasonable
1499 opportunity to correct said noncompliance.

1500 (h) Sections 18 and 20 shall not apply to projects subject to a general license; provided,
1501 however, that the project proponent shall submit to the department plans of any proposed work to
1502 be performed and a copy of any legislative grant in its application for coverage to the
1503 department.

1504 (i) The department shall adopt regulations to implement this section. Such regulations
1505 shall prescribe which activities are eligible for the general license, as well as those projects that
1506 may allow for fill or structures to acclimatize to natural conditions, so long as they do not
1507 significantly interfere with any rights held by the commonwealth in trust for the public to use
1508 tidelands, great ponds and other waterways for lawful purposes and public rights of access on
1509 private tidelands, great ponds and other waterways for any lawful use.

1510 SECTION 36. Section 31 of said chapter 91, as appearing in the 2024 Official Edition, is
1511 hereby amended by striking out, in line 9, the words “and council” and inserting in place thereof
1512 the following words:- or a designee.

1513 SECTION 37. Section 35 of said chapter 91, as so appearing, is hereby amended by
1514 inserting the following paragraphs:-

1515 Except as otherwise provided in this chapter, the commonwealth shall retain title to any
1516 waters or land below the low water line of a great pond in perpetuity. Persons passing by foot
1517 over areas between high water and low water lines of a great pond shall not be in violation of
1518 section 120 of chapter 266 nor subject to arrest for trespass provided they remain within an area
1519 that a reasonable person would believe to be below the high-water line, which shall include areas
1520 of wet sand and areas below the seaweed line. In areas where natural processes, with or without
1521 human intervention, have caused the landward or lateral movement of a barrier beach into an

1522 area below the historic low water line of any great pond, the portion of the barrier beach
1523 relocated into the former bottom of the great pond shall be and remain in the ownership of the
1524 commonwealth in perpetuity; provided that this paragraph shall not convert ownership of any
1525 portion of private property to public ownership in violation of Article X of Part the First of the
1526 Constitution of the Commonwealth or the Fourteenth Amendment of the United States
1527 Constitution. For the purposes of this paragraph, “barrier beach” shall mean a narrow low-lying
1528 strip of land consisting of coastal beaches and coastal dunes extending roughly parallel to the
1529 trend of the coast that is separated from the mainland by a narrow body of fresh, brackish or
1530 saline water or a marsh system. A barrier beach may be joined to the mainland at one or both
1531 ends.

1532 SECTION 38. Section 33 of chapter 92, as so appearing, is hereby amended by striking
1533 out the fourth paragraph.

1534 SECTION 39. Section 34B of said chapter 92, as so appearing, is hereby amended by
1535 striking out subsections (c) and (d).

1536 SECTION 40. Sections 37 and 38 of said chapter 92, as so appearing, are hereby
1537 repealed.

1538 SECTION 41. Section 42 of said chapter 92, as so appearing, is hereby amended by
1539 striking out the first sentence and inserting in place thereof the following sentence:- The
1540 commission may grant to towns, or to a water or sewer authority or district, locations for
1541 common sewers and drains or water supply infrastructure in and across roadways and any
1542 associated rights of way under its care and control.

1543 SECTION 42. Said section 42 of said chapter 92, as so appearing, is hereby further
1544 amended by inserting, in line 3, after the word “sewer”, the following words:- or water supply
1545 infrastructure of a town.

1546 SECTION 43. Chapter 94 of the General Laws is hereby amended by inserting after
1547 section 329 the following section:-

1548 Section 330. (a) As used in this section, the following words shall have the following
1549 meanings unless the context clearly requires otherwise:

1550 “Covered entity”, a person, corporation, business or other entity that manufactures,
1551 produces or packages a covered product and shall include, but not be limited to, a wholesaler,
1552 supplier or retailer that is responsible for labeling a covered product.

1553 “Covered product”, a premoistened, nonwoven disposable wipe composed in part or
1554 entirely of petrochemical-derived fibers that is reasonably likely to be flushed down a toilet or
1555 otherwise caused to enter a plumbing, septic or sewer system; provided, however, that a
1556 “covered product” shall include, but not be limited to, baby wipes, disinfecting wipes and facial
1557 wipes; provided further, that a “covered product” shall not include wipes composed entirely of
1558 wood pulp fibers and engineered to lose strength and degrade after disposal.

1559 (b) A covered entity shall clearly label a covered product that the entity produces,
1560 manufactures, packages, offers for sale or sells in the commonwealth with the phrase “Do Not
1561 Flush”.

1562 (c) Notwithstanding the limitations set forth in section 16 of chapter 21A, any person
1563 who violates any provision of this section or any rule or regulation promulgated pursuant to this

1564 section, shall be subject to a fine not to exceed \$2,500 per violation. Producing, manufacturing,
1565 packaging, offering for sale or selling 1 or more units of the same covered product in violation of
1566 this section shall constitute a single violation for each day such violation occurs. These penalties
1567 shall be in addition to any other penalties or remedies that may be prescribed by law.

1568 The attorney general and district attorney for the district in which the alleged violated
1569 was committed shall enforce the provisions of this section. The office of consumer affairs and
1570 business regulation may refer violations of this section to appropriate district attorney or the
1571 attorney general for enforcement, including, but not limited to, for actions assessing monetary
1572 penalties and enjoinder. The superior court department of the trial court shall have jurisdiction
1573 to assess civil penalties as set forth in this section and to enjoin violations of, or grant such
1574 additional relief as it deems necessary or appropriate to secure compliance with, the provisions
1575 of this section, or any rule or regulation promulgated pursuant to this section.

1576 (d) The office of consumer affairs and business regulation may promulgate regulations to
1577 implement and enforce this section.

1578 SECTION 44. Section 150A of chapter 111 of the General Laws, as appearing in the
1579 2024 Official Edition, is hereby amended by inserting after the first sentence in the twenty-first
1580 paragraph the following 3 sentences:-

1581 Personnel or authorized agents of the department may at all reasonable times enter any
1582 premises, public or private, for the purpose of investigating, sampling or inspecting any records,
1583 condition, equipment, practice or property relating to activities subject to this section, and may at
1584 any time enter such premises for the purpose of protecting the public health or safety, or to
1585 prevent damage to the environment. For the purposes of any entry described in the preceding

1586 sentence, no warrant shall be required; provided, however, that upon demand by the owner or
1587 person in control of such premises, a warrant authorizing such entry and inspection shall be
1588 sought after such demand. Any court, judge, or justice authorized to issue warrants in criminal
1589 cases may issue such warrants.

1590 SECTION 45. Sections 13A and 13B of chapter 128 of the General Laws are hereby
1591 repealed.

1592 SECTION 46. Chapter 128 of the General Laws, as appearing in the 2024 Official
1593 Edition, is hereby amended by striking out sections 51 through 63, inclusive, and inserting in
1594 place thereof the following 11 sections:-

1595 Section 51. The following word as used in sections 51 to section 61, inclusive, unless the
1596 context clearly indicates otherwise, shall have the following meanings:

1597 “Commercial feed”, all materials or combination of materials which are distributed or
1598 intended for distribution for use as feed or for mixing in feed, unless such materials are
1599 specifically exempted by the department.

1600 “Customer-formula feed”, commercial feed which consists of a mixture of commercial
1601 feeds, or feed ingredients, each batch of which is manufactured according to the specific
1602 instructions of the final purchaser.

1603 “Distribute”, to offer for sale, sell, exchange, barter, supply, furnish, or otherwise provide
1604 commercial feed.

1605 “Drug”, any article intended for use in the diagnosis, cure, mitigation, treatment, or
1606 prevention of disease in animals other than humans; and articles other than commercial feed
1607 intended to affect the structure or any function of the animal body.

1608 “Feed”, any substance that is intended for use as food for animals other than humans;
1609 provided however, that “feed” shall include commercial feed and feed ingredients.

1610 “Forage”, dry hay, grass, legumes, haylage, baleage, corn and silage.

1611 “Label”, a display of written, printed, or graphic matter upon or affixed to the container
1612 in which a commercial feed is distributed, or on the invoice or delivery slip with which a
1613 commercial feed is distributed.

1614 “Manufacture”, to grind, mix or blend, or further process commercial feed for
1615 distribution.

1616 “Official sample”, a sample of commercial feed taken by the department in accordance
1617 with the provisions of section 60 of this chapter.

1618 “Person”, an individual, partnership, corporation, limited liability company, cooperative,
1619 business trust, business association, or entity.

1620 Section 52. (a) No person shall manufacture or distribute commercial feed in the
1621 commonwealth without first obtaining from the department a registration for such feed.

1622 (b) An application for registration of commercial feed pursuant to subsection (a) shall
1623 include, but shall not be limited to, the following:

1624 (i) the name and address of any applicants;

1625 (ii) the name and address of the premises of the applicant's commercial feed operation;

1626 (iii) a written description of the commercial feed;

1627 (iv) a written consent allowing the department to conduct both scheduled and random
1628 inspections including, but not limited to, (1) for-cause inspections in response to complaints
1629 made to the department; and (2) inspections of and around the premises on which the
1630 commercial feed is being manufactured or distributed;

1631 (v) a nonrefundable application fee in an amount that shall be established by the
1632 department by regulation; and

1633 (vi) any other information as the department may require by regulation.

1634 (c) Upon approval by the department, a copy of the registration shall be furnished to the
1635 applicant and the applicant shall be required to submit a registration fee in an amount to be
1636 determined by the department by regulation. All registrations shall expire on December 31 of
1637 each year. Failure to submit all required application materials and information as outlined in
1638 subsection (b) shall result in non-issuance of the registration until such time as all application
1639 requirements have been met to the department's satisfaction.

1640 (d) Persons who have registered a commercial feed pursuant to section 53 shall notify the
1641 department of any changes in the guarantee of either chemical or ingredient composition of such
1642 feed not less than 30 days prior to the registrant's intended manufacture or distribution of such
1643 feed in the commonwealth. New registration of the product shall not be required if the
1644 department determines that such change would not result in lowering the feed value of the
1645 product for the purpose for which it was designed.

1646 (e) The department may refuse the registration of any application not in compliance with
1647 sections 51 to 61, inclusive, or regulations issued thereunder, and may cancel any registration
1648 subsequently found to violate any provision thereof; provided, however, that no application shall
1649 be refused and no registration shall be cancelled without first providing the applicant or
1650 registrant the opportunity to amend the application or otherwise obtain an adjudicatory hearing
1651 pursuant to chapter 30A and the regulations promulgated thereunder concerning the refusal of an
1652 application or the cancellation of a registration.

1653 (f) This section and sections 53 to 61, inclusive, shall not apply to a farmer who grows
1654 feed in the commonwealth that consists of forage and who distributes such feed to another
1655 farmer in the commonwealth; provided, however, that such feed (i) does not contain any drug;
1656 (ii) is not manufactured; and (iii) is not customer-formula feed. For purposes of this subsection,
1657 the addition of preservatives when harvesting, cutting, bailing, wrapping or fermenting such feed
1658 shall not be considered manufacturing.

1659 Section 53. (a) A commercial feed manufactured or distributed in the commonwealth
1660 shall be labeled with the information required by subsection (b).

1661 (b) Commercial feed, except a customer-formula feed, shall be accompanied by a label
1662 bearing, at a minimum, the following information:

1663 (i) the quantity statement;

1664 (ii) the product name and, if any, the brand name under which the commercial feed is
1665 distributed;

1666 (iii) the guaranteed analysis stated in terms required by regulation to advise the user of
1667 the composition of the commercial feed or to support claims made in the labeling;

1668 (vi) the ingredient statement in terms required by regulation including, but not limited to,
1669 the common or usual name of each ingredient used in the manufacture of the commercial feed:
1670 provided however, that the department, by regulation, may permit the use of a collective term for
1671 a group of ingredients that perform a similar function; provided further, that the department may
1672 exempt such commercial feeds, or any group thereof, from this requirement of an ingredient
1673 statement if the department finds that such statement is not necessary to protect the interest of
1674 consumers;

1675 (v) the name and principal mailing address of the manufacturer or the person responsible
1676 for distributing the commercial feed;

1677 (vi) the use directions or precautionary statements as the department, by regulation,
1678 determines are necessary for the safe and effective use of the commercial feed including, but not
1679 limited to, adequate directions for use of all commercial feeds containing drugs;

1680 (vii) the date of manufacture, processing, packaging, or repackaging or a code that
1681 permits the determination of a date of manufacture; and

1682 (viii) any other information required by the department .

1683 (c) A customer-formula feed shall be accompanied by a label, invoice, delivery slip, or
1684 other shipping document, bearing, at a minimum, the following information:

1685 (i) the name and address of the manufacturer;

1686 (ii) the name and address of the purchaser;

- 1687 (iii) the date of delivery;
- 1688 (iv) the product name and the quantity statement of each commercial feed and each other
1689 ingredient used in the mixture;
- 1690 (v) the use directions and precautionary statements as determined by the department, by
1691 regulation, for the safe and effective use of the customer-feed formula including, but not limited
1692 to, requisite directions for use for all customer-formula feeds containing drugs;
- 1693 (vi) a statement on the label that reads as follows: “This feed was manufactured
1694 according to specific instructions provided by (name of person who provided the instructions)
1695 and cannot be sold to any other person.”;
- 1696 (vii) the date of manufacture, processing, packaging, or repackaging or a code that
1697 permits the determination of a date of manufacture; and
- 1698 (viii) any other information required by the department.

1699 Section 54. (a) Except as otherwise provided by regulation, a commercial feed
1700 manufactured or distributed in the commonwealth shall be deemed to be misbranded if:

- 1701 (i) the labeling is false, deceptive, or misleading in any way;
- 1702 (ii) it is sold or distributed under the name of another commercial feed;
- 1703 (iii) the labeling does not comply with the requirements set forth in section 53;
- 1704 (iv) it purports to contain or is represented as containing a commercial feed ingredient or
1705 feed ingredient that does not conform to the definition, if any, prescribed by the department. In
1706 the absence of a prescribed definition by the department, the department may rely upon and

1707 apply the commonly accepted definitions issued by the Association of American Feed Control
1708 Officials; or

1709 (v) it is otherwise determined by the department to be misbranded pursuant to sections 51
1710 through 61, inclusive.

1711 Section 55. Except as otherwise provided by regulation, a commercial feed manufactured
1712 or distributed in the commonwealth shall be deemed to be adulterated if:

1713 (i) it bears or contains any poisonous or deleterious substance that may render it harmful
1714 to human or animal health; provided, however, that if the substance is not an added substance,
1715 such commercial feed shall not be considered adulterated under this subsection if the quantity of
1716 such substance in such commercial feed does not ordinarily render it harmful to human or animal
1717 health;

1718 (ii) it bears or contains any added poisonous, deleterious or non- nutritive substance that
1719 is unsafe within the meaning of section 406 of the Federal Food, Drug, and Cosmetic Act;

1720 (iii) it is, or it bears or contains any food additive which is unsafe within the meaning of
1721 section 409 of the federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 346;

1722 (iv) it is a raw agricultural commodity and it bears or contains a pesticide chemical which
1723 is unsafe within the meaning of section 408(a) of the federal Food, Drug, and Cosmetic Act, 21
1724 U.S.C. section 348(a);

1725 (v) it is, or it bears or contains any color additive which is unsafe within the meaning of
1726 section 721 of the federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 379e;

1727 (vi) it is, or it bears or contains any new animal drug which is unsafe within the meaning
1728 of section 512 of the federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 360b;

1729 (vii) it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it
1730 is otherwise unfit for feed;

1731 (viii) it has been prepared, packed, or held under unsanitary conditions whereby it may
1732 have become contaminated with filth, or whereby it may have been rendered harmful to health;

1733 (ix) it is, in whole or in part, the product of a diseased animal or of an animal which has
1734 died other than by slaughter which is unsafe within the meaning of section 402(a)(1) or (2) of the
1735 federal Food, Drug, and Cosmetic Act, 21 U.S.C. section 348(a)(1)-(2);

1736 (x) its composition or quality falls below or differs from that which it is purported or is
1737 represented to possess by its labeling;

1738 (xi) it contains a drug and the methods used in or the facilities or controls used for its
1739 manufacture, processing, or packaging do not conform to the standards promulgated by the
1740 department concerning good manufacturing practice to assure that the drug meets the
1741 requirements of sections 51 to 61, inclusive, as to safety and has the identity, strength and meets
1742 the quality and purity characteristics that it purports or is represented to possess;

1743 (xii) it is manufactured or distributed or used as commercial feed in a manner that does
1744 not conform with, or contains any substance that is prohibited by the department under sections
1745 51 through 61, inclusive; or

1746 (xiii) it is otherwise determined by the department to be adulterated pursuant to sections
1747 51 through 61, inclusive.

1748 Section 56. It shall be unlawful to perform or cause others to perform the following acts
1749 in the commonwealth:

1750 (i) adulterate or misbrand any commercial feed;

1751 (ii) manufacture or distribute any commercial feed that is adulterated or misbranded.

1752 (iii) use any feed that is adulterated for any cattle, sheep, goats, swine, poultry, or any
1753 other animals if such animals are raised to produce human food;

1754 (iv) remove or dispose of a commercial feed in violation of section 60 or associated
1755 regulations;

1756 (v) fail or refuse to register in accordance with section 52 or the regulations that may be
1757 promulgated thereunder by the department;

1758 (vi) fail to maintain any records required by sections 51 to 61, inclusive, or regulations
1759 promulgated thereunder;

1760 (vii) impede, obstruct or hinder any department employee or agent in the discharge of the
1761 authority or duties conferred or imposed by sections 51 to 61, inclusive, or regulations
1762 promulgated thereunder;

1763 (viii) sell, offer, or expose for sale any commercial feed or mixture thereof by any person
1764 in violation of any regulation promulgated under sections 51 to 61, inclusive;

1765 (ix) fail to comply with any other provision of sections 51 to 61, inclusive, or regulations
1766 promulgated thereunder and not otherwise specified in this section; or

1767 (x) perform such other acts as may be determined by the department by regulation to
1768 violate sections 51 to 61, inclusive.

1769 Section 57. (a) The department is authorized to promulgate such regulations for
1770 commercial feeds as are specifically authorized in sections 51 to 61, inclusive.

1771 (b) The promulgation of regulations pursuant to sections 51 to 61, inclusive, shall
1772 conform to the applicable provisions of chapter 30A and associated regulations promulgated
1773 thereunder.

1774 (c) The department may cooperate and enter into agreements with governmental agencies
1775 of the commonwealth, other states and the federal government to effectuate the purpose and
1776 provisions of sections 51 to 61, inclusive.

1777 (d) The department may, by regulation, adopt and enforce federal standards concerning
1778 commercial feed as it deems necessary to effectuate the purpose and provisions of sections 51 to
1779 61, inclusive.

1780 Section 58. (a) For the purposes of enforcement of sections 51 to 61, inclusive, and any
1781 regulations promulgated thereunder, and in order to determine whether said sections 51 to 61,
1782 inclusive, have been complied with, including, but not limited to, whether any operations may be
1783 subject to said sections 51 to 61, inclusive, officers or employees duly designated by the
1784 department, upon presenting appropriate credentials, are authorized to:

1785 (i) enter, during normal business hours, any building, structure, land, vehicle or other
1786 premises, public or private, within the commonwealth, in or on which commercial feeds are

1787 manufactured, processed, packed, distributed, transported, stored, disposed of, used or held for
1788 distribution, or to enter any vehicle being used to transport or hold such feeds; and

1789 (ii) inspect at reasonable times, within reasonable limits and in a reasonable manner,
1790 including, but not limited to, scheduled visits, random visits or for-cause visits made in response
1791 to a complaint of an alleged violation received by the department, such premises, property or
1792 vehicle and all pertinent equipment, finished and unfinished materials, containers and labeling
1793 therein; provided, that an inspection may include, but shall not be limited to, obtaining samples
1794 and verifying records and production and control procedures related to the manufacture,
1795 distribution, storage, handling, use or disposal of commercial feed as may be necessary to
1796 determine compliance with sections 51 to 61, inclusive.

1797 (b) The department may promulgate regulations to effectuate this section, including, but
1798 not limited to, regulations that define notice requirements prior to inspection, official sampling
1799 and analysis procedures, recordkeeping requirements and any other requirements as may be
1800 determined by the department as necessary.

1801 (c) If the owner or owner's agent of any building, structure, land, vehicle or other
1802 premises or property described in subsection (a) refuses to admit the department to enter or
1803 inspect such building, structure, land, vehicle or other premises or property in accordance with
1804 subsection (a), the department may obtain from the court in the district or county in which such
1805 building, structure, land, vehicle or other premises or property is located an administrative
1806 warrant to enter and inspect such building, structure, land, vehicle or other premises or property
1807 and to obtain samples of such feeds, feed ingredients or raw agricultural commodities according

1808 to section 58, prior to entry, inspection and sampling. The district and superior courts may issue
1809 such warrants upon a proper showing of the need for such entry, inspection and sampling.

1810 Section 59. (a) The department may obtain official samples of all commercial feeds
1811 manufactured or distributed in the commonwealth during inspections authorized by section 58
1812 and any regulations promulgated thereunder by the department and may be analyzed by the
1813 department to determine compliance with sections 51 to 61, inclusive, and regulations
1814 promulgated thereunder.

1815 (b) The department shall forward the results of all analyses of official samples to the
1816 person named on the label and to the purchaser. When the inspection and analysis of an official
1817 sample indicates a commercial feed has been adulterated or misbranded, and upon request within
1818 a time period following the receipt of the analysis to be established by the department by
1819 regulation, the department may furnish to the manufacturer a portion of the sample concerned.
1820 The department shall, in determining whether a commercial feed is deficient in any component,
1821 be guided by the official sample as defined in section 51 and obtained and analyzed in
1822 accordance with this section.

1823 Section 60. (a) The department shall have authority to enforce sections 51 to 61,
1824 inclusive.

1825 (b) The department may take all reasonable actions to ensure that no commercial feed
1826 violating sections 51 to 61, inclusive, and regulations promulgated thereunder, enters commerce
1827 in the commonwealth, including, but not limited to, orders for stop sale, quarantine, detainment,
1828 withdrawal from distribution, condemnation, confiscation, destruction or any other actions as
1829 may be determined by the department by regulation to be necessary to effectuate this section.

1830 (c) Notwithstanding sections 51 to 61, inclusive, whoever violates said sections 51 to 61,
1831 inclusive, or hinder the carrying out of any part thereof or, after receipt of a written request from
1832 the department, unreasonably refuses or neglects to comply with any order or regulation lawfully
1833 made under this section, may be subject to a civil administrative penalty issued by the
1834 department. The notice of assessment of civil administrative penalty shall include, but not be
1835 limited to, the amount of the penalty, the date the penalty shall be due, a statement of the alleged
1836 violator's right to an adjudicatory hearing pursuant to this section and chapter 30A regarding the
1837 assessment and the manner of acceptable payment if an election to waive a hearing is made. A
1838 person shall be deemed to have waived all rights to an adjudicatory hearing unless, within 21
1839 days of the date of the department's notice, the person files a written notice, by hand or certified
1840 mail, return receipt requested, requesting such adjudicatory hearing. In the event that such
1841 request is not received in accordance with this section, the proposed civil administrative penalty
1842 shall become final and payment shall be due in accordance with the notice.

1843 (d) Without alleging or proving the lack of other adequate remedies at law, and
1844 notwithstanding the existence of any other remedies at law, the attorney general may apply for a
1845 temporary or permanent injunction to restrain any violation of sections 51 to 61, inclusive, or
1846 regulations promulgated thereunder.

1847 (e) The remedies provided in this section are available in addition to, and without
1848 limiting, any other penalties provided by law or equity, in this chapter or elsewhere. The district
1849 and superior courts shall have concurrent jurisdiction to enforce this chapter and restrain
1850 violations thereof. Enforcement actions brought under this section and appeals thereof shall
1851 conform to the applicable provisions of chapter 30A and informal hearing regulations
1852 promulgated thereunder.

1853 Section 61. The department shall publish, at least annually, in such forms as the
1854 department may deem proper, information concerning the sales of commercial feeds together
1855 with such data on their production, composition and use as the department may consider
1856 advisable and a report of the results of the analyses of official samples of commercial feeds sold
1857 within the commonwealth as compared with the analyses guaranteed in the registration and on
1858 the label; provided, that any information concerning production and use of commercial feed shall
1859 not disclose the operations of any person or entity.

1860 SECTION 47. Said chapter 128 of the General Laws is hereby further amended by
1861 adding the following section:-

1862 Section 125. The supreme judicial court or any justice thereof, and the superior court or
1863 any justice thereof, shall have jurisdiction in equity to enforce this chapter and regulations
1864 promulgated thereunder. Proceedings to enforce the same may be instituted and prosecuted by
1865 the attorney general.

1866 The remedies provided under this chapter shall be available in addition to, and without
1867 limiting, any other penalties provided by law or equity, in this chapter or elsewhere.

1868 The commissioner may promulgate regulations to implement this section. In addition to
1869 any authority provided in this chapter, the commissioner may issue orders necessary to enforce
1870 this chapter and to restrain violations thereof. Such orders shall be effective pending resolution
1871 of any appeal, unless otherwise ordered by a court of competent jurisdiction.

1872 SECTION 48. Chapter 131 of the General Laws is hereby amended by inserting after
1873 section 6 the following section:-

1874 Section 6A. (a) The director of fisheries and wildlife shall consider land under the care
1875 and control of the division for potential designation and long-term passive management as a
1876 forest reserve and shall recommend designation of land as a forest reserve where such
1877 designation will: (i) contribute to carbon sequestration and storage as part of the
1878 commonwealth’s climate mitigation strategy; (ii) provide an opportunity for unique older forest
1879 habitats to mature and develop over time without intended intervention in ecological processes as
1880 part of a holistic, statewide, biodiversity conservation strategy; (iii) enhance climate resilience
1881 through the maintenance of connected natural landscape blocks and species movement corridors
1882 that provide a variety of important ecosystem processes, functions and services; (iv) provide
1883 unique opportunities for compatible passive outdoor recreation and other public enjoyment to
1884 serve a diverse public with wide-ranging recreational values; and (v) facilitate ecological
1885 research, comparative studies of forest dynamics and long-term monitoring to evaluate reserves
1886 as compared to other land management approaches.

1887 (b) The director may, with approval of a majority of the fisheries and wildlife board
1888 present at a duly called meeting of the board, designate land under the care and control of the
1889 division as a forest reserve. Forest reserves shall be managed consistent with such designation
1890 unless the director, with the approval of not less than 2/3 of the fisheries and wildlife board
1891 present at a duly called meeting of the board and the approval of the secretary of energy and
1892 environmental affairs, rescinds the designation.

1893 (c) Designation of land as a forest reserve, or the rescission thereof, shall constitute an
1894 administrative designation and shall not change the entity with care, custody and control of the
1895 land, constitute a change in the use of the land, otherwise dispose of land or an interest in land or

1896 otherwise change the existing status of the land as a wildlife management area or other land
1897 management unit.

1898 (d) The department shall passively manage forest reserves to allow natural processes to
1899 determine changes in the structure and composition of the forest ecosystem to the greatest degree
1900 possible. Forest reserves shall not be managed for production of timber or forest products or
1901 intentionally manipulated, and active management shall be avoided, even when disturbances
1902 occur, to the extent feasible. After consultation with a forest reserve science and technical
1903 advisory committee, which shall be administered by the secretary of energy and environmental
1904 affairs, the division may undertake active management or assisted restoration actions to: (i)
1905 sustain ecosystem function, vital ecosystem services and habitat values; (ii) control problematic
1906 pests, pathogens and invasive species; (iii) restore water and wetland resources; (iv) protect
1907 public safety; or (iv) address other unforeseen circumstances. The division may undertake such
1908 other management actions as may be required by law.

1909 Compatible passive recreational activities, regulated hunting and trapping, conversion or
1910 removal of plantations, maintenance or repair of existing forest roads, trails and administrative
1911 access points, preservation of historic and cultural resources, removal of immediate threats to
1912 public safety, selective understory invasive plant control and monitoring and research activities
1913 shall be permitted within forest reserves.

1914 SECTION 49. The first paragraph of section 40 of said chapter 131, as so appearing, is
1915 hereby amended by striking out the second, third, fourth and fifth sentences and inserting in
1916 place thereof the following 4 sentences:- Said notice shall be filed by delivery in hand to the
1917 conservation commission or its authorized representative or by certified mail, return receipt

1918 requested, to said commission, or, if none, to the select board in a town or the mayor of a city in
1919 which the proposed activity is to be located, or by electronic delivery to the conservation
1920 commission, or, if none, to the select board or mayor, as specified in regulations promulgated by
1921 the department of environmental protection. Upon such filing, the receipt of such notice shall be
1922 acknowledged in writing and shall include the time and date so received. A person delivering
1923 said notice by hand shall be given a receipt in writing acknowledging the time and date of such
1924 filing. Copies of such notice shall be sent concurrently by electronic delivery to the department
1925 of environmental protection.

1926 SECTION 50. Said section 40 of said chapter 131, as so appearing, is hereby further
1927 amended by striking out, in line 74, the figure “1,000” and inserting in place thereof the
1928 following figure:- 100.

1929 SECTION 51. Said section 40 of said chapter 131, as so appearing, is hereby further
1930 amended by striking out the third paragraph and inserting in place thereof the following 2
1931 paragraphs:-

1932 Within 21 days of the receipt by a conservation commission of a written request made by
1933 a person by a method of delivery as specified in regulations promulgated by the department, the
1934 commission shall make a written determination as to whether this section is applicable to any
1935 land or work thereon. When the person making the written request is not the owner of the land,
1936 notice of any such determination shall also be sent to the owner. As specified by the department
1937 in regulations, certain activities may be approved by determinations with conditions, and without
1938 the filing of a notice of intention, if the conditions ensure that the activities will have negligible
1939 or minor wetlands impacts or beneficial restoration effects. Temporary impacts may also be

1940 approved with a determination with conditions; provided, that the wetlands are fully restored as
1941 specified by the department in regulations. Violation of a condition of a determination of
1942 applicability shall be a violation of this section.

1943 The department may designate by regulation types of proposed work that have
1944 insignificant wetlands impacts and may be approved by the conservation agent or conservation
1945 commission chair or by the department in writing, without a notice of intention or determination
1946 and without a public hearing. Such approval may include, but shall not be limited to, any
1947 conditions necessary to further the interests of this section. A copy of the approval shall be sent
1948 to the department at the same time it is sent to the applicant, and the department shall have 7
1949 days from receipt to revoke the approval.

1950 SECTION 52. Said section 40 of said chapter 131, as so appearing, is hereby further
1951 amended by striking out the seventeenth, eighteenth and nineteenth paragraphs and inserting in
1952 place thereof the following 3 paragraphs:-

1953 The conservation commission, select board or mayor receiving notice under this section
1954 shall hold a public hearing on the proposed activity within 21 days of the receipt of said notice.
1955 Notice of the time and place of said hearing shall be given by the hearing authority at the
1956 expense of the applicant not less than 5 days prior to such hearing, or another period of time
1957 specified in department regulations, by publication in a newspaper of general circulation in the
1958 city or town where the activity is proposed or notice on the city or town website or other means,
1959 as specified in regulations promulgated by the department, and by mailing a notice to the
1960 applicant and the board of health and the planning board of said city or town. The conservation
1961 commission and its agents, officers and employees and the commissioner of environmental

1962 protection and their agents and employees may enter upon privately owned land for the purpose
1963 of performing their duties under this section. No conditions shall be imposed, nor shall any
1964 determination be rendered by a conservation commission, in reference to this section, unless the
1965 conservation commission meets with a quorum present. The department may provide by
1966 regulation that certain activities that require a notice of intention may not require a public
1967 hearing but shall require public notice.

1968 If, after said hearing, or after deliberation by the conservation commission, select board
1969 or mayor on the notice of intent where no hearing is required, the conservation commission,
1970 select board or mayor may, as the case may be, determine that the area on which the proposed
1971 work is to be done is significant to public or private water supply, the groundwater supply, flood
1972 control, storm damage prevention, pollution prevention, the protection of land containing
1973 shellfish, to the protection of wildlife habitat, the protection of fisheries, resilience for changing
1974 climate conditions or the protection of the riverfront area consistent with protecting the private or
1975 public water supply; protecting the groundwater supply, providing flood control, preventing
1976 storm damage, preventing pollution, protecting land containing shellfish, protecting wildlife
1977 habitat, protecting fisheries or supporting resilience for changing climate conditions, the
1978 conservation commission, select board or mayor shall, by written order within 21 days of such
1979 hearing, or within 21 days from publication of the notice if no hearing is required, impose such
1980 conditions as will contribute to the protection of the interests described herein, and all work shall
1981 be done in accordance therewith. If the conservation commission, select board or mayor, as the
1982 case may be, make a determination that the proposed activity does not require the imposition of
1983 such conditions, the applicant shall be notified of such determination within 21 days after said
1984 hearing, or within 21 days from publication of the notice if no hearing is required. Such order or

1985 notification shall be signed by the mayor or a majority of the conservation commission or select
1986 board, as the case may be, and a copy thereof shall be sent forthwith to the applicant and the
1987 department. The department may designate, by regulation, types of proposed work, including,
1988 but not limited to, certain nature-based solutions projects, nature-based research and
1989 demonstration projects, ecological restoration, wetlands resilience projects or priority housing
1990 projects, as defined in section 62 of chapter 30, consistent with commonwealth land use planning
1991 and housing strategies and plans, climate resilient design guidelines and environmental priorities
1992 that may be approved with a general order of conditions; provided, that the proposed project does
1993 not result in impacts to areas subject to jurisdiction that are greater than those specified by the
1994 department in regulations. For linear shaped projects where work is proposed in not less than 3
1995 adjacent municipalities, the applicant shall submit a notice of intent, request for determination or
1996 other request specified by the department, in regulations, directly to the department for review
1997 and decision. Prior to issuing a decision, the department shall provide the conservation
1998 commissions in these municipalities with an opportunity to comment on the notice or request.

1999 If a conservation commission has failed to hold a hearing within the 21 day period as
2000 required, if a commission, after holding such a hearing has failed within 21 days therefrom to
2001 issue an order, if no hearing is required and a commission has failed within the 21-day period to
2002 issue an order, if a commission, upon a written request by any person to determine whether this
2003 section is applicable to any work, fails within 21 days to make said determination or where the
2004 conservation commission does issue an order, the applicant, any person aggrieved by said
2005 commission's order or failure to act, any owner of land abutting the land upon which the
2006 proposed work is to be done or any 10 residents of the city or town in which said land is located
2007 may, by certified mail or electronic filing, as specified in regulations, and within 10 days from

2008 said commission's order or failure to act, request the department of environmental protection to
2009 determine whether the area on which the proposed work is to be done is significant to public or
2010 private water supply, the groundwater supply, flood control, storm damage prevention, pollution
2011 prevention, the protection of land containing shellfish, the protection of wildlife habitat, the
2012 protection of fisheries, resilience for changing climate conditions or the protection of the
2013 riverfront area consistent with protecting the private or public water supply, protecting the
2014 groundwater supply, providing flood control, preventing storm damage, preventing pollution,
2015 protecting land containing shellfish, protecting wildlife habitat, protecting fisheries and
2016 supporting resilience for changing climate conditions. The commissioner of environmental
2017 protection or a designee also may request such a determination within said 10- day period. The
2018 party making any such request shall at the same time send a copy thereof by certified mail to the
2019 conservation commission, select board or mayor, which conducted the hearing hereunder. If such
2020 party is not the applicant, a copy of such request shall also be sent at the same time by certified
2021 mail to the applicant. Upon receipt of such request, the department shall make the determination
2022 requested and shall, by written order issued within 70 days of receipt of such request and signed
2023 by the commissioner or their designee, impose such conditions as will contribute to the
2024 protection of the interests described herein; provided, however, that said department shall notify
2025 the applicant within 30 days of the receipt of such request if the application or request is not in
2026 proper form or is lacking information or documentation necessary to make the determination.
2027 Such order shall supersede the prior order of the conservation commission, select board or
2028 mayor, and all work shall be done in accordance therewith, but in no event shall any work
2029 commence until 10 days have elapsed following the issuance of said order. In the case of
2030 riverfront areas, no order issued by a conservation commission, select board, mayor or the

2031 department shall permit any work unless the applicant has, in addition to meeting the otherwise
2032 applicable requirements of this section, proved by a preponderance of the evidence that: (i) such
2033 work, including proposed mitigation measures, has no significant adverse impact on the
2034 riverfront area for protecting the private or public water supply, protecting the groundwater
2035 supply, providing flood control, preventing storm damage, preventing pollution, protecting land
2036 containing shellfish, protecting wildlife habitat, protecting fisheries or supporting resilience for
2037 changing climate conditions; and (ii) there is no practicable and substantially equivalent
2038 economic alternative to the proposed project with less adverse effects on such purposes. An
2039 alternative is practicable and substantially economically equivalent if it is available and capable
2040 of being done after taking into consideration (i) costs, and whether such costs are reasonable or
2041 prohibitive to the owner; (ii) existing technology; (iii) the proposed use; and (iv) logistics in light
2042 of overall project purposes. For activities associated with access for 1 dwelling unit, the area
2043 under consideration for practicable alternatives will be limited to the lot; provided, that said lot
2044 shall be on file with the registry of deeds as of August 1, 1996. For other activities, including, but
2045 not limited to, the creation of a real estate subdivision, the area under consideration shall be the
2046 subdivided lots, any parcel out of which the lots were created and any other parcels that are
2047 adjacent to such parcel or adjacent through other parcels formerly or presently owned by the
2048 same owner at any time on or after August 1, 1996 or any land which can reasonably be
2049 obtained; provided, that an ownership interest can reasonably be obtained after taking into
2050 consideration (i) cost, and whether such cost is reasonable or prohibitive to the owner; (ii)
2051 existing technology; (iii) the proposed use; and (iv) logistics in light of overall project purposes.
2052 At any time prior to a final order of determination by the department, any party requesting a
2053 determination may, in writing, withdraw the request, and such withdrawal shall be effective upon

2054 receipt of the withdrawal request by the department. Notwithstanding the withdrawal, the
2055 commissioner or their designee may continue the determination if they notify all parties within
2056 10 days of receipt of the withdrawal. A copy of such order shall be sent to the applicant, to the
2057 conservation commission, select board or mayor which conducted the hearing hereunder. As
2058 used in this section, the term “wildlife habitat” shall mean those areas subject to this section,
2059 which, due to their plant community composition and structure, hydrologic regime or other
2060 characteristics provide important food, shelter, migratory or overwintering areas or breeding
2061 areas for wildlife. The department may provide, by regulation, that superseding orders of
2062 conditions and determinations of applicability for certain types of proposed work, including, but
2063 not limited to, certain nature-based solutions projects, ecological restoration, or wetlands
2064 resilience projects, or for work in the buffer zone as defined by the department by regulation or
2065 for certain priority housing projects, as defined in section 62 of chapter 30, consistent with
2066 commonwealth land use planning and housing strategies and plans, climate resilient design
2067 guidelines and environmental priorities, may not be the subject of a request for an adjudicatory
2068 hearing in accordance with chapter 30A, and that any person aggrieved such a superseding order
2069 of conditions or determination of applicability may obtain judicial review by filing an application
2070 for review in the superior court within 21 days after receipt a superseding order of conditions or
2071 superseding determination of applicability from the department.

2072 SECTION 53. Section 34 of chapter 132 of the General Laws is hereby repealed.

2073 SECTION 54. Section 7 of chapter 132A of the General Laws is hereby repealed.

2074 SECTION 55. Section 7A of said chapter 132A, as so appearing, is hereby amended by
2075 striking out, in lines 1 and 2, the words “environmental management, division of forest and
2076 parks,” and inserting in place thereof the following words:- conservation and recreation.

2077 SECTION 56. Said section 7A of said chapter 132A, as so appearing, is hereby further
2078 amended by striking out the second, third, fourth and fifth paragraphs and inserting in place
2079 thereof the following paragraph:- The chief park ranger and park rangers appointed and
2080 employed by the department of conservation and recreation may assist the bureau of fire control
2081 in both suppression and detection of fires.

2082 SECTION 57. Section 93 of chapter 143 of the General Laws, as so appearing, is hereby
2083 amended by striking out, in line 6, the figure “15” and inserting in place thereof the following
2084 figure:- 17.

2085 SECTION 58. Said section 93 of said chapter 143, as so appearing, is hereby further
2086 amended by striking out, in line 10, the figure “12” and inserting in place thereof the following
2087 figure:- 14.

2088 SECTION 59. Said section 93 of said chapter 143, as so appearing, is hereby further
2089 amended by striking out, in line 21, the words “advanced building technology” and inserting in
2090 place thereof the following words:- climate risk, 1 of whom shall be an expert in climate resilient
2091 design, 1 of whom shall be an expert in the development of housing.

2092 SECTION 60. Section 95 of said chapter 143, as so appearing, is hereby amended by
2093 adding the following subsection:-

2094 (d) Ensure building regulations and requirements address climate impacts for the
2095 purposes of reducing exposure and damages to structures and protecting the health, safety and
2096 security of the occupants or users of buildings.

2097 SECTION 61. Paragraph (2) of subsection (d) of section 168 of chapter 175 of the
2098 General Laws, as so appearing, is hereby amended by inserting after the word “commonwealth”,
2099 in line 146, the following words:- ; provided, however, that annually, not later than December 1,
2100 at the discretion of the secretary of administration and finance, the comptroller shall transfer to
2101 the Resilience Revolving Fund established by section 2000000 of chapter 29, an amount not
2102 more than the difference between the amount of such fees collected in the prior fiscal year and
2103 the amount of such fees collected in fiscal year 2027.

2104 SECTION 62. Chapter 183 of the General Laws is hereby amended by adding the
2105 following section:-

2106 Section 70. (a) For the purposes of this section, the term “residential real property” shall,
2107 unless the context clearly requires otherwise, mean real property improved by a 1 to 4, inclusive.
2108 family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the
2109 home or residence of at least 1 person, condominium units or cooperative apartments; provided,
2110 however, that any such real property shall not include unimproved real property upon which such
2111 dwellings are to be constructed.

2112 (b) The secretary of energy and environmental affairs shall, in consultation with the
2113 secretary of housing and livable communities, issue standard notification forms and such other
2114 materials as necessary to inform prospective purchasers and tenants about the flood risks of
2115 residential real property. Such forms and materials may include, but are not limited to: (i)

2116 information on whether the residential real property is located in a floodplain; (ii) documentation
2117 of historical flooding and past damages on the property, such as claims filed and grants or
2118 disaster assistance received for flood damage or flood mitigation; and (iii) details about any flood
2119 insurance or elevation certificates for the property.

2120 (c) A person selling residential real property shall, prior to the signing of a purchase and
2121 sale agreement, provide to the prospective purchaser a completed copy of the applicable
2122 notification form and other materials prepared pursuant to subsection (b). Any person leasing
2123 residential real property with an option to purchase such property shall, prior to the signing of the
2124 lease with an option to purchase, provide to the lessee-prospective purchaser a completed copy
2125 of the applicable notification form and other materials prepared pursuant to said subsection (b).

2126 (d)(1) All persons leasing or renting residential real property shall, prior to entering into
2127 an agreement to lease or rent such property, notify prospective tenants about the hazards of flood
2128 risk as provided herein.

2129 (2) A residential lease shall contain the following notice to tenants: “Flood insurance is
2130 generally available to renters through the Federal Emergency Management Agency’s (FEMA’s)
2131 National Flood Insurance Program (NFIP) to cover your personal property and contents in the
2132 event of a flood. A standard renter’s insurance policy does not typically cover flood damage.
2133 You are encouraged to examine your policy to determine whether you are covered.”

2134 (3) Prior to entering into a tenancy agreement, the owner of residential real property or
2135 such other person to whom rent is to be regularly paid, shall provide a prospective tenant with:
2136 (i) a completed copy of the applicable form and materials prepared pursuant to subsection (b);
2137 and (ii) 2 copies of a statement certifying that the prospective tenant received the materials

2138 required under this section, a copy of which is to be retained by both the tenant and the owner;
2139 provided, that such certification may be included as a provision in a written tenancy agreement.

2140 (e) An owner who fails to comply with the provisions of this section, including, but not
2141 limited to, providing knowingly false or incomplete disclosures, shall be liable for damages
2142 caused by the failure to comply. A violation of this section by a person engaged in trade or
2143 commerce shall be an unfair or deceptive act or practice as defined in section 2 of chapter 93A.

2144 SECTION 63. Section 32 of chapter 184 of the General Laws, as so appearing, is hereby
2145 amended by striking out, in lines 23 and 24, 33 and 34 and 80, the words “metropolitan district
2146 commission”, each time they appear, and inserting in place thereof, in each instance, the
2147 following words:- department of conservation and recreation.

2148 SECTION 64. Said section 32 of said chapter 184, as so appearing, is hereby further
2149 amended by adding the following paragraph:-

2150 The secretary of environmental affairs, commissioner of conservation and recreation,
2151 commissioner of food and agriculture and the secretary of housing and livable communities may,
2152 at such times as they are not available to certify approval, authorize in writing a designee to
2153 approve restrictions on their behalf, and a restriction approved and certified by such designee
2154 shall have the benefit of this section.

2155 SECTION 65. Section 7 of chapter 330 of the acts of 1983 is hereby repealed.

2156 SECTION 66. The fourth paragraph of section 44 of chapter 85 of the acts of 1994 is
2157 hereby amended by inserting after the word “Boston”, as appearing in section 69 of chapter 209
2158 of the acts of 2018, the following words:- , Herter Center at 1175 Soldier’s Field road in Herter

2159 park within the Charles River Reservation in the city of Boston, transfer station at 1674-1680
2160 Blue Hill avenue in the Neponset River State Reservation in the city of Boston, Morton-
2161 Spaulding House at Mill street in Moore state park in the town of Paxton, the gatehouse on
2162 Highland street in Bradley Palmer state park in the town of Hamilton, Farnham Log Cabin at 437
2163 North road in Great Brook Farm state park in the town of Carlisle, North Farm House at 107 Old
2164 North road in Great Brook Farm state park in the town of Carlisle, Sugar House Krug Sugarbush
2165 at 236 South Street in the town of Chesterfield, the historic farmhouse and outbuildings located
2166 within the Manuel F. Correllus state forest on Fire road 56, off of Sanderson avenue, in the town
2167 of Edgartown.

2168 SECTION 67. The first paragraph of section 177 of chapter 25 of the acts of 2009 is
2169 hereby amended by inserting after the word “Boston”, the fourth time it appears, the following
2170 words:- , Charles River Dam road in the cities of Boston and Cambridge, a segment of state
2171 highway route 16 and Revere Beach parkway, including Wellington circle, from its intersection
2172 with Interstate 93 and state highway route 38 in the city of Medford to its intersection with state
2173 highway route 145 and state highway route 1A in the city of Revere, the Fellsway from
2174 Wellington circle to its intersection with Interstate 93 in the cities of Medford and Somerville,
2175 Mystic avenue in the city of Somerville, Medford Veteran’s memorial highway in the cities of
2176 Medford and Somerville and the Lynnway in the city of Lynn.

2177 SECTION 68. The department of environmental protection shall conduct a culturally
2178 competent and linguistically diverse outreach and education program regarding non-flushable
2179 wipes consistent with section 330 of chapter 94 of the General Laws. In conducting the outreach
2180 and education program, the department shall consult with the Massachusetts Water Resources
2181 Authority, the Greater Lawrence Sanitary District, Upper Blackstone Clean Water, the city of

2182 Springfield water and sewer commission, the city of Pittsfield wastewater treatment plant
2183 division, the city of New Bedford department of public infrastructure wastewater division, the
2184 city of Fall River sewer commission, the city of Brockton department of public works sewer
2185 division, the town of Franklin water and sewer division, the city of Attleboro wastewater
2186 department and the Barnstable county Alternative Septic System Tracking program.

2187 SECTION 69. Not later than December 31, 2027, the department of environmental
2188 protection shall publish on its website and submit to the senate and house committees on ways
2189 and means and the joint committee on environment and natural resources a report stating its
2190 progress on implementing the composting and other components of the department's Organics
2191 Action Plan of November 2023. The report shall clearly indicate any recommended legislative
2192 changes or resources necessary to increase the rate at which food and organic waste is composted
2193 and reduce the contamination of waste and recycling streams by compostable materials.

2194 SECTION 70. There shall be a special commission on commonwealth port development
2195 to recommend an integrated statewide strategic vision for Massachusetts ports, including the
2196 designated port areas of Gloucester Inner Harbor, Salem Harbor, the city of Lynn, the city of Fall
2197 River, Mystic river, Chelsea creek, the East Boston section of the city of Boston, the South
2198 Boston section of the city of Boston, Weymouth Fore river, New Bedford-Fairhaven and Mount
2199 Hope Bay. The commission shall identify industry-specific opportunities and needs, assess
2200 existing infrastructure with capacity and resources and develop recommendations to achieve
2201 stated priorities and goals.

2202 The commission shall prepare a report proposing an integrated statewide vision for the
2203 commonwealth's ports and recommendations to implement that vision. The report shall include

2204 an assessment for relevant industry sectors, which shall include, but not be limited to: (i)
2205 commercial and recreational fishing; (ii) energy; (iii) shipping, bulk cargo and goods; (iv)
2206 transportation and tourism; and (v) ocean technology and emerging markets. For each industry
2207 sector, the report shall assess existing conditions, industry needs and opportunities for growth,
2208 taking into account infrastructure, costs, limiting geographic constraints and workforce
2209 development needs. The commission shall also consider, for each industry sector, the existing
2210 conditions and potential for development in each designated port area to achieve the vision for
2211 growth.

2212 The commission shall consist of: the secretary of economic development or a designee,
2213 who shall serve as co-chair; the secretary of energy and environmental affairs or a designee, who
2214 shall serve as co-chair; the chief executive officer of the Massachusetts Port Authority or a
2215 designee; and 18 members who shall be appointed by the governor, 10 of whom shall be
2216 representatives of the 10 designated port areas,; provided, that not more than 1 representative
2217 shall be from the same city or town; 5 of whom shall be representatives of each water-dependent
2218 industry sector; and 3 of whom shall be representatives of community groups representing the
2219 north shore, Boston harbor and south coast regions.

2220 The commission shall consult with the division of marine fisheries, the office of coastal
2221 zone management, the department of environmental protection, the Massachusetts clean energy
2222 center, the Massachusetts Bay Transportation Authority, the Massachusetts development finance
2223 agency, the seaport economic council, the commercial fisheries commission, any municipality
2224 that is host to a designated port area but does not otherwise have a representative on the
2225 commission and other entities representing stakeholder perspectives as determined by the
2226 commission.

2227 Not later than 18 months after the effective date of this act, the commission shall file its
2228 report with the clerks of the senate and house of representatives, the chairs of the joint committee
2229 on economic development and emerging technologies and the chairs of the house and senate
2230 committees on ways and means.

2231 SECTION 71. There shall be a special commission on flood risk mitigation and resilience
2232 in the Connecticut river valley. The commission shall consist of the secretary of energy and
2233 environmental affairs or a designee, who shall be chair; the director of the Massachusetts
2234 emergency management agency or a designee; the executive director of the Franklin regional
2235 council of governments or a designee; the executive director of the Pioneer Valley planning
2236 commission or a designee; 1 member appointed by the senate president, who shall be a member
2237 of the senate from a district within the Connecticut river watershed; 1 member appointed by the
2238 senate minority leader, who shall be a resident of the Connecticut river watershed; 1 member
2239 appointed by the speaker of the house of representatives, who shall be a member of the house of
2240 representatives from a district within the Connecticut river watershed; 1 member appointed by
2241 the minority leader of the house of representative, who shall be a resident of the Connecticut
2242 river watershed; and 15 members appointed by the governor, 6 of whom shall be representatives
2243 of municipalities within the Connecticut river watershed, 2 of whom shall be representatives of
2244 regional water and sewer utilities, 1 of whom shall be a representative of a watershed
2245 organization, 1 of whom shall be a representative of the agriculture sector, 1 of whom shall be a
2246 representative from an environmental justice organization, 1 of whom shall be a representative
2247 from a land trust, 1 of whom shall be a representative from a labor organization and 2 of whom
2248 shall be representatives of regional higher education institutions.

2249 The commission shall prepare a plan that identifies and prioritizes regional resilience
2250 projects that reduce flood risk in the Connecticut river valley through 2050, which shall include,
2251 but not be limited to: (i) a summary of applicable municipal vulnerability preparedness plans; (ii)
2252 identification of structural and non-structural regional resilience projects that would reduce flood
2253 risk to critical infrastructure, vulnerable populations, the economy and natural resources; (iii) an
2254 implementation plan including project costs, timelines and responsible entities; (iv)
2255 recommendations for local planning and policy actions to align with regional and state goals; and
2256 (v) a strategy for engaging disadvantaged and priority populations.

2257 The commission shall consult with the department of conservation and recreation, the
2258 department of agricultural resources, the department of environmental protection and the
2259 department of transportation.

2260 Not later than 18 months after the effective date of this act, the commission shall file its
2261 plan with the clerks of the senate and house of representatives, the chairs of the joint committee
2262 on environment and natural resources and the chairs of the house and senate committees on ways
2263 and means.

2264 SECTION 72. (a) There shall be a special legislative commission to study and
2265 recommend specific revenue sources to fund essential wastewater infrastructure improvements in
2266 response to nitrogen pollution in southeastern Massachusetts near the Buzzards Bay watershed
2267 area specifically in the towns of Acushnet, Carver, Dartmouth, Fairhaven, Lakeville, Gosnold,
2268 Marion, Mattapoisett, Middleborough, Plymouth, Rochester, Wareham and Westport and the city
2269 of New Bedford.

2270 (b) The special legislative commission shall consist of 25 members, including: the chairs
2271 of the joint committee on environment and natural resources, who shall serve as co-chairs; the
2272 secretary of energy and environmental affairs or a designee; the secretary of administration and
2273 finance or a designee; the executive director of the Southeastern Regional Planning and
2274 Economic Development District or a designee; the president of the Buzzards Bay Coalition, Inc.
2275 or a designee; the executive director of the One Southcoast Chamber, Inc. or a designee; 1
2276 member appointed by the senate president who shall be a resident of the southeastern region; 1
2277 member appointed by the minority leader of the senate who shall be a resident of the
2278 southeastern region; 1 member appointed by the speaker of the house of representatives who
2279 shall be a resident of the southeastern region; 1 member appointed by the minority leader of the
2280 house of representative who shall be a resident of the southeastern region; and 1 member per
2281 each community specified in subsection (a), to appointed by the select board or mayor of such
2282 community.

2283 All appointments shall be made not more than 30 days following the effective date of this
2284 act. The co-chairs shall convene the first meeting of the special commission not more than 45
2285 days after all appointments have been made.

2286 (c) The commission shall examine the level of investment and financial need required to
2287 reduce nutrient pollution to the south coast's coastal waters, including the costs to: (i) expand
2288 sewer infrastructure to connect more septic systems to sewerage; (ii) expand capacity and
2289 upgrade the level of treatment at existing wastewater treatment facilities; (iii) construct
2290 additional wastewater treatment facilities to address expanded service areas; (iv) reduce
2291 combined sewer overflow discharges; and (v) upgrade septic systems to nitrogen reducing
2292 systems. The commission shall consider and examine the potential funding sources to finance

2293 wastewater infrastructure improvements and best practices for municipal financial policies and
2294 procedures.

2295 The commission shall develop a plan of funding and financing recommendations to
2296 address wastewater infrastructure needs and to reduce nitrogen pollution in the southeastern
2297 region near the Buzzards Bay watershed area. The plan shall include, but not be limited to: (i) a
2298 list of potential projects in the affected areas that address wastewater infrastructure needs and
2299 reduce nitrogen pollution, including estimate project costs, timelines and responsible entities;
2300 and (ii) funding and financing recommendations to support projects that address wastewater
2301 infrastructure needs and reduce nitrogen pollution, including fair and equitable means of
2302 financing wastewater infrastructure improvement projects to address nitrogen pollution. The
2303 commission may consult and work with outside experts to conduct necessary reviews, provide
2304 guidance on potential action plans and provide economic analysis of financing sources identified
2305 through the special commission’s work. The experts shall be specialists in the fields of tax
2306 administration and financing, nutrient pollution, water quality, wastewater infrastructure and any
2307 other fields that may be deemed useful to carry out and implement the commission’s tasks.

2308 (d) The commission shall hold not less than 3 public hearings in the southeastern region
2309 to assist in the collection and evaluation of data and testimony. Experts may attend the public
2310 hearings to provide testimony and any other relevant information regarding the fulfilment of the
2311 commission’s objectives.

2312 (e) The commission shall prepare a written report detailing identified funding sources,
2313 financing options, projects in the region that reduce nitrogen pollution and its recommendations,
2314 if any, together with drafts of legislation necessary to carry those recommendations into effect.

2315 The commission shall submit its report to the governor, the secretary of energy and
2316 environmental affairs, the clerks of the senate and house of representatives, the chairs of the
2317 senate and house committees on ways and means and the joint committee on environment and
2318 natural resources not later than June 15, 2027.

2319 SECTION 73. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
2320 General Laws, section 35 of chapter 92 of the General Laws or any other general or special law
2321 to the contrary, the commissioner of capital asset management and maintenance may, in
2322 consultation with the commissioner of conservation and recreation, transfer Ravine road between
2323 Fellsway East to the town line of the town of Stoneham to the town of Stoneham; provided, that
2324 the exact boundaries of the parcel to be conveyed shall be determined by the commissioner of
2325 capital asset management and maintenance.

2326 (b) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
2327 section 35 of chapter 92 of the General Laws or any other general or special law to the contrary,
2328 the commissioner of capital asset management and maintenance may, in consultation with the
2329 commissioner of conservation and recreation, transfer Ravine road between West Wyoming
2330 avenue to the town line of the town of Melrose to the town of Melrose; provided, that the exact
2331 boundaries of the parcel to be conveyed shall be determined by the commissioner of capital asset
2332 management and maintenance.

2333 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws,
2334 section 35 of chapter 92 of the General Laws or any other general or special law to the contrary,
2335 the commissioner of capital asset management and maintenance may, in consultation with the
2336 commissioner of conservation and recreation, transfer Everett street in the Allston-Brighton

2337 section of the city of Boston to the city of Boston; provided, that the exact boundaries of the
2338 parcel to be conveyed shall be determined by the commissioner of capital asset management and
2339 maintenance.

2340 (d) The consideration for the conveyances authorized by this section shall be nominal.

2341 (e) The grantee of any real property disposed of pursuant to this section shall be
2342 responsible for all costs relating to the conveyance, including, but not limited to, appraisals,
2343 surveys, plans, recordings and any other expenses, as shall be deemed necessary by the
2344 commissioner.

2345 SECTION 74. Notwithstanding any general or special law to the contrary, not later than
2346 June 30 in fiscal years 2027 and 2028, the Massachusetts Water Resources Authority shall
2347 annually make a payment of \$50,000 to each of the towns of Belchertown, Hardwick, Ludlow,
2348 New Salem, Orange, Pelham, Petersham, Phillipston, Shutesbury, Ware and Wendell to support
2349 the role of these communities in hosting the Quabbin reservoir.

2350 SECTION 75. Notwithstanding section 30 of chapter 29 of the General Laws or section
2351 65 of chapter 30 of the General Laws, a portion of the funds authorized in this act may be used
2352 for the costs associated with the purchase of title insurance and services for title examinations,
2353 reports and certifications; provided, however, that any executive department or state agency
2354 expending such funds shall maximize efforts and utilize all available means to minimize use of
2355 capital funds for such purpose.

2356 SECTION 76. Each agency acquiring land or an interest in land under this act may
2357 expend an amount not to exceed 5 per cent of the amount appropriated to that agency for the
2358 purpose of reimbursing nonprofit land conservation organizations or land trusts for reasonable

2359 expenses directly associated with the acquisition of land or interests in land subsequently
2360 conveyed to the commonwealth. Reimbursements shall be made at the discretion of the agency.
2361 The secretary of energy and environmental affairs shall determine, by regulation, what shall
2362 constitute reasonable expenses. If the commonwealth does not take title to the property through
2363 no fault of the nonprofit organization or the commonwealth, the commonwealth may reimburse
2364 the nonprofit organization for reasonable expenses associated with due diligence. An
2365 organization receiving a reimbursement under this section shall convey the land or interest in
2366 land to the agency for an amount not to exceed the actual purchase price paid by the organization
2367 for the land or interest in land in addition to any reimbursement received under this section.

2368 SECTION 77. For the purposes of sections 16, 35 and 52, “priority housing projects”
2369 shall mean housing projects that are: (i) housing-centered; (ii) dense; (iii) on infill sites; (iv)
2370 energy efficient; (v) designed to be adequately served by utilities; (vi) designed to promote
2371 resilience to flooding and other climate hazards; and (vii) designed to encourage access by
2372 multiple modes of transportation. The secretary of energy and environmental affairs shall, in
2373 consultation with the secretary of housing and livable communities and the commissioner of
2374 environmental protection, issue guidelines for priority housing projects within 6 months of the
2375 effective date of this act.

2376 For the purposes of section 62E of chapter 30 of the General Laws, section 18E of
2377 chapter 91 of the General Laws and section 40 of chapter 131 of the General Laws, nature based
2378 solutions projects shall include, but not be limited to, projects whose primary purpose is to
2379 restore, enhance or create wetland resource areas while increasing resilience or improving
2380 ecological function using natural methods and materials. The secretary of energy and
2381 environmental affairs shall, in consultation with the commissioner of environmental protection,

2382 the commissioner of fish and game and the director of coastal zone management, issue
2383 guidelines for identification of nature-based solutions projects within 6 months of the effective
2384 date of this act.

2385 SECTION 78. (a) Notwithstanding any general or special law to the contrary, the
2386 secretary of energy and environmental affairs, in consultation with the commissioner of
2387 environmental protection and the commissioner of fish and game, shall establish standards and
2388 guidelines for the resilient design of culverts, including culverts associated with bridges, in order
2389 to expedite the permitting of new municipal or replacement of existing municipal culverts. Such
2390 standards and guidelines shall consider projected future levels of and impacts from precipitation,
2391 stormwater or flood events and impacts to fisheries and wildlife and their habitats and shall
2392 integrate the Massachusetts stream crossing standards and any other relevant standards, including
2393 then-current tidal crossing standards or resilience design standards. The standards and guidelines
2394 shall be based on scientific information including, but not limited to, projected precipitation,
2395 hydrology and fisheries and wildlife and their habitats. The secretary shall establish such
2396 standards and guidelines within 6 months of the effective date of this act and shall review them 5
2397 years thereafter. Nothing in this section shall be construed to limit the authority of the
2398 department of environmental protection to establish standards and guidelines for stream
2399 crossings, provided that such standards shall not conflict with the standards established by the
2400 secretary pursuant to this section.

2401 (b) No project shall be eligible for a general permit, general license, or inclusion in a
2402 special category pursuant to subsections (d) to (f), inclusive, unless it meets each of the
2403 following criteria:

2404 (i) The project involves a municipal project to repair, reconstruct or replace an existing
2405 municipal culvert or culverts, including culverts associated with bridges with spans of less than
2406 20 feet;

2407 (ii) The project complies with the standards and guidelines issued pursuant to subsection
2408 (a) to the maximum extent practicable;

2409 (iii) Except as needed to comply with clause (ii), the project provides substantially the
2410 same principal transportation capacity and is in a similar alignment to the structure to be
2411 repaired, reconstructed or replaced, including as to the immediate approaches necessary to
2412 connect a structure to an existing adjacent road, and the project does not include components of a
2413 reconstruction project other than the crossing and immediate approaches that are otherwise
2414 subject to permitting or licensing; provided, however, that the addition of sidewalks, bike lanes
2415 or shoulders that are collectively less than a single lane in width shall not be deemed to
2416 substantially change the principal transportation capacity of an existing structure;

2417 (iv) If a project is located or will take place in priority habitat designated by the natural
2418 heritage and endangered species program of the division of fisheries and wildlife, the proponent
2419 has provided to that program for review all materials required by the program; and the program
2420 has completed its review and has determined that the proponent has demonstrated that the project
2421 will not result in take with or without conditions; and

2422 (v) The project complies with any other conditions established by regulation issued
2423 pursuant to this section.

2424 (c) The secretary and commissioner of environmental protection shall issue any
2425 regulations or take other actions necessary or appropriate to implement the use of the standards

2426 and guidelines established under subsection (a) to expedite implementation of projects meeting
2427 the criteria described in subsection (b) which require a certificate, permit, license, or other
2428 approval pursuant to: (i) section 61 and sections 62A to 62L, inclusive, of chapter 30 of the
2429 General Laws; (ii) chapter 91 of the General Laws; (iii) section 40 of chapter 131 of the General
2430 Laws; and (iv) section 401 of the Federal Water Pollution Control Act, Public Law 92-500, 33
2431 U.S.C., sections 1251 et seq., as amended. Such regulations shall require that for projects
2432 meeting the criteria described in of subsection (b), the department of environmental protection
2433 shall issue, deny or waive individual certifications pursuant to section 401 of the Federal Water
2434 Pollution Control Act within 60 days of a complete application.

2435 (d)(i) Notwithstanding any general or special law to the contrary, the department of
2436 environmental protection, for projects meeting the criteria described in subsection (b) and for the
2437 purposes of ensuring more expeditious processing of approvals for such projects, shall issue
2438 regulations that create a general permit for the authorization of such projects, or a subset thereof,
2439 under section 40 of chapter 131 of the General Laws. The permittee shall comply with all general
2440 permit performance standards established by such regulations and any additional conditions
2441 specified by the approving authority that are necessary to protect the resource areas because of
2442 unique circumstances that are not addressed by the general permit performance standards.

2443 (ii) The procedures described in section 40 of said chapter 131 shall apply to general
2444 permits issued pursuant to this paragraph, except as provided herein:

2445 (A) Written notice of intention under the general permit shall be submitted to the
2446 conservation commission or its authorized representative and the department of environmental
2447 protection by electronic delivery in a manner prescribed by the department. A person submitting

2448 a notice of intention shall publish notification of the proposed project in a print newspaper of
2449 local or general circulation, or a newspaper's website, including on-line only newspaper
2450 publications, or a statewide or city- or town-wide website that may be maintained as a repository
2451 for such notices at the time of submittal of the notice of intention. Said notification shall describe
2452 the project location, details of the project, resource area impacts and any other relevant
2453 information needed to adequately describe the proposed project and shall specify that comments
2454 be sent within 14 days of publication to the conservation commission and the appropriate
2455 regional office of the department of environmental protection based on the location where the
2456 activities are proposed. No public hearing is required.

2457 (B) If, after reviewing the notice of intention, the conservation commission determines
2458 the project meets the criteria described in subsection (b), including any standards developed by
2459 the department of environmental protection, then the conservation commission shall issue an
2460 order of conditions containing any conditions pursuant to regulations established under clause (i)
2461 of subsection (d) within 42 days of a complete notice of intention under this general permit.
2462 Notices of intention not meeting the criteria of this paragraph shall be denied.

2463 (iii) In the event that a conservation commission fails to issue an order of conditions or
2464 denial within the required time period, the project proponent may, within 10 days after such
2465 failure to act, request a superseding order of conditions from the department of environmental
2466 protection. The department of environmental protection shall make a decision and issue a written
2467 order or denial within 42 days from receipt of a complete request for a superseding order.

2468 (iv) Paragraph 20 of section 40 of chapter 131 of the General Laws shall not apply to the
2469 general permit except that within 10 days of receipt by the department of environmental

2470 protection of an order of conditions issued pursuant to this general permit, the department may
2471 appeal such order of conditions pursuant to said paragraph 20 of said section 40 of said chapter
2472 131.

2473 (e)(i) Notwithstanding any general or special law to the contrary, the department of
2474 environmental protection, for projects meeting the criteria described in subsection (b) and for the
2475 purposes of ensuring more expeditious processing of approvals for such projects, shall issue
2476 regulations to create a general license for the authorization of such projects, or a subset thereof,
2477 which are otherwise subject to individual licensing under sections 12, 12A, 13, 14, 18 and 19 of
2478 chapter 91 of the General Laws. Licensees shall comply with any general license performance
2479 standards established by such regulations and any additional conditions specified by the
2480 department. A proponent of a project eligible for a general license under this section shall certify
2481 compliance with its terms and conditions to the department on such timelines as the department
2482 requires and shall pay all applicable fees required by the department. The department shall
2483 review such certification and, if consistent with the general license, confirm compliance in
2484 writing within 60 days of receipt of a complete application. No construction subject to said
2485 chapter 91 shall commence prior to issuance of such certification by the department. The
2486 regulations shall protect and preserve any rights held by the commonwealth in trust for the public
2487 to use tidelands, great ponds and other waterways for lawful purposes and public rights of access
2488 on private tidelands, great ponds and other waterways for any lawful use. The provisions of
2489 subsection (f), subsection (g) and subsection (h) of section 18D of the General Laws shall apply
2490 to general licenses issued pursuant to this paragraph.

2491 (f) Notwithstanding any general or special law to the contrary, the secretary may by
2492 regulation provide that projects meeting the criteria described in subsection (b), or a subset of

2493 such projects, are a special category of project which shall not require an environmental impact
2494 report under section 62B of chapter 30 of the General Laws regardless of location.

2495 (g) The department of environmental protection shall consolidate adjudicatory
2496 proceedings regarding the same proposed project that are requested for permits, licenses or
2497 certifications under subsections (d), (e) or (f) unless consolidation would not contribute to
2498 expeditious resolution of the appeals.

2499 (h) The department of environmental protection and executive office of energy and
2500 environmental affairs shall propose regulations not later than 6 months after the effective date of
2501 this act. The department and executive office shall provide support and guidance to cities and
2502 towns to assist them in applying concurrently for and otherwise streamlining the review and
2503 approval of projects eligible for general permits, general licenses or other approvals pursuant to
2504 this section.

2505 (i) Nothing in this section shall be construed to change the application of section 24 of
2506 chapter 79 of the acts of 2014.

2507 SECTION 79. Section 78 is hereby repealed.

2508 SECTION 80. Notwithstanding any general or special law to the contrary, the
2509 unexpended and unencumbered balances of the bond-funded authorizations in the following
2510 accounts shall cease to be available for expenditure 180 days after the effective date of this act:
2511 2500-7024, 2850-9951, 2840-8963, 2850-6967, 2820-1420, 2840-7993, 2800-2012, 2800-2013,
2512 2800-2014, 2800-2019, 2820-2011, 2820-2012, 2840-2013, 2840-2014, 2840-2018, 2840-2019,
2513 2840-2023, 2890-2023, 2890-2040, 2800-7013, 2800-7018, 2800-7016, 2800-7011, 2800-7012,
2514 2800-7015, 2800-7017, 2800-7019, 2800-7022, 2800-7097, 2800-7098, 2840-7014, 2840-7017,

2515 2890-7010, 2890-7011, 2810-7872, 2810-8802, 2800-7035, 2800-7031, 2800-7108, 2840-7026,
2516 2840-7027, 6720-1336, 2840-7024, 2890-7035, 2800-7020, 9300-3909, 9300-7909, 9300-7010,
2517 2000-6966, 2000-6967, 2000-6969, 2000-2010, 2000-2011, 2000-2012, 2000-2014, 2000-2015,
2518 2000-2016, 2000-2018, 2000-2019, 2000-2020, 2000-2021, 2000-2022, 2000-2023, 2000-2024,
2519 2000-2025, 2000-2026, 2000-2017, 2000-2035, 2000-2028, 2000-2029, 2000-7013, 2000-7014,
2520 2000-7015, 2000-7016, 2000-7018, 2000-7023, 2000-7024, 2000-7025, 2000-7052, 2000-7054,
2521 2000-7057, 2000-7056, 2000-7051, 2000-7029, 2000-7053, 2000-7070, 2000-7028, 2000-7031,
2522 2000-7055, 2000-7059, 2000-7062, 2000-7063, 2000-7135, 2000-7081, 2240-8820, 2250-8820,
2523 2250-8822, 2200-7991, 2200-2011, 2200-2012, 2200-2013, 2200-2014, 2200-2015, 2200-2016,
2524 2200-2017, 2200-2018, 2200-2019, 2200-7011, 2200-7013, 2200-7017, 2200-7018, 2200-7020,
2525 2200-7025, 2300-2010, 2300-2011, 2300-2012, 2300-2014, 2300-2016, 2300-2017, 2300-7018,
2526 2300-7010, 2300-7011, 2300-7015, 2300-7016, 2300-7020, 2300-7021 and 2300-7025.

2527 SECTION 81. Notwithstanding any general or special law to the contrary, to meet the
2528 expenditures necessary in carrying out sections 2 to 2D, inclusive, the state treasurer shall, upon
2529 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
2530 be specified by the governor from time to time but not exceeding, in the aggregate,
2531 \$3,092,645,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on
2532 their face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
2533 maximum term of years, not exceeding 20 years, as the governor may recommend to the general
2534 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
2535 however, that all such bonds shall be payable not later than June 30, 2052. All interest and
2536 payments on account of principal on such obligations shall be payable from the General Fund.

2537 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
2538 other provision of this act, be general obligations of the commonwealth.

2539 SECTION 82. Notwithstanding any general or special law to the contrary, to meet the
2540 expenditures necessary in carrying out section 2E, the state treasurer shall, upon receipt of a
2541 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
2542 by the governor from time to time but not exceeding, in the aggregate, \$450,000,000. All bonds
2543 issued by the commonwealth, as aforesaid, shall be designated on their face “An Act to Build
2544 Resilience for Massachusetts Communities” and shall be issued for a maximum term of years,
2545 not exceeding 20 years, as the governor may recommend to the general court pursuant to section
2546 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds
2547 shall be payable not later than June 30, 2052. All interest and payments on account of principal
2548 on such obligations shall be payable from the General Fund. Bonds and interest thereon issued
2549 under the authority of this section shall, notwithstanding any other provision of this act, be
2550 general obligations of the commonwealth.

2551 SECTION 83. Notwithstanding any general or special law to the contrary, to meet the
2552 expenditures necessary in carrying out sections 2F to 2G, inclusive, the state treasurer shall, upon
2553 receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to
2554 be specified by the governor from time to time but not exceeding, in the aggregate,
2555 \$100,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their
2556 face “An Act to Build Resilience for Massachusetts Communities” and shall be issued for a
2557 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
2558 court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided,
2559 however, that all such bonds shall be payable not later than June 30, 2062. All interest and

2560 payments on account of principal on such obligations shall be payable from the General Fund.
2561 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
2562 other provision of this act, be general obligations of the commonwealth.

2563 SECTION 84. Sections 8, 17 through 14, inclusive, 38 through 40, inclusive, 46, 53
2564 through 56, inclusive, and 23 shall take effect 90 days from the effective date of this act.

2565 SECTION 85. Sections 15 and 61 shall take effect on July 1, 2026.

2566 SECTION 86. The program plan required under section 9 of chapter 21H of the General
2567 Laws shall submitted to the department of environmental protection not later than 12 months of
2568 the effective date of this act.

2569 SECTION 87. Section 13 shall take effect on July 1, 2027.

2570 SECTION 88. Section 43 shall take effect on January 1, 2028.

2571 SECTION 89. Section 79 shall take effect 10 years from the effective date of this act.