

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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

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

An Act providing nature for all.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Paul R. Feeney

Bristol and Norfolk

Joanne M. Comerford

Hampshire, Franklin and Worcester

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

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

An Act providing nature for all.

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

1 SECTION 1. Chapter 29 of the General Laws, as appearing in the 2024 Official Edition,
2 is hereby amended by adding the following section:

3 Section 2EEEEEE. (a) In order to deliver nature-based solutions to climate change,
4 protect biodiversity, and ensure equitable access to nature, there shall be established and set up
5 on the books of the commonwealth a separate fund to be known as the Nature for All Fund,
6 which shall be used exclusively for conserving and improving natural and working lands as
7 defined in section 1 of chapter 21N.

8 The executive office of energy and environmental affairs shall make expenditures from
9 the Nature for All Fund for the following purposes: (1) the creation and improvement of parks,
10 greenspaces, trails, and outdoor recreation access, especially those in underserved
11 neighborhoods; (2) the conservation or restoration of land to protect drinking water and the
12 quality of streams, rivers, lakes and coasts; (3) the conservation or restoration of farms, forests,
13 and other land to advance statewide biodiversity goals, climate goals, natural and working lands

14 goals, resiliency goals, and environmental justice goals; (4) the conservation of land parcels to
15 provide connectivity between open spaces; (5) the conservation and restoration of lands of
16 indigenous cultural significance and the restoration of access for indigenous people; and (6) the
17 provision of ongoing stewardship, outdoor recreation access, and management of such resources.

18 (b) Municipalities, regional municipal partnerships, regional planning bodies, watershed
19 associations, land trusts, conservation organizations, state agencies, tribal authorities, and other
20 non-profit organizations shall be lawful recipients of such expenditures.

21 (c) There shall be credited to the fund all monies received by the commonwealth from the
22 receipts from sales and use of goods and services classified under the 2022 revision of the North
23 American Industry Classification Codes 459110, 441210, and 713910 under chapter 64H;
24 provided that in the event such codes are changed, that successor codes shall be used; and
25 provided further, such amount shall not include any portion of the taxes that constitute special
26 receipts within the meaning of subsection (b 1/2) of section 10 of chapter 152 of the acts of 1997.

27 The amount credited to the fund under this subsection shall be net of the dedicated sales
28 tax revenue amount transferred to the Massachusetts Bay Transportation Authority State and
29 Local Contribution Fund under section 35T of chapter 10 and to the School Modernization and
30 Reconstruction Trust Fund under section 35BB of said chapter 10. The fund may accept public
31 and private gifts, grants and donations to further the purposes of this section, and any other
32 monies credited to or transferred from any other source pursuant to state law.

33 The fund shall be used for expenditures related to the conservation and improvement of
34 natural and working lands by the executive office of energy and environmental affairs, subject to
35 the provisions of subsection (a) and (d), including to pay or reimburse the General Fund for

36 payment of debt service on bonds issued by, or otherwise payable under a lease or other contract
37 assistance agreement by the commonwealth for land protection purposes.

38 (d) There shall be a 15-member board called the nature for all board comprised of the
39 secretary of energy and environmental affairs, commissioner of fish and game, the commissioner
40 of conservation and recreation, the secretary of housing and livable communities, and the climate
41 chief, and ten members of the public to be appointed by the Governor, hereinafter called the
42 board. The ten public members shall include representatives of underserved communities and
43 indigenous people, and people with expertise or experience in the purposes listed in section (a).
44 The executive office of energy and environmental affairs shall hire staff necessary to manage the
45 fund and expenditures from the fund, provided that such additional staff may be funded through
46 the fund. The board shall approve regulations for expenditures from the nature for all fund by
47 the executive office of energy and environmental affairs, including, but not limited to: (i)
48 requirements for land conservation in environmental justice neighborhoods; (ii) requirements for
49 access and restoration of indigenous land, (iii) guidelines to promote conservation in concert
50 with affordable housing development; (iv) the scope and prioritization of bonds issued pursuant
51 to this section; and (v) prioritization of programs based on progress towards the state goals
52 enumerated in section (c)(3). The board shall have the authority to approve expenditures made
53 from the fund.

54 (e) The executive office of energy and environmental affairs shall not make expenditures
55 in accordance with this section that result in, or supplant, a year-over-year decrease in bond cap
56 spending or program investments made pursuant to its five-year rolling capital plan. The board
57 shall promulgate limits on the amount of expenditures may be made from the trust fund to
58 supplement existing capital programs.

59 (f) The executive office of energy and environmental affairs shall submit annually to the
60 board, the Environmental Justice Council established in section 62L of chapter 30, the House and
61 Senate Committees on Ways & Means, and the Joint Committee on Environment & Natural
62 Resources a report of the proportion of funds expended from the Nature for All Fund that are
63 dedicated to the acquisition or improvement of land in cities or towns containing environmental
64 justice populations as defined in section 62 of chapter 30.

65 (g) When authorized by a vote taken by the yeas and nays of two-thirds of each house of
66 the general court present and voting on such authorization, the state treasurer, upon the request of
67 the governor, may issue bonds of the commonwealth as hereinafter provided. Any such bonds
68 shall be special obligations of the commonwealth payable solely from monies credited to the
69 Nature for All Trust Fund established in this section; provided, however, that notwithstanding
70 any general or special law to the contrary, such bonds shall not be general obligations of the
71 commonwealth. Bonds may be issued in such manner and on such terms and conditions as the
72 state treasurer may determine in accordance with this paragraph and, to the extent not
73 inconsistent with this paragraph, the General Laws for the issuance of bonds of the
74 commonwealth. Bonds may be secured by a trust agreement entered into by the state treasurer,
75 with the concurrence of the secretary of administration and finance and the secretary of energy
76 and environmental affairs, on behalf of the commonwealth, which trust agreement may pledge or
77 assign all or any part of monies credited to the Nature for All Trust Fund and rights to receive the
78 same, whether existing or coming into existence and whether held or thereafter acquired, and the
79 proceeds thereof. The state treasurer may, with the concurrence of the secretary of administration
80 and finance and the secretary of energy and environmental affairs, enter into additional security,
81 insurance or other forms of credit enhancement which may be secured on a parity or subordinate

82 basis with the bonds. A pledge in any such trust agreement or credit enhancement agreement
83 shall be valid and binding from the time such pledge shall be made without any physical delivery
84 or further act, and the lien of such pledge shall be valid and binding against all parties having
85 claims of any kind in tort, contract or otherwise, whether such parties have notice thereof or not.
86 Any such pledge shall be perfected by filing of the trust agreement or credit enhancement
87 agreement in the records of the state treasurer and no filing need be made under chapter 106.
88 Any such trust agreement or credit enhancement agreement may establish provisions defining
89 defaults and establishing remedies and other matters relating to the rights and security of the
90 holders of the bonds or other secured parties as determined by the state treasurer, including
91 provisions relating to the establishment of reserves, the issuance of additional or refunding
92 bonds, whether or not secured on a parity basis, the application of receipts, monies or funds
93 pledged pursuant to such agreement, the regulation of the custody, investment and application of
94 monies and such other matters deemed necessary or desirable by the state treasurer for the
95 security of such bonds. Any such bonds shall be deemed to be investment securities under
96 chapter 106, securities in which any public officer, fiduciary, insurance company, financial
97 institution or investment company may properly invest funds and securities which may be
98 deposited with any public custodian for any purpose for which the deposit of bonds is authorized
99 by law. Any such bonds, the transfer of such bonds and the income from such bonds, including
100 profit on the sale of such bonds, shall at all times be exempt from taxation by and within the
101 commonwealth.

102 The provisions of this section relating to bonds shall also be applicable to the issuance of
103 notes insofar as such provisions may be appropriate for such notes.

104 In order to increase the marketability of any such bonds or notes issued by the
105 commonwealth and in consideration of the acceptance of payment for any such bonds or notes,
106 the commonwealth covenants with the purchasers and all subsequent holders and transferees of
107 any such bonds or notes that while any such bond or note shall remain outstanding, and so long
108 as the principal of or interest on any such bond or note shall remain unpaid: (i) no pledged funds
109 shall be diverted from the Nature for All Trust Fund; (ii) in any fiscal year of the commonwealth
110 and until an appropriation has been made which is sufficient to pay the principal, including
111 sinking fund payments, of and interest on all such bonds and notes of the commonwealth and to
112 provide for or maintain any reserves, additional security, insurance or other forms of credit
113 enhancement required or provided for in any trust agreement securing any such bonds or notes,
114 no pledged funds shall be applied to any other use; and (iii) so long as such revenues are
115 necessary, as determined by the state treasurer in accordance with any applicable trust agreement
116 or credit enhancement agreement, for the purposes for which they have been pledged, and
117 notwithstanding any general or special law to the contrary, the rates of the excises imposed in
118 chapters 64H shall not be reduced below the amount in effect at the time of issuance of any such
119 bond or note.