# HOUSE . . . . . No. 5943

## The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT,
STATE HOUSE, BOSTON 02133, JULY 9, 1970.

*To the Honorable Senate and House of Representatives:*

Today I file with you my sixth and final special message concerning the environment. This legislation seeks to preserve our environment by bringing more lands under public domain. Together, with funds already authorized, the measure I file today will bring to thirty-eight million dollars the amount available for land acquisition and the development of outdoor recreational facilities in the coming year.

The urgency of accelerating the Commonwealth's program of land acquisition cannot be over-emphasized.

The pressures of rising population, rapidly disappearing open space and spiraling land values make it imperative that we act now. If we do not act, irreplaceable land will be lost to the ravages of urban sprawl.

We cannot act too soon, and we must act on an appropriate scale.

The development of recreational sites is also important in our increasingly mobile society. More and more families are taking to the outdoors and engaging in activities such as camping, hiking and riding, in search of an escape from the pressures of urban life.

The legislation I file today will make available fourteen million dollars in new money for land acquisition and development of outdoor recreational facilities. It includes one million dollars for the preparation of plans for future projects.

This fourteen million dollars is in addition to twenty-four million dollars already authorized and about to be spent or committed. All these funds will be expended in accordance with the Outdoor Recreation Master Plan of the Department of Natural Resources. All of the land acquired and facilities developed will serve major population centers. We anticipate that the Federal government will

reimburse four million dollars of the fourteen million dollar expenditure.

This program is a measure of the state's commitment to environmental protection. Our willingness to go forward with this program will demonstrate the sincerity of that commitment. I urge your enactment of the accompanying legislation.

Respectfully submitted,

FRANCIS W. SARGENT,
*Acting Governor of the Commonwealth.*

# The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT PROVIDING A CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH FOR RECREATION AND CONSERVATION PURPOSES.

*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. The department of natural resources is hereby
2 authorized and directed to expend a sum not exceeding fourteen
3 million dollars for the acquisition of land and waters, as
4 authorized by section three of chapter one hundred and
5 thirty-two A of the General Laws, including the expenses in
6 connection therewith and the cost of planning therefor, and the
7 development, redevelopment, and improvement of outdoor
8 recreation areas and natural resource conservation education
9 centers, and for the preparation of plans for future projects to
10 carry out a continuing outdoor recreation capital outlay pro-
11 gram, provided that not more than one million dollars may be
12 expended for the planning of such future projects. Said depart-
13 ment may acquire by purchase from the United States any
14 federal lands wherever situated in the commonwealth and may
15 enter into contracts with agencies of the United States, including
16 but not limited to the department of housing and urban
17 development and the bureau of outdoor recreation, to obtain
18 federal grants or reimbursements under related federal programs.
19 Funds provided in this act shall be in addition to prior
20 appropriations authorized for the purposes defined in this
21 section. Funds authorized to be expended by this act shall be
22 subject to the provisions of law regulating the disbursement of
23 public funds and the approval thereof; provided, however, that
24 such expenditures shall not be subject to the provisions of
25 section thirty A of chapter seven of the General Laws.

SECTION 2. No expenditure shall be made for consultant services, so called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services – Non-employees" unless the rate of compensation for such services shall have been approved by the commissioner of administration. Said commissioner shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the house and senate committees on ways and means. Before engaging such consultant services under said subsidiary title "03", as so coded, as "Professional", the department shall certify to the budget director that funds are available for the purpose and shall then file a statement of intent with the budget director, the comptroller and the house and senate committees on ways and means. Such statement shall include the rate of compensation, the period of time for which the services are to be engaged or scope of work to be done, and such other pertinent information as may be necessary to establish the maximum limit of the commonwealth's obligation.

SECTION 3. To meet a portion of the expenditures authorized by section one, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Outdoor Recreation Capital Outlay Loan, Act of 1970, and shall be on the serial payment plan for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor,

shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-five. All interest payments and payments on account of principal on the bonds authorized by this section shall be paid from the State Recreation Areas Fund.

SECTION 4. To meet a portion of the expenditures authorized by section one, in anticipation of sums to be received from the federal government for the purposes of this act, there is hereby appropriated the sum of four million dollars from the Federal Capital Improvement Fund established by section two B of chapter twenty-nine of the General Laws, and said appropriation shall expire on June thirtieth, nineteen hundred and seventy-three.

For the purpose of meeting payments authorized by this section, in anticipation of the receipt of federal funds, the state treasurer may borrow from time to time, on the credit of the commonwealth, such sums as may be necessary and may issue and renew, from time to time, notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and seventy-six. Notwithstanding any provisions of this act, such notes shall be general obligations of the commonwealth. Notwithstanding the amount appropriated in this section, sums authorized to be expended under this section in anticipation of federal receipts shall not exceed the amounts certified by the proper federal authorities as the federal share of the cost of such projects; and provided, further, that amounts received from the federal government as reimbursements for such projects shall be deposited in said Federal Capital Improvement Fund and shall be available to repay any note or notes issued as provided in this section; and provided, further, that all payments on account of interest shall be paid from the State Recreation Areas Fund.

SECTION 5. Notwithstanding the provisions of chapter five hundred one of the acts of nineteen hundred sixty-eight, after the effective date of this act the department of natural resources shall not designate the department of public works as its contracting agent for the acquisition of ocean beaches and ocean reservations or for the design and construction of capital improvements or new facilities thereon. The department of natural resources may acquire, develop, redevelop, and improve such ocean beaches and ocean reservations in such manner as is authorized by chapter one hundred thirty-two A of the General Laws or by any special act. This section shall not apply to any project for which funds have been encumbered under the provisions of chapter five hundred one of the acts of nineteen hundred sixty-eight on the effective date of this act.