

SENATE No. 1939

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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 to reform payments in lieu of taxes for state-owned land.

PETITION OF:

NAME:

Joanne M. Comerford

DISTRICT/ADDRESS:

Hampshire, Franklin and Worcester

SENATE No. 1939

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 1939) of Joanne M. Comerford for legislation to reform payments in lieu of taxes for state-owned land. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1769 OF 2023-2024.]

The Commonwealth of Massachusetts

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

An Act to reform payments in lieu of taxes for state-owned land.

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. Section 13 of chapter 58 of the General Laws, as appearing in the 2022
2 Official Edition, is hereby amended by striking out the definition of “Reimbursement
3 percentage”.

4 SECTION 2. Section 15 of said chapter 58, as so appearing, is hereby amended by
5 striking out, in lines 6 and 7, the words “reimbursement percentages”.

6 SECTION 3. Section 16 of said chapter 58, as so appearing, is hereby amended by
7 striking out, in lines 2 and 3, the words “reimbursement percentage”.

8 SECTION 4. Said chapter 58 is hereby further amended by striking out section 17, as so
9 appearing, and inserting in place thereof the following section:-

Section 17. Annually, not later than November 20, the state treasurer shall reimburse each city and town in which state-owned land is located, an amount in lieu of taxes upon the value of such land as reported by the commissioner under section 16, determined by multiplying each \$1,000 of valuation, or fractional part thereof, by the rate and in an amount provided for at a rate equal to the average of the annual rates for the 3 years preceding that in which such value is laid, said annual rates to be determined by an apportionment of the whole amount of money to be raised by taxation upon property in the commonwealth during each of the 3 preceding years, as returned by the assessors of each city and town under this section and approved by the commissioner, upon the aggregate valuation of all cities and towns for each of the 3 preceding years, as returned under section 10C; provided, however, that the amount reimbursed shall not be less than that paid in the prior year, except for the value of land removed from the annual statement of fair cash valuation.

SECTION 5. (a) Within one year of the effective date of this act, the department of revenue and the executive office of energy and environmental affairs shall jointly make recommendations in the form of legislation for amendments to sections 13 through 17, inclusive, of chapter 58 of the general laws, as amended by this act, to: (i) ensure the formula values the carbon storage and sequestration as well as other ecosystem services provided by natural and working lands, as defined in section 1 of chapter 21N of the general laws; and (ii) ensure reimbursements are sufficient to promote the natural and working lands and carbon sequestration goals in the roadmap plans required under section 5 of said chapter 21N. The recommendations shall consider:

(1) Providing additional reimbursements to municipalities based upon the amount of permanently protected open space, as defined by section 91 of chapter 209 of the acts of 2018, in that municipality; and

(2) Providing additional reimbursements to municipalities based upon the amount of forest cover within that municipality; and

(3) Providing additional reimbursements to municipalities for state-owned land that provides services for drinking water supplies, cold-water fisheries, endangered or threatened species, outdoor recreation, ecological integrity and landscape connectivity; and

(4) Providing additional reimbursements to municipalities with historically lower reimbursement percentages, to ensure the formula equitably values state-owned land in different geographic regions of the commonwealth; and

(5) Providing additional reimbursement tiers for municipalities with already high rates of state-owned land, so that the acquisition of additional state-owned land in those municipalities leads to a higher rate of reimbursement.

(b) Within 6 months of the effective date of this act, the department of revenue and the executive office of energy and environmental affairs shall hold a public hearing during which they shall present draft recommendations and, for not less than 30 days following the hearing, they shall accept public comment.

(c) The recommendations shall be submitted to the clerks of the house and senate, the joint committee on revenue, the joint committee on environmental and natural resources, the

51 house and senate committees on ways and means and posted publicly on the website of the
52 executive office of energy and environmental affairs.