

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Adam G. Hinds

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 establishing the Office of Outdoor Recreation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>3/18/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/18/2021</i>

SENATE No.

[Pin Slip]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2254 OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act establishing the Office of Outdoor Recreation.

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 21A of the General Laws is hereby amended by adding the
2 following section:-

3 Section 7C. (a) There shall be within the executive office of energy and environmental
4 affairs, the office of outdoor recreation. The office of outdoor recreation shall be administered by
5 a director who shall be appointed, and may be removed, by the secretary. Said director shall be a
6 competent and qualified person. The position of director shall not be subject to the provisions of
7 chapter 31 or section 9A of chapter 30.

8 (b) The words “recreational activities”, as used in this section, shall include, but not be
9 limited to, activities that take place predominately in a natural environment or on a natural
10 physical landscape, including various sports and activities that are trail-dependent, natural

landscape-dependent, water-dependent, and snow-dependent; but excluding, those activities when occurring at constructed playgrounds, athletic fields or swimming pools.

(c) The office of outdoor recreation to carry out its responsibilities and duties shall:

(1) promote outdoor recreational activities in the commonwealth to the public;

(2) assist the executive office energy and environmental affairs, and its appropriate departments, divisions, and other administrative units, in developing and implementing applicable statewide policies, initiatives and programs, to support and promote outdoor recreation in the commonwealth, and as provided hereafter;

(3) develop and update as necessary long-term plans, regional initiatives and priorities for improving public access to outdoor recreational activities to benefit people of all ages, socioeconomic levels, ethnic diversities, or with physical or mental disabilities;

(4) provide recommendations for the outdoor recreation land management and conservation policies and objectives of the commonwealth, including acquiring appropriate interests in real property to complete or link trail systems, and provide increased public access to recreational land and water venues;

(5) collaborate and as appropriate coordinate, with public agencies, as defined under section 20, to develop plans and assist public agencies to facilitate projects that advance outdoor recreational activities;

(6) collaborate and coordinate with nonprofit organizations experienced in natural resource protection and management, and other stakeholders and entities, to improve the public's access to outdoor recreational activities;

(7) collaborate and coordinate with the business community, and appropriate state agencies, to promote economic opportunities in outdoor recreation for the purpose to expand recreational activities for the public's benefit.

(8) assist in securing as appropriate and proper, the co-operation and assistance of other agencies and departments of the commonwealth and its political subdivisions, to resolve issues that impede or delay outdoor recreation projects and initiatives;

(9) analyze proposed projects, in collaboration with other appropriate state agencies, regional planning agencies, and municipalities, to identify and recommend practicable strategies and methods to reduce costs and delays, including consolidating aspects of local projects, encouraging affected agencies and municipalities to consider proposed projects in their planning, and accomplishing projects jointly with other state agencies, municipalities or qualified non-profit organizations;

(10) develop programs with the department of public health, to educate and promote to the public, the well-being and health benefits of participating in outdoor recreational activities;

(11) research and identify sources of available funding, including grants and other aid, available to the commonwealth for outdoor recreational projects, planning, land acquisition, and promotion and public outreach, from the federal government, its departments and agencies, and from other sources;

(12) collaborate with outdoor recreation offices of other states, or their government agencies or departments performing similar functions, about best practices for land management and conservation, and economic opportunities related to outdoor recreation, including adapting to expected changes to natural and physical landscapes as a result of climate change.

(d) Annually on or before March 30, the director shall submit a report that provides information about the work of the outdoor office of recreation for the prior calendar year. The report shall contain an overview of significant projects or initiatives by the commonwealth, being planned, developed or in effect, to expand the public's access to outdoor recreational activities. Such overview shall present information about any benefits each project or initiative provides, or projected to provide, including to people of all ages, socioeconomic levels, ethnic diversities, or with physical or mental disabilities. In addition, the report shall contain the director's current evaluation and future assessment of outdoor recreation for all regions of the state, and the related economic opportunities from such activities.

The report shall be made in consultation with the appropriate departments, divisions and other administrative units, within the executive office of energy and environmental affairs, the office of travel and tourism, executive office of housing and economic development, and the department of public health. The report shall be filed with the governor, clerks of the house and senate, the joint committee on the environment, natural resources and agriculture, the joint committee on economic development, and the joint committee on tourism, arts and cultural development. Each report shall be posted on the public website of the executive office of energy and environmental affairs.

(e) The director in accomplishing the purposes of the office of outdoor recreation may with the approval of the secretary, expend funds from the Outdoor Recreation Trust Fund as provided under section 2ggggg of chapter 29.

(f) The secretary shall be authorized to adopt regulations necessary for the administration of this section.

SECTION 2. The last sentence of section 8 of said chapter 21A, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “enforcement,” in lines 91 and 92, the words:- the office of outdoor recreation.

SECTION 3. Chapter 29 of the General Laws is hereby amended by adding the following section:-

Section 2ggggg. There shall be established and set up on the books of the commonwealth a separate fund known as the Outdoor Recreation Trust Fund. The purpose of the fund shall be to provide competitive grants for programs, projects and initiatives, to public and private organizations to further the objectives of the office of outdoor recreation, established under section 7C of chapter 21A. The director of outdoor recreation shall administer the fund, subject to the approval of the secretary of energy and environment. Amounts credited to the fund shall without further appropriation, be expended only for the purposes stated in this section.

The fund shall consist of all monies credited, received or transferred to the fund from (i) private or public sources as appropriations, gifts, grants, donations, or receipts, (ii) the federal government as reimbursements, grants-in-aid, or other receipts, and (iii) revenue from investing the monies in the fund. Revenues remaining in the fund at the end of a fiscal year shall not revert to the general fund and shall be available for expenditure in the following fiscal year. The fund shall not be subject to the provisions of section 5D. No expenditure from the fund shall cause the fund to be in deficiency at the end of the fiscal year. The director shall report annually, not later than October 1, on the fund’s activities, including information about fund receipts, expenditures and the reason for each such expenditure, and fund balances, to the clerks of the house and senate, and the chairs of the house and senate committees on ways and means.