

**Amendment #23 to H5150****An Act Combatting Climate Change by Preserving Open Space- PLPA**

Representatives Balsler of Newton and Peisch of Wellesley move to amend the bill by adding the following sections:

SECTION XX. The General Laws are hereby amended by inserting after chapter 131A, the following chapter:-

**CHAPTER 131B****PUBLIC LANDS PRESERVATION ACT.**

The commonwealth and its governmental entities, including but not limited to municipalities, in order to use for other purposes or otherwise dispose of land or easements taken or acquired pursuant to Article 97 of the Articles of Amendments to the Constitution or designated in perpetuity for the Article's purposes shall (1) prior to the filing of legislation petitioning for such change in use or disposition, perform an alternatives analysis and notify the public and the secretary of energy and environment ("secretary") and (2) provide replacement land, not already so taken, acquired or dedicated, of equal or greater natural resource value as determined by the secretary, acreage, and fair market value, and of comparable location, which replacement land shall then be dedicated in perpetuity for the same natural resource purposes. The secretary upon request may waive the replacement land requirement, if the disposition involves only transfer of legal control between public entities with no other change, including but not limited to a change allowing the land to be used for other purposes.

SECTION XX. The secretary shall within one year of passage of this act promulgate regulations to implement SECTION 1.

**Additional co-sponsor(s) added to Amendment #23 to H5150  
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REPRESENTATIVE:

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*Lindsay N. Sabadosa*

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*Smitty Pignatelli*