

HOUSE No. 1756

The Commonwealth of Massachusetts

PRESENTED BY:

Demetrius J. Atsalis

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 defining water dependent uses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Demetrius J. Atsalis</i>	<i>2nd Barnstable</i>	<i>1/19/2011</i>

HOUSE No. 1756

By Mr. Atsalis of Barnstable, a petition (accompanied by bill, House, No. 1756) of Demetrius J. Atsalis relative to further regulating offshore renewable energy facilities. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An act defining water dependent uses.

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 4 of Chapter 91 of the General Laws, as appearing in the 2008 Official Edition, is
2 hereby amended by adding the following paragraph after the words "proper public purpose.":-

3 Any law or regulation to the contrary notwithstanding, wind generating offshore
4 renewable energy facilities shall be presumed not to be water dependent. This presumption may
5 be overcome only upon a clear showing that the proposed energy facility cannot be located or
6 operated away from tidal waters.