

**HOUSE . . . . . No. 2747**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James M. Cantwell*

*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 a revolving fund to supplement the funding of waterway projects and coastal protection initiatives.

PETITION OF:

| NAME:                    | DISTRICT/ADDRESS:   | DATE ADDED:      |
|--------------------------|---------------------|------------------|
| <i>James M. Cantwell</i> | <i>4th Plymouth</i> | <i>1/21/2011</i> |
| <i>Robert L. Hedlund</i> |                     | <i>2/4/2011</i>  |

**HOUSE . . . . . No. 2747**

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By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 2747) of James M. Cantwell and Robert L. Hedlund establishing a revolving fund to supplement the funding of waterway projects and coastal protection initiatives. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act establishing a revolving fund to supplement the funding of waterway projects and coastal protection initiatives.

*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 91 of the General Laws, as appearing in the 1996 Official Edition,  
2 is hereby amended by adding the following new section after section 10A1/2:—

3           Section 10A3/4. There is hereby established a fund to be known as the Coastal Protection  
4 and Harbor Maintenance Revolving Fund to which shall be credited such sums as may from time  
5 to time be provided by appropriation. Notwithstanding the provisions of any general or special  
6 law to the contrary, the department of environmental management is hereby authorized and  
7 directed to utilize the appropriations credited to this fund for providing financial assistance to  
8 local government units to meet debt service obligations or bonds incurred by such local  
9 government units after January 1, 1999, to finance costs of coastal protection and harbor  
10 maintenance projects, or portions thereof, which have been approved by the department.

11           As used in this section, the term “coastal protection and harbor maintenance project”  
12 shall mean the planning, including study, professional consultation, engineering, evaluation,  
13 preliminary and final design and pre-construction activity, including construction, supervision  
14 and purchase of equipment for post-construction maintenance for projects approved by the  
15 department that increase or maintain harbor access and maintain or augment structures that  
16 provide protection to the coastline and development along the same. The department shall  
17 promulgate regulations to define typical projects that are approved for assistance and shall  
18 therein provide a process for municipalities to submit additional proposals for consideration  
19 should a municipality believe that a project meets the criteria for a coastal protection or harbor  
20 maintenance project but is not specifically defined as such in the regulations.

21           Subject to appropriation, the department shall provide financial assistance for each  
22 coastal protection and harbor maintenance project or portion thereof authorized by this section in  
23 such manner and under such terms and conditions as defined under regulations to be  
24 promulgated by the department, including zero or low-interest loans to the municipality, in an  
25 aggregate amount equal to 50% of the approved costs of such project or portion thereof approved  
26 by the department of environmental management. This assistance shall not be construed as a  
27 replacement and shall not be used in lieu of any other form of grant or other assistance available  
28 through the department, but shall assist municipalities in affording and financing their portion of  
29 approved and necessary projects.

30           The state treasurer shall enter into an agreement with the department to provide contract  
31 assistance to the department in whatever maximum amount is appropriated by the  
32 commonwealth per fiscal year. Subject to appropriation, the department is hereby authorized and  
33 directed to report the total annual amount of assistance authorized in each current and subsequent

34 year to meet the provisions of this section and shall file the same with the house and senate  
35 committees on ways and means no later than February first of each year, such report shall also  
36 detail the number and aggregate amount of requests for assistance the department has received  
37 and is unable to provide from this account due to exhaustion of available appropriations.

38 SECTION 2. This act shall take effect upon passage and the department of environmental  
39 management is directed to promulgate the rules and regulations required under this act within  
40 ninety days after the effective date of this act.)