HOUSE DOCKET, NO. 2028 FILED ON: 1/17/2013

HOUSE . . . . . No. 672

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 relative to the financing of dredging projects.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James M. Cantwell	*4th Plymouth*

HOUSE DOCKET, NO. 2028 FILED ON: 1/17/2013

HOUSE . . . . . No. 672

By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 672) of James M. Cantwell relative to the financing of Department of Environmental Protection dredging projects in harbors and inland waterways. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *2746* OF 2011-2012.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the financing of dredging projects.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 11 of chapter 91 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, in lines 20, 23, and 29, by removing the words "Soil Conservation Service of the United States Department of Agriculture" and inserting in place thereof the words "United States Army Corps of Engineers and other federal agencies";

Section 11A of chapter 91 of the General Laws, as so appearing, is hereby amended by adding the following:-

Unless otherwise authorized, the department may participate in funding projects up to 75 per cent for dredging projects and up to 50 per cent for all other work authorized under this section.

Chapter 91 of the General Laws, as so appearing, is hereby amended by adding after section 11A, the following new section:-

Section 11B. The commissioner

The commissioner of the department of conservation and recreation, hereinafter referred to in this section as the commissioner, may receive and hold in trust on behalf of the commonwealth, exempt from taxation, bequests, restitutions or gifts to be used for the purpose of

advancing the repairs and improvements to the harbors and inland waterways as identified under Sections 11 and 11A of this chapter and conservation interests of the commonwealth and shall administer the same in such manner as to carry out the terms of such bequests, restitutions or gifts, and he may accept on behalf of the commonwealth and the Division of Waterways to be held and managed for said purposes.

Said trust properties shall be known as the Waterways Trust and shall be used and expended under the direction of the commissioner and subject to his orders. Subject to the term of such grant, restitution, gift, devise or bequest, the commissioner may expend such funds, whether principal or income, without further appropriation.