

SENATE No. 1732

The Commonwealth of Massachusetts

PRESENTED BY:

Mark C. Montigny

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 to restore and revitalize state pier in the city of New Bedford.

PETITION OF:

NAME:

Mark C. Montigny

DISTRICT/ADDRESS:

Second Bristol and Plymouth

SENATE No. 1732

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 1732) of Mark C. Montigny for legislation to restore and revitalize state pier in the city of New Bedford. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to restore and revitalize state pier in the city of New Bedford.

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. The seaport economic council, in consultation with the Massachusetts
2 Development Finance Agency, shall report not later than December 31, 2017, to the senate and
3 the house committees on ways and means, the senate and house committees on rules, and the
4 joint committee on economic development and emerging technologies the current status of the
5 state pier facility in the city of New Bedford, including current and future capital needs,
6 recommendations for future governance and use, and recommendations to expand water and
7 non-water dependent uses, with particular emphasis on increasing public access to the waterfront
8 without significant interference to maritime operations or water-dependent activities.

9 SECTION 2. Notwithstanding any general or special law to the contrary, the department
10 of conservation and recreation may lease the state pier facility in the city of New Bedford to the
11 Massachusetts Development Finance Agency established pursuant to chapter 23G of the General
12 Laws for a term not to exceed twenty-five years. The Massachusetts Development Finance

13 Agency is further authorized to sublease the facility, or portions thereof, for the purposes of
14 economic development within the port of New Bedford. Preference shall be given to any
15 sublease proposal that emphasizes mixed-use development for water and non-water dependent
16 uses, including but not limited to, commercial fishing improvements, marine transportation
17 improvements, cargo operations, and capital improvements related to tourism, retail, restaurants,
18 recreation and public waterfront access. Proposals shall demonstrate financial ability.

19 SECTION 3. Section 2A of chapter 286 of the Acts of 2014 is hereby amended by
20 striking out item 6720-1350.

21 SECTION 4. Said chapter 286 is hereby further amended by inserting, after section 2G,
22 the following new section:-

23 Section 2H.

24 EXECUTIVE OFFICE FOR HOUSING AND ECONOMIC DEVELOPMENT

25 Office of the Secretary

26 7002-1350 For improvements to coastal facilities in designated and non-designated port
27 areas, including those defined in chapter 21F of the General Laws, section 63 of chapter 91 of
28 the General Laws, 301 C.M.R 25 and 312 C.M.R 2.00; provided, that such improvements shall
29 be administered by the seaport advisory council through the continuation of a grant program;
30 provided further, that such improvements may include, but shall not be limited to, construction,
31 reconstruction, rehabilitation, expanding, replacing and improving public facilities, piers,
32 wharves, boardwalks, berths, fenders, bulkheads and other harbor and waterfront facilities;
33 provided further that preference shall be given to improvements that demonstrate a benefit to

34 commercial fishing; provided further, that \$20,000,000 shall be expended on capital
35 improvements to the state pier facility in the city of Fall River, including, but not limited to, the
36 construction of the south basin of the state pier facility, the rehabilitation and replacement of all
37 marine structures for Battleship Cove in the port of Fall River; commercial fishing
38 improvements, commercial marine transportation improvements and other capital improvements
39 related to economic development within the port of Fall River; and provided further, that
40 \$7,500,000 shall be expended for the redevelopment of city pier in the city of Fall River,
41 including, but not limited to, permitting, capping of site, stabilization of existing seawalls and
42 construction of a public marina and associated amenities; provided further, that not less than
43 \$25,000,000 shall be expended on capital improvements to the state pier facility in the city of
44 New Bedford, which improvements shall be made to further economic development within the
45 port of New Bedford; projects may include, but shall not be limited to, a multi-use facility for
46 water-dependent cargo, commercial fishing improvements, commercial marine transportation
47 improvements, marine educational facilities, a fresh produce and fish market and capital
48 improvements related to tourism, public recreation and other economic development within the
49 port of New Bedford; provided further, that not less than \$3,200,000 be expended for central
50 waterfront bulkhead repairs for the port of Newburyport; provided further, that \$9,000,000 shall
51 be expended for the design, permitting and construction, including pertinent dredging, for the
52 reintroduction of an ocean pier at the Revere Beach
53 Reservation..... \$149,700,000

54 SECTION 5. Section 37 of said chapter 286 is hereby amended by striking the first
55 sentence and inserting in place thereof the following sentence:-

56 To meet the expenditures necessary in carrying out item 2800-7027 and 6720-1336 of
57 section 2, items 2000-7056, 2000-7058, 2000-7066, 2500-7011 and 6720-1335 of section 2A,
58 items 2000-7052, 2000-7060, 2300-7020 of section 2B, and item 7002-1350 of section 2H, the
59 state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in
60 an amount to be specified by the governor from time to time but not exceeding, in the aggregate,
61 \$292,810,000.