

**HOUSE . . . . . No. 819**

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The Commonwealth of Massachusetts

PRESENTED BY:

*James M. Kelcourse and Diana DiZoglio*

*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 support Plum Island coastal resources.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Kelcourse</i>	<i>1st Essex</i>	<i>1/18/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>1/18/2019</i>

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By Representative Kelcourse of Amesbury and Senator DiZoglio, a joint petition (accompanied by bill, House, No. 819) of James M. Kelcourse and Diana DiZoglio that the city of Newburyport and the Department of Conservation and Recreation be authorized to enter into an agreement for the joint collection of surcharges for motor vehicles parking in certain state owned parking facilities. Environment, Natural Resources and Agriculture.

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The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
\_\_\_\_\_

An Act to support Plum Island coastal resources.

*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. Notwithstanding any general or special law to the contrary, the city of  
2 Newburyport is authorized to impose and collect a surcharge for motor vehicle parking in the  
3 parking facilities located in the area known as “Plum Island Point” in the northeastern section of  
4 Plum Island in the city of Newburyport, provided that said city and the department of  
5 conservation and recreation shall enter into an agreement for the joint collection of said  
6 surcharge and any parking fee charged by the department.

7           SECTION 2. Pursuant to the provisions herein, the city of Newburyport may impose a  
8 surcharge of a specific amount pursuant to section 1 by a vote of the city council thereof and  
9 approval by the mayor, provided that upon such decision the city shall establish and set up on its  
10 book a Plum Island Resource Fund, into which shall be deposited any and all proceeds from such  
11 surcharge.

12 SECTION 3. Any modification to the amount of the surcharge imposed pursuant to this  
13 act shall be made with the approval of the mayor and the city council, not later than May 1 of the  
14 year in which it is to take effect.

15 SECTION 4. Subject to appropriation by the mayor and city council, amounts shall only  
16 be expended from the Plum Island Resource Fund for the purposes of restoring and protecting  
17 dunes, shorelines, beaches, infrastructure and property, and for the permanent, temporary and  
18 interim measures to achieve such purposes on Plum Island, provided, however, that the funds  
19 may be expended from said fund for regional or intermunicipal efforts for such purpose.

20 SECTION 5. The department of conservation and recreation shall study the feasibility of  
21 transferring the ownership and control of the parking lot described in section 1 to the city of  
22 Newburyport, and such study shall include all relevant aspects of such a transfer, including but  
23 not limited to value, compensation, public access and public safety. The results of said study,  
24 together with any legislative recommendations, shall be filed with the clerks of the house and  
25 senate, and the clerk of the city of Newburyport, not later than six months following the passage  
26 of this act.