SENATE DOCKET, NO. 1772 FILED ON: 1/18/2019

SENATE . . . . . No. 516

The Commonwealth of Massachusetts

PRESENTED BY:

Patrick M. O'Connor

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 waterways permitting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
Patrick M. O'Connor	*Plymouth and Norfolk*	
James K. Hawkins	*2nd Bristol*	*2/2/2019*
James M. Murphy	*4th Norfolk*	*1/31/2019*

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SENATE . . . . . No. 516

By Mr. O'Connor, a petition (accompanied by bill, Senate, No. 516) of Patrick M. O'Connor, James K. Hawkins and James M. Murphy for legislation relative to waterways permitting. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

An Act relative to waterways permitting.

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

SECTION 1. Notwithstanding any general or special law to the contrary, the department of environmental protection shall interpret chapter 91 of the general laws, and any associated regulations, as requiring any facility ancillary to or associated with a water dependent use (i) must be ancillary or associated to the originally permitted use; or (ii) must be demanded as necessary or essential; (iii) is neither merely reasonable, suitable, or appropriate.