

**HOUSE . . . . . No. 5375**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***David T. Vieira***

*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 shellfish mitigation receipts reserved fund in the town of Bourne.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>10/25/2022</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>11/7/2022</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>11/7/2022</i>

**HOUSE . . . . . No. 5375**

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 5375) of David T. Vieira (by vote of the town) that the town of Bourne be authorized to establish a shellfish mitigation receipts reserved fund in said town. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act establishing a shellfish mitigation receipts reserved fund in the town of Bourne.

*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 section 53 of chapter 44 of the General Laws or any other  
2 general or special law, rule or regulation to the contrary, there shall be a special fund in the town  
3 of Bourne to be known as the Shellfish Mitigation Fund. There shall be deposited into said fund  
4 monies collected by the town of Bourne conservation commission as mitigation payments for  
5 projects that impact public waterways and shellfish habitats. The fund shall be used exclusively  
6 for shellfish resource enhancements, shellfish habitats or capital improvements.

7 SECTION 2. The Shellfish Mitigation Fund shall be maintained by the town of Bourne  
8 Treasurer as a separate account, subject to applicable provisions of chapter 44 of the General  
9 Laws and any interest accrued shall be credited to and become part of the fund.

10 SECTION 3. This Act shall take effect upon its passage