

**HOUSE . . . . . No. 2734**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Tackey Chan*

*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 restoring the harbors and inland waters maintenance fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>1/13/2023</i>

**HOUSE . . . . . No. 2734**

By Representative Chan of Quincy, a petition (accompanied by bill, House, No. 2734) of Tackey Chan relative to restoring the harbors and inland waters maintenance fund. Revenue.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2844 OF 2021-2022.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act restoring the harbors and inland waters maintenance fund.

*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. Section 13 of Chapter 64A of the General Laws, as appearing in the 2020  
2 Official Edition, is hereby amended by striking the section and inserting in place thereof the  
3 following section:-

4 Section 13. All sums received from the excise imposed on aviation fuel, and related  
5 penalties, forfeitures, interest, costs of suits and fines, less all amounts for reimbursement under  
6 sections 7 and 7A, shall be credited to the Commonwealth Transportation Fund and may be used  
7 for airport development projects approved and carried out at airports and landing facilities under  
8 49 U.S.C. App. s 2210; and all other sums received from the excise imposed in section 4, and  
9 related penalties, forfeitures, interest, costs of suits and fines, less all amounts for reimbursement  
10 under said sections 7 and 7A, shall be credited as follows: (i) 99.80 per cent shall be credited to

11 the Commonwealth Transportation Fund to be used for transportation-related purposes; (ii) 0.15  
12 per cent shall be credited to the Inland Fisheries and Game Fund established in section 2C of  
13 chapter 131; and (iii) 0.05 per cent shall be credited to the Harbors and Inland Waters  
14 Maintenance Fund.

15 SECTION 2. Chapter 91 of the General Laws is hereby amended by inserting after  
16 section 10A the following section: -

17 Section 10A ½. There is hereby established a fund to be known as the Harbors and  
18 Inland Waters Maintenance Fund to which shall be credited such sums as are determined the  
19 provisions of section thirteen of chapter sixty four A, sections forty-two, forty-three, forty-five,  
20 forty-six A and forty-nine of chapter ninety-one and any sums received by the commonwealth  
21 from the federal government on account of the activities of the department of conservation and  
22 recreation relative to (a) the continuous maintenance dredging; (b) cleaning of all the areas  
23 within the harbors, inland waters and great ponds of the commonwealth include the removal of  
24 sunken and abandoned vessels, derelict piers and any other obstacles deemed to be hazardous to  
25 navigation; (c) maintenance of state piers; and (d) for the purpose of carrying out the provisions  
26 of section thirty-one. All monies in said fund shall be subject to appropriation, and shall be used  
27 only for the purpose of continuous maintenance dredging and cleaning of harbors, inland waters  
28 and great ponds of the commonwealth, including removal of sunken and abandoned vessels,  
29 derelict piers and any other obstacles deemed to be hazardous to navigation, by the department of  
30 conservation and recreation.