HOUSE DOCKET, NO. 3434 FILED ON: 1/21/2011

HOUSE . . . . . No. 2747

The Commonwealth of Massachusetts

PRESENTED BY:

James M. Cantwell

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 revolving fund to supplement the funding of waterway projects and coastal protection initiatives.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James M. Cantwell	*4th Plymouth*
Robert L. Hedlund	

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By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 2747) of James M. Cantwell and Robert L. Hedlund establishing a revolving fund to supplement the funding of waterway projects and coastal protection initiatives. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act establishing a revolving fund to supplement the funding of waterway projects and coastal protection initiatives.

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. Chapter 91 of the General Laws, as appearing in the 1996 Official Edition, is hereby amended by adding the following new section after section 10A1/2:—

Section 10A3/4. There is hereby established a fund to be known as the Coastal Protection and Harbor Maintenance Revolving Fund to which shall be credited such sums as may from time to time be provided by appropriation. Notwithstanding the provisions of any general or special law to the contrary, the department of environmental management is hereby authorized and directed to utilize the appropriations credited to this fund for providing financial assistance to local government units to meet debt service obligations or bonds incurred by such local government units after January 1, 1999, to finance costs of coastal protection and harbor maintenance projects, or portions thereof, which have been approved by the department.

As used in this section, the term “coastal protection and harbor maintenance project” shall mean the planning, including study, professional consultation, engineering, evaluation, preliminary and final design and pre-construction activity, including construction, supervision and purchase of equipment for post-construction maintenance for projects approved by the department that increase or maintain harbor access and maintain or augment structures that provide protection to the coastline and development along the same. The department shall promulgate regulations to define typical projects that are approved for assistance and shall therein provide a process for municipalities to submit additional proposals for consideration should a municipality believe that a project meets the criteria for a coastal protection or harbor maintenance project but is not specifically defined as such in the regulations.

Subject to appropriation, the department shall provide financial assistance for each coastal protection and harbor maintenance project or portion thereof authorized by this section in such manner and under such terms and conditions as defined under regulations to be promulgated by the department, including zero or low-interest loans to the municipality, in an aggregate amount equal to 50% of the approved costs of such project or portion thereof approved by the department of environmental management. This assistance shall not be construed as a replacement and shall not be used in lieu of any other form of grant or other assistance available through the department, but shall assist municipalities in affording and financing their portion of approved and necessary projects.

The state treasurer shall enter into an agreement with the department to provide contract assistance to the department in whatever maximum amount is appropriated by the commonwealth per fiscal year. Subject to appropriation, the department is hereby authorized and directed to report the total annual amount of assistance authorized in each current and subsequent

34 year to meet the provisions of this section and shall file the same with the house and senate
35 committees on ways and means no later than February first of each year, such report shall also
36 detail the number and aggregate amount of requests for assistance the department has received
37 and is unable to provide from this account due to exhaustion of available appropriations.

38 SECTION 2. This act shall take effect upon passage and the department of environmental
39 management is directed to promulgate the rules and regulations required under this act within
40 ninety days after the effective date of this act.)