

HOUSE No. 405

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 relative to the financing of dredging projects.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

James M. Cantwell

4th Plymouth

Patrick M. O'Connor

Plymouth and Norfolk

HOUSE No. 405

By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 405) of James M. Cantwell and Patrick M. O'Connor relative to the financing of Department of Environmental Protection dredging projects in harbors and inland waterways. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 631 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the financing of dredging projects.

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 11 of chapter 91 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended, in lines 21 and 22, by removing the words "Soil
3 Conservation Service of the United States Department of Agriculture" and inserting in place
4 thereof the words "Soil Conservation Service of the United States Department of Agriculture or
5 the United States Army Corps of Engineers";

6 SECTION 1. Section 11 of chapter 91 of the General Laws, as appearing in the 2014
7 Official Edition, is hereby amended, in lines 24, by removing the words "Soil Conservation
8 Service is" and inserting in place thereof the words "Soil Conservation Service or the United
9 States Army Corps of Engineers are";

10 SECTION 2. Section 11A of chapter 91 of the General Laws, as so appearing, is hereby
11 amended by adding the following:-

12 Unless otherwise authorized, the department may participate in funding projects up to 75
13 per cent for dredging projects and up to 50 per cent for all other work authorized under this
14 section.

15 SECTION 3. Chapter 91 of the General Laws, as so appearing, is hereby amended by
16 adding after section 11A, the following new section:-

17 Section 11B. The commissioner

18 The commissioner of the department of conservation and recreation, hereinafter referred
19 to in this section as the commissioner, may receive and hold in trust on behalf of the
20 commonwealth, exempt from taxation, bequests, restitutions or gifts to be used for the purpose of
21 advancing the repairs and improvements to the harbors and inland waterways as identified under
22 Sections 11 and 11A of this chapter and conservation interests of the commonwealth and shall
23 administer the same in such manner as to carry out the terms of such bequests, restitutions or
24 gifts, and he may accept on behalf of the commonwealth and the Division of Waterways to be
25 held and managed for said purposes.

26 Said trust properties shall be known as the Waterways Trust and shall be used and
27 expended under the direction of the commissioner and subject to his orders. Subject to the term
28 of such grant, restitution, gift, devise or bequest, the commissioner may expend such funds,
29 whether principal or income, without further appropriation.