

**SENATE . . . . . No. 408**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Bruce E. Tarr*

*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 passage of the accompanying bill:

An Act providing for alternative DPA compliance.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Bruce E. Tarr*

*First Essex and Middlesex*

*Ann-Margaret Ferrante*

*5th Essex*

**SENATE . . . . . No. 408**

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 408) of Bruce E. Tarr and Ann-Margaret Ferrante for legislation to provide for alternative designated port authorities compliance. Environment, Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act providing for alternative DPA compliance.

*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. Chapter 21A of the General Laws, as appearing in the 2010 Official  
2 Edition, is hereby amended by inserting after section 5 the following section:-

3 SECTION 5A. Notwithstanding any general or special law to the contrary, the secretary  
4 or an appointee shall, in conjunction with the special waterfront development oversight  
5 commission, comment on and approve proposals for development in Designated Port Authorities  
6 that do not meet strict compliance with said requirements in chapter 21A or 91.

7 SECTION 2. There shall be established a special waterfront development oversight  
8 commission to comment on and approve all requests from municipalities for proposals to  
9 develop and built in Designated Port Areas.

10 The commission shall have 7 members. The commission shall include: 1 members to be  
11 appointed by the governor, 1 member to be appointed by the secretary of energy and  
12 environmental affairs; 1 member to be appointed by the president of the senate for a term of 2  
13 years; 1 member to be appointed by the speaker of the house of representatives for a term of 2  
14 years; 1 member to be appointed by the senate minority leader, for a term of 2 year; and 1  
15 member to be appointed by the minority leader of the house of representatives. Each member of  
16 the commission shall be an expert with experience in the fields of environmental policy, public  
17 policy, municipal administration, or economic development. One of the members shall be  
18 appointed by the governor to serve as chairperson of the commission.

19 The commission shall develop criteria for applicants to seek alternative compliance with  
20 the laws and regulations governing Designated Port Authorities. Said regulations shall not allow

21 for the approval of any project that in the opinion of the commission undermines the integrity of  
22 our environment. Any project approved by the commission shall be submitted to the clerks of  
23 the house of representatives and the senate and the chairs of ranking members of the joint  
24 committee on municipalities and regional government. Said project shall not commence without  
25 approval from the general court.