

**HOUSE . . . . . No. 630**

By Mr. Ayers of Quincy, petition of Bruce J. Ayers relative to the funding of waterway projects and coastal protection initiatives. Election Laws.

**The Commonwealth of Massachusetts**

In the Year Two Thousand and Seven.

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:*

1 SECTION 1. Chapter 91 of the General Laws, as appearing in the  
2 2004 Official Edition, is hereby amended by inserting the following  
3 new section after section 10A<sup>1</sup>/<sub>2</sub>:—

4 Section 10A<sup>3</sup>/<sub>4</sub>. There is hereby established a fund to be known as  
5 the Coastal Protection and Harbor Maintenance Revolving Fund to  
6 which shall be credited such sums as may from time to time be pro-  
7 vided by appropriation. Notwithstanding the provisions of any  
8 general or special law to the contrary, the department of environ-  
9 mental management is hereby authorized and directed to utilize the  
10 appropriations credited to this fund for providing financial assistance  
11 to local government units to meet debt service obligations or bonds  
12 incurred by such local government units after January 1, 2009, to  
13 finance costs of coastal protection and harbor maintenance projects,  
14 or portions thereof, which have been approved by the department.

15 As used in this section, the term “coastal protection and harbor  
16 maintenance project” shall mean the planning, including study, pro-  
17 fessional consultation, engineering, evaluation, preliminary and final  
18 design and pre-construction activity, including construction, supervi-  
19 sion and purchase of equipment for post-construction maintenance  
20 for projects approved by the department that increase or maintain  
21 harbor access and maintain or augment structures that provide pro-  
22 tection to the coastline and development along the same. The depart-  
23 ment shall promulgate regulations to define typical projects that are  
24 approved for assistance and shall therein provide a process for

25 municipalities to submit additional proposals for consideration  
26 should a municipality believe that a project meets the criteria for a  
27 coastal protection or harbor maintenance project but is not specifi-  
28 cally defined as such in the regulations.

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

41 The state treasurer shall enter into an agreement with the depart-  
42 ment to provide contract assistance to the department in whatever  
43 maximum amount is appropriated by the commonwealth per fiscal  
44 year. Subject to appropriation, the department is hereby authorized  
45 and directed to report the total annual amount of assistance autho-  
46 rized in each current and subsequent year to meet the provisions of  
47 this section and shall file the same with the house and senate com-  
48 mittees on ways and means no later than February first of each year,  
49 such report shall also detail the number and aggregate amount of  
50 requests for assistance the department has received and is unable to  
51 provide from this account due to exhaustion of available appropria-  
52 tions.

1 SECTION 2. This act shall take effect upon passage and the  
2 department of environmental management is directed to promulgate  
3 the rules and regulations required under this act within 90 days after  
4 the effective date of this act.