

SENATE No. 846

By Mr. Doris, a petition (accompanied by bill, Senate, No. 846) of Francis D. Doris for legislation to re-establish the harbor and inland water maintenance fund. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-two.

AN ACT RE-ESTABLISHING THE HARBOR AND INLAND WATER
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. Chapter 21A of the General Laws is hereby
2 amended by inserting after section 10 the following sec-
3 tions: —
4 *Section 10A.* Any sums which may be credited under
5 clause (b) of section thirteen of Chapter sixty-four A and all
6 sums received by the Commonwealth from the federal govern-
7 ment on account of the activities of the Department of Fish-
8 eries, Wildlife and Recreational Vehicles relative to the con-
9 tinuous maintenance, dredging and cleaning of all areas within
10 the harbors, inland waters and great ponds of the Common-
11 wealth and for the purpose of carrying out the provisions of
12 section thirty-one of Chapter ninety-one shall be credited to a
13 fund to be known as the Harbors and Inland Waters Mainte-
14 nance Fund. All monies in said fund shall be appropriated
15 only for the purpose of continuous maintenance, dredging and
16 cleaning of the harbors, inland waters and great ponds of the
17 Commonwealth, the inspection and maintenance of artificial
18 impoundments on inland waters, the inspection and mainte-
19 nance of state fish piers and the acquisition and development
20 of public access to the waters of the Commonwealth.
21 The Department of Fisheries, Wildlife and Recreational Ve-
22 hicles shall act as custodian of such fund and shall disperse
23 such monies as are appropriated therefore, provided, however,

24 that the Department of Environmental Quality Engineering
25 shall be designated as the contract agent for the issuance of
26 contracts and the oversight of the work performed thereunder.
27 The Department of Environmental Quality Engineering shall
28 select sites for the disposal of dredged or excavated materials.

29 *Section 10B.* Notwithstanding the provisions of Section two,
30 three, ten and eleven of Chapter 91 the Department of Fish-
31 eries, Wildlife and Recreational Vehicles shall have and exer-
32 cise throughout the Commonwealth charge of the lands below
33 the mean low water mark in the harbors, inland waters and
34 great ponds of the Commonwealth wherein maintenance,
35 dredging and cleaning of all areas conducted under the pro-
36 visions of Section 10A of Chapter 21A of the General Laws
37 takes place.

1 SECTION 2. Section 13 of Chapter 64A of the General Laws
2 as inserted by Section two of Chapter 481 of the Acts of 1979
3 is hereby amended by striking out paragraphs (a) and (b) of
4 said section and inserting in place thereof the following para-
5 graphs: —

6 (a) Eighty-one and thirty-six hundredths per cent shall be
7 credited to the Highway Fund.

8 (b) Whereas not less than one percent of the excise im-
9 posed by section four is obtained from the sale of importation
10 of fuel used in producing or generating power for use for the
11 operation of watercraft of every description, except seaplanes,
12 said amount shall be credited to the following funds in the
13 following manner: —

14 Twenty hundredths of one percent shall be credited to the
15 inland fisheries and game fund established by section two of
16 Chapter one hundred and thirty-one.

17 Eighty hundredths of one percent shall be credited to the
18 Harbor and Inland Waters Maintenance Fund established by
19 section ten A of Chapter twenty-one A.

1 SECTION 3. Section 44 of Chapter 255 of the General Laws
2 as amended by Chapter 722 of the Acts of 1979 is hereby fur-
3 ther amended by striking out the first sentence and inserting
4 in place thereof the following sentence: —

5 In this section and in sections forty-five to forty-seven, in-

6 clusive, the term Commissioner shall mean the Commissioner
7 of the Department of Fisheries, Wildlife and Recreational Ve-
8 hicles or his designee and the term Department shall mean
9 the Department of Fisheries, Wildlife and Recreational Vehi-
10 cles.

1 SECTION 4. Section 3B of Chapter 283 of the Acts of 1976
2 is hereby amended by striking out the words, "Harbor and
3 Inland Waters Maintenance Fund."

The first of these is the fact that the
 British Government had no intention of
 allowing the French to establish a
 permanent presence in the West Indies.
 The second is the fact that the British
 Government was determined to maintain
 its position in the West Indies.
 The third is the fact that the British
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 its position in the West Indies.

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