

HOUSE No. 00254

The Commonwealth of Massachusetts

PRESENTED BY:

Frank I. Smizik

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 preserving public trust rights in land affected by ocean erosion.

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PETITION OF:

NAME:

Frank I. Smizik

DISTRICT/ADDRESS:

15th Norfolk

HOUSE No. 00254

By Mr. Smizik of Brookline, a petition (accompanied by bill, House, No. 254) of Frank I. Smizik relative to preserving public trust rights in land affected by ocean erosion. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 4725 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act preserving public trust rights in land affected by ocean erosion.

□.

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 35 of Chapter 91 of the General Laws, as appearing in the 2008 Official
- 2 Edition, is hereby amended by inserting, after the last sentence of the first paragraph, the
- 3 following: -
- 4 Where sea level rise, storms, or other natural processes have caused the landward or lateral
- 5 movement of a barrier beach into an area which was previously occupied by the bottom of any
- 6 Great Pond or onto any other public land, the portion of the barrier beach relocated into the
- 7 former bottom of the Great pond or onto other public land shall be and remain in public
- 8 ownership.