

**HOUSE . . . . . No. 01756**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Demetrius J. Atsalis*

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*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 defining water dependent uses.

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PETITION OF:

NAME:

*Demetrius J. Atsalis*

DISTRICT/ADDRESS:

*2nd Barnstable*

# HOUSE . . . . . No. 01756

By Mr. Demetrius J. Atsalis of Barnstable, petition (accompanied by bill, House, No. 01756) of Demetrius J. Atsalis relative to further regulating offshore renewable energy facilities.. Joint Committee on Telecommunications, Utilities and Energy.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An act defining water dependent uses.

*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 4 of Chapter 91 of the General Laws, as appearing in the 2008 Official Edition, is hereby
- 2 amended by adding the following paragraph after the words "proper public purpose.":-
- 3 Any law or regulation to the contrary notwithstanding, wind generating offshore renewable
- 4 energy facilities shall be presumed not to be water dependent. This presumption may be
- 5 overcome only upon a clear showing that the proposed energy facility cannot be located or
- 6 operated away from tidal waters.