

HOUSE No. 4883

Section 95 contained in the engrossed Bill promoting climate change adaptation, environmental and natural resource protection, and investment in recreational assets and opportunity (see House, No. 4835), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment E of House, No. 4884). August 13, 2018.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act providing for the prevention of flooding.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prevent flooding, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 (a) Notwithstanding any special or general law, there shall be a special commission,
2 established and governed by section 2A of chapter 4 of the General Laws, to scope a state grant
3 or low-interest loan program for structural elevation or acquisition of properties prone to
4 flooding in the commonwealth. Components of consideration for the structure of the program
5 shall include: (i) funding sources; (ii) eligible expenses; (iii) applicant eligibility; (iv) the
6 establishment of a cost-benefit analysis in determining applicant eligibility; and (v) program
7 expenditures and pay outs.

8 (b) The special commission shall consist of: 2 members of the house of representatives, 1
9 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be

10 appointed by the minority leader; the chair of the state board of building regulation and standards
11 or a designee; 2 persons to be appointed by the director of the Massachusetts Emergency
12 Management Agency, 1 of whom shall be a contractor with experience in home elevations and 1
13 of whom shall be an insurance agent with knowledge in flood insurance and experience in
14 guiding and consulting for mitigation activities; the acting state hazard mitigation officer of the
15 state hazard mitigation team; the acting hazard mitigation grants supervisor of the state hazard
16 mitigation team; a licensed lender with knowledge in flood insurance, 203K home loan lending
17 and traditional loans used for mitigation activities who shall be appointed by the acting state
18 hazard mitigation officer of the state hazard mitigation team; and 2 persons to be appointed by
19 the governor, 1 of whom shall be a representative from a statewide environmental group and 1 of
20 whom shall be a representative from the executive office of public safety and security with
21 knowledge of the federal hazard mitigation grant program and experience with mitigation
22 activities. The first meeting of the special commission shall take place not later than December 1,
23 2018.

24 (c) The special commission shall submit its preliminary draft of any recommendations or
25 legislation to the clerks of the house of representatives and the senate and the joint committee on
26 environment, natural resources and agriculture not later than December 1, 2019. The special
27 commission shall submit its final draft of the program scope, together with any additional
28 recommendations or drafts of legislation necessary to carry those recommendations into effect,
29 by filing the same with the clerks of the house of representatives and the senate and the joint
30 committee on environment, natural resources and agriculture not later than December 1, 2020.