The committee on Ways and Means, to whom was committed the Senate Bill establishing the Massachusetts Geological Commission (Duplicate of House, No. 4909), reports recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 1560).

For the committee,

JAMES F. BURKE.
AN ACT ESTABLISHING THE MASSACHUSETTS GEOLOGICAL COMMISSION.

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 21 of the General Laws is hereby amended by adding after section 25 the following sections:

3 Section 26. There shall be in the department but not subject to its direction a geological commission, to be known as the Massachusetts geological commission, in this and in sections twenty-seven, twenty-eight, and twenty-nine referred to as the commission, which shall consist of the commissioner of natural resources who shall be the chairman, the commissioner of commerce and development, the director of the division of water resources, the commissioner of public works and five members to be appointed by the governor for a term of five years, one of whom shall be a professional engineer skilled in industrial engineering, one of whom shall be from the staff of the University of Massachusetts, and one of whom shall be a geologist from the staff of another institution of higher education in the commonwealth and one of whom shall be a representative of the marine fisheries industry. Appointive members of the commission may be reimbursed for expenses incurred in connection with their duties.

20 Section 27. The commission shall meet at regular intervals, and at the call of the chairman, to consult on geological matters including minerals and natural deposits, and shall oversee the development of a state geological program. It shall act as the coordinating agency on geological matters between all departments of the commonwealth and shall cooperate with the agencies of the federal government, and with other states when appropriate, on matters within its jurisdiction. It shall advise and assist the political subdivi-
sions of the commonwealth, and other interested organiza-
tions, concerning applications of geological science and the
conservation, utilization and regulation of minerals and
natural deposits. The commission shall conduct an investiga-
tion and study of the exploration and extraction of under-
water mineral resources as it affects the coastal land and
waters of the commonwealth. The commission shall encour-
age and support basic and applied research in geology, shall
recommend legislation necessary to promote the conservation
and effective utilization of the geological and mineral re-
sources of the commonwealth, and shall file an annual report
as required by sections thirty-two and thirty-three of chapter
thirty.

Section 28. The commission may (a) license orderly ex-
ploration for mineral and natural deposits on, in and under
waters owned or controlled by the commonwealth; (b) lease
exclusive rights to areas after discovery of mineral deposits
subject to the approval of the governor and legislature; (c)
adopt such rules and regulations relating to the exploration
and extraction of mineral deposits as will insure the proper
utilization of such resources consistent with the harvesting
and propagation of other valuable natural

The issuance of a lease or license or the adoption of rules
or regulations under this section shall be made in accordance
with the provisions of chapter thirty A of the General Laws.
The commission shall cooperate with all departments,
boards, officials and institutions of the commonwealth or its
subdivisions that may, in any way, be concerned with matters
under its supervision. It shall cooperate and consult with
adjoining states and with the United States of America, or
any agency thereof. It may enter into agreements relative
to the federal administration and enforcement of off-shore
exploration and extraction beyond the marine jurisdiction of
the commonwealth. It may apply for, receive and expend fed-
eral grants or reimbursements or private grants as may be
available therefor in carrying out the purposes of this section.

Section 29. No person shall explore by seismic, electronic
or any other methods for mineral deposits, in any waters
where the commonwealth shall have jurisdiction, without a license from the commission. No person shall, except for purposes of exploration permitted under a license, extract mineral deposits from waters owned or controlled by the commonwealth. Any person violating any provision of this section shall be penalized by a fine or not more than one thousand dollars and, in addition thereto, any equipment, vehicles, boats and appurtenances used in said violation shall be liable to seizure and forfeiture. Any person violating any rule or regulation of the commission shall be punished by a fine of not more than one hundred dollars. Violations committed within the coastal waters may be prosecuted in any district or superior court which shall have venue over coastal cities and towns. The division of law enforcement shall enforce the laws, rules and regulations relating to mineral deposits.

A city or town may appeal the issuance of any license for a proposed exploration site in waters bordering on or contiguous to such city or town.

The commission upon receipt of such appeal shall hold a public hearing in the city or town nearest to the site of the proposed exploration. Notice of such hearing shall be advertised at least seven days before date of said hearing.

The commission shall within fourteen days after such hearing give notice before adopting, amending, modifying or repealing any such license.

No action by the commission under this act, shall prohibit, restrict or impair the exercise or performance of the powers and duties conferred or imposed by laws on the department of public works, the metropolitan district commission, the state reclamation board, or any mosquito control or other project operating under or authorized by chapter two hundred and fifty-two.

Section 2. Of the members of the Massachusetts geological commission first appointed by the governor under section twenty-six of chapter twenty-one of the General Laws, inserted by section one of this act, one shall be appointed for
5 a one year term, one for a two year term, one for a three year
term, one for a four year term and one for a five year term.
7 Thereafter, as the term of any such member expires, his
8 successor shall be appointed for the term set forth in said
9 section twenty-six.