

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT.
STATE HOUSE, BOSTON, April 4, 1962.

To the Honorable Senate and House of Representatives:

I expressed in my Annual Message my interest in reorganization of various departments of the government of the Commonwealth. Proper objectives in this field are efficiency, economy and better service to our citizens. However, history rather than logic has often in the past been the determining factor.

One step toward the desired goal is the transfer of the Division of Motor Boats from the Registry of Motor Vehicles to the Department of Natural Resources. The regulation and control of the operation of motor boats upon the waters of the Commonwealth is closely related to other functions now carried on by the Department of Natural Resources and forms no logical part of the responsibilities of the Registry of Motor Vehicles.

The attached legislation, which I recommend for your early and favorable action, preserves the rights of all employees of the Division of Motor Boats upon their transfer to the Department of Natural Resources and continues in effect all presently existing regulations relating to motor boats which have been promulgated by the Registry of Motor Vehicles.

Respectfully submitted,

JOHN A. VOLPE,
Governor
Commonwealth of Massachusetts.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT AUTHORIZING THE TRANSFER OF THE DIVISION OF MOTOR BOATS FROM THE DEPARTMENT OF PUBLIC WORKS TO THE DEPARTMENT OF NATURAL RESOURCES.

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. All the duties and functions of the Division of
2 Motorboats within the registry of motor vehicles relating to
3 the registration, numbering, and regulation of watercraft as
4 provided for in section 12 of chapter 16 of the General Laws
5 as added by section 1 of chapter 275 of the acts of 1960, and
6 in chapter 90B of the General Laws, as amended, are hereby
7 abolished and all of said functions and duties now under the
8 control of said division, are hereby transferred to the Depart-
9 ment of Natural Resources.

1 SECTION 2. Upon the transfer of the duties and functions
2 referred to in section 1 of this act, the Commissioner of Nat-
3 ural Resources with the approval of the Board of Natural Re-
4 sources shall organize a division of motorboats within the De-
5 partment of Natural Resources. Said division to be responsible
6 for the registration, numbering and rule making functions as
7 described in chapter 90B of the General Laws, as amended.

1 SECTION 3. Chapter 21 of the General Laws is hereby
2 amended by inserting after section 15, as added by chapter
3 620, section 3 of the Acts of 1956, the following new section
4 headed by the caption DIVISION OF MOTORBOATS:

5 *Section 16.* There shall be within the Department of Nat-
6 ural Resources a division of motorboats. The division shall
7 be under the administrative supervision of a director who
8 shall be called the director of the division of motorboats. The

9 said division of motorboats shall administer all the laws re-
10 lating to the operation of motorboats as provided for in chap-
11 ter 90B of the General Laws and any other general or special
12 laws, except as pertain to the enforcement thereof.

13 A certificate of award of number issued by the director of
14 the division of motorboats shall become valid on the effective
15 date thereof notwithstanding the fact that the director who
16 issued the same ceased to hold said office prior to said effec-
17 tive date.

1 SECTION 4. Section 6A of chapter 21 of the General Laws,
2 as added by section 1 of chapter 631 of the Acts of 1953, is
3 hereby amended by inserting after the word "fish" as appear-
4 ing in line five of said section 6A the word "motorboats".

1 SECTION 5. Section 12 of chapter 16 is hereby repealed.

1 SECTION 6. Section 1 of chapter 21 of the General Laws, as
2 amended by section 1 of chapter 620 of the Acts of 1956 is
3 hereby further amended by adding after the words "division
4 of marine fisheries", as appearing in the second line of the
5 fourth paragraph of said section, the words "division of mo-
6 torboats".

1 SECTION 7. Section 1 of chapter 90B of the General Laws
2 as amended by section 1 of chapter 140 of the Acts of 1961 is
3 hereby further amended by deleting the words "in the regis-
4 try of motor vehicles" as appearing in line 17 of said section
5 and substituting therefor the words "in the department of
6 natural resources".

1 SECTION 8. Section 11 of chapter 90B of the General Laws
2 as amended by chapter 320 of the Acts of 1961 is hereby
3 further amended by deleting from line 1 of said section 11 the
4 words "and enforce".

1 SECTION 9. Section 12 of chapter 90B of the General Laws,
2 as added by section two of chapter 275 of the Acts of 1960, is
3 hereby amended by inserting after the word "director" as ap-

4 pearing in line 2 of said section the words "of the division of
5 enforcement of the department of natural resources".

1 SECTION 10. Upon the transfer of the functions and duties
2 referred to in section 1 of this act to the department of nat-
3 ural resources, all persons employed by the division of motor-
4 boats and performing duties relating to the registration, num-
5 bering, administration, rule making, adjudication, and en-
6 forcement under the direction or supervision and control of
7 the Director of the Division of Motorboats in the Registry of
8 Motor Vehicles are hereby transferred to the department of
9 natural resources without any loss of seniority, civil service,
10 retirement, sick leave, vacation, remuneration, grade or any
11 other rights including tenure under section 9A of the General
12 Laws, chapter 30, which such persons had prior to the effec-
13 tive date of this Act in same manner as if this Act had never
14 been enacted. All personnel employed by the division of mo-
15 torboats within the registry of motor vehicles who heretofore
16 performed duties relating to the enforcement of the boating
17 laws and rules and regulations promulgated in accordance
18 therewith as provided for in chapter 90B of the General Laws,
19 shall be transferred to the division of enforcement of the de-
20 partment of natural resources. All other personnel shall be
21 transferred to the division of motorboats as provided for in
22 section 2 of this Act.

1 SECTION 11. All rules and regulations promulgated by the
2 Division of Motorboats within the registry of motor vehicles
3 in accordance with the provisions of chapter 90B of the Gen-
4 eral Laws prior to the effective date of this Act shall remain
5 in full force and effect as though this Act was not passed.

1 SECTION 12. This Act shall take effect on December 1,
2 1962.