

HOUSE No. 5515

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 23, 1977.

The committee on Natural Resources and Agriculture, to whom was referred the petition (accompanied by bill, House, No. 350) of Richard J. Dwinell for legislation to extend the law relative to mineral resources to the entire Commonwealth, report recommending that the accompanying bill (House, No. 5515) ought to pass.

For the committee,

RICHARD J. DWINELL

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Seven.

AN ACT EXTENDING THE LAW RELATIVE TO MINERAL RESOURCES TO THE
ENTIRE COMMONWEALTH.

*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, as most
2 recently amended by chapter 567 of the Acts of 1971 is hereby
3 further amended by inserting after section 56 the following new
4 section: —

5 *Section 56A.* The director of the division of mineral resources,
6 with the approval of the commissioner of environmental quality
7 engineering, and after a public hearing, shall adopt rules and
8 regulations relating to the orderly extraction of the mineral
9 resources other than those in the coastal zone designated in
10 section 54 of chapter 21 of the General Laws, located on, or in,
11 land above mean high tide, within the boundaries of the
12 commonwealth. Said rules and regulations shall constitute
13 minimum standards relative to site selection, methods of
14 extraction and site rehabilitation, consistent with the general
15 safety, welfare and convenience of the commonwealth. No
16 provisions contained herein shall prevent a city or town from
17 imposing more restrictive standards relating to any of the
18 purposes of this section, and all such laws, ordinances and rules
19 and regulations shall be filed with the director. No person shall
20 extract any aforementioned mineral resource without obtaining
21 a license from the local city or town licensing authority, and a
22 copy of said license shall be filed with said director. Any violation
23 of a provision of this section or of any rule and regulation
24 adopted under the provisimns of this section shall be punished by
25 a fine of not more than ten thousand dollars. Any person
26 violating any rule or regulation of said director shall be punished
27 by a fine of not more than one thousand dollars, and his license

28 shall be subject to revocation or suspension. Violations may be
29 prosecuted in the superior court of the county in which the
30 violation occurs. The division of law enforcement shall enforce
31 the laws, rules and regulations relating to mineral resources.

1 SECTION 2. Mineral extractions commenced prior to the
2 effective date of section 56A of chapter 21 of the General Laws,
3 inserted by section one of this act, and operating in conformance
4 with an existing valid written permit shall continue to be held
5 valid. License or authorization granted by a city or town shall be
6 subject only to those rules and regulations of said director
7 pertaining to site rehabilitation.

The first part of the history of the United States is the history of the colonies. The colonies were first settled by Englishmen in 1607, and they grew in number and importance until the Revolution of 1776. The colonies were at first dependent on Great Britain, but they gradually became more independent. They had their own laws, their own courts, and their own representatives in the British Parliament. They also had their own trade and commerce, and they were becoming more and more self-sufficient. The colonies were united by a common language, a common religion, and a common sense of identity. They were also united by a common desire for independence. The Revolution of 1776 was the result of this desire for independence. The colonies declared their independence from Great Britain, and they fought a war to win it. The war ended in 1781, and the colonies were recognized as an independent nation. The United States of America was born.

The second part of the history of the United States is the history of the nation. The nation was founded in 1787, and it has since grown in size and power. It has become a world power, and it has played a leading role in the world. The nation has a long and rich history, and it has many achievements to be proud of. It has a strong government, a strong economy, and a strong culture. It has a long tradition of freedom and democracy, and it has a bright future ahead of it. The history of the United States is a story of progress and achievement, and it is a story that we should all be proud of.