

HOUSE No. 4368

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 9, 1967.

The committee on Harbors and Public Lands, to whom was referred the petition (accompanied by resolve, House, No. 2587) of John W. Sears, Kevin H. White (Secretary of the Commonwealth), David E. Harrison and other members of the General Court for an investigation by a special commission (including members of the General Court) relative to the determination of the seaward boundaries of the Commonwealth, report the accompanying resolve (House, No. 4368).

For the committee,

DAVID E. HARRISON.

The Commonwealth of Massachusetts

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

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION TO DETERMINE THE SEAWARD BOUNDARIES OF THE COMMONWEALTH.

1 *Resolved*, That a special commission, to consist of two
2 members of the senate, three members of the house of
3 representatives, the secretary of the commonwealth or his
4 designee, the attorney general or his designee, the commis-
5 sioner of natural resources or his designee, the commissioner
6 of the department of public works or his designee, the state
7 archivist, and seven persons to be appointed by the governor,
8 of whom one shall be a member of the marine fisheries
9 advisory commission, one a historian recognized as an author-
10 ity on the legal and maritime history of the commonwealth,
11 one a geographer, one a geologist or an oceanographer, one a
12 professor of law, one a lawyer experienced in constitutional
13 problems, and one a member of the Massachusetts Associa-
14 tion of Conservation Commissions, is hereby established for
15 the purpose of making an investigation and study of the
16 seaward boundaries of the commonwealth, with a view to
17 determining where said boundaries are; whether said boun-
18 daries stated in section three of article one of the General
19 Laws are definitive; or whether the recent rulings of the
20 United States Supreme Court, coupled with the Submerged
21 Land Act, have restored the seaward boundaries of the
22 commonwealth to those which were in existence when the
23 commonwealth entered the federal union; and, if so, what
24 those earlier boundaries were, and whether in the absence of
25 express claims in the earliest Massachusetts charter the
26 claims should be devised from the three Virginia charters;
27 and what effect, if any, the United Nations International
28 Conventions of nineteen hundred and fifty-eight have had;

29 and in fine, whether his excellency the governor should be
30 advised to proclaim new seaward boundaries for the common-
31 wealth.

32 The state archivist shall serve as the executive director of
33 the commission. The commission may expend for printing its
34 report such sums as may be appropriated therefor, and shall
35 report to the general court the results of its investigation and
36 study, and its recommendations; together with drafts of a
37 proclamation or legislation necessary to carry such recom-
38 mendations into effect, by filing the same with the clerk of
39 the house of representatives on or before the fourth Wednes-
40 day in March, nineteen hundred and sixty-seven.

