HOUSE DOCKET, NO. 1357 FILED ON: 2/18/2011

HOUSE . . . . . No. 3272

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen Kulik

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to certain environmental boating regulation enforcement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stephen Kulik	*1st Franklin*

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HOUSE . . . . . No. 3272

By Mr. Kulik of Worthington, a petition (accompanied by bill, House, No. 3272) of Stephen Kulik relative to the establishment of a white water rafting fund and environmental boating regulation enforcement. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act relative to certain environmental boating regulation enforcement.

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

SECTION 1. Section 10H of chapter 21A of the General Laws, as appearing in the 2008 Official Edition, , is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:—

A person notified to appear before the clerk of a district court as provided in section 10 G for violation of subsections (b), (c) and (e) of section 8, section9 A or section 11 , or the rules and regulations promulgated pursuant to said section11, may so appear within the time specified and pay a fine of $100.

SECTION 2. Chapter 90 of the General Laws is hereby amended by inserting after section 2BBBB the following section:-

Section 2CCCC. There shall be established and set upon the books of the commonwealth a separate fund to be known as the White Water Rafting Fund, hereinafter referred to as the fund. All monies credited to such fund generated from fees, fines, leases, gifts, grants, interest earned on any monies within this fund or any other revenue sources. Revenues credited to the fund shall be used, not subject to appropriation, for enforcement, operating costs, capital improvements, equipment and maintenance, including the costs of personnel, but no expenditure shall be made from the fund that shall cause the fund to be in deficit at the close of a fiscal year.

SECTION 3. The fifth paragraph of section 11 of chapter 90B of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following paragraph:—

(p) Adopt rules and regulations governing commercial whitewater rafting on the rivers and streams of the commonwealth.

21 SECTION 4. Section 14 of said chapter 90B, as so appearing, is hereby amended by
22 adding the following paragraph:—

23 (d) Unless otherwise specifically provided in this section, whoever violates any rule or
24 regulation of the director promulgated under authority of section 11 shall be punished by a fine
25 of not more than $1,000, or by imprisonment for not more than 6 months, or both.

26 SECTION 5. Section 2 of this act shall take effect upon its acceptance by any city or
27 town.