SENATE DOCKET, NO. 1105 FILED ON: 1/20/2011

SENATE . . . . . No. 376

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

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 establishing a Horseneck Beach Reservation Trust Fund.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Rodrigues	☐ *[District]* ☐
Paul A. Schmid, III	*8th Bristol*

SENATE DOCKET, NO. 1105 FILED ON: 1/20/2011

SENATE . . . . . No. 376

By Mr. Rodrigues, a petition (accompanied by bill, Senate, No. 376) of Michael J. Rodrigues and Paul A. Schmid, III for legislation to establish a Horseneck Beach Reservation Trust Fund. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

An Act establishing a Horseneck Beach Reservation Trust Fund.

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. Chapter 10 of the General Laws is hereby amended by inserting after Section 35OO the following section:-

Section 35PP. (a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Horseneck Beach Reservation Trust Fund to be used, without further appropriation, for the long-term preservation, maintenance, nourishment and safety of Horseneck Beach in the town of Westport. Any balance in the fund at the end of the fiscal year shall not revert to the General Fund, but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year. An annual report to include projects undertaken, expenditures made, and income received by the fund shall be submitted to the clerks of the house and senate and to the house and senate committee on ways and means no later than October 1 each year.

(b) Notwithstanding any general or special law to the contrary, the department of conservation and recreation shall impose a surcharge of $1 upon each fee charged and collected from admission to, and parking in, the Horseneck Beach Reservation. The additional monies collected from the surcharge shall be deposited into the Horseneck Beach Reservation Trust Fund. Expenditures by the trust for public safety shall first be made available to the town of Westport's police, fire, ambulance and emergency personnel. No later than November 30 of each year, a representative from the department of conservation and recreation shall meet with the Westport board of selectmen to discuss the maintenance and safety plan for the next calendar year as well as the balance and expenditures from the Westport Beach Reservation Trust Fund.