

HOUSE No. 1486

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 5, 1946.

The committee on State Administration, to whom was referred the report of the special commission (including members of the General Court) established (under chapters 16, 44, 79 and 86 of the Resolves of 1945) to make an investigation and study relative to the establishment by the Commonwealth of a department of commerce, the promotion of use of the reservations of the metropolitan parks district for recreation and the establishment of the Massachusetts recreation board (House, No. 300), report the accompanying bill (House, No. 1486).

For the committee,

JOHN HENRY CARROLL.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Six.

AN ACT ESTABLISHING A DEPARTMENT OF COMMERCE AND DEFINING ITS POWERS AND DUTIES.

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. The Massachusetts development and
2 industrial commission, existing under section eleven B
3 of chapter twenty-three of the General Laws, is hereby
4 abolished and all the rights, powers, duties and obliga-
5 tions of said commission are hereby transferred to and
6 shall hereafter be exercised and performed by the de-
7 partment of commerce established by this act, which
8 shall be the lawful successor of said commission. The
9 state planning board existing under section forty-nine
10 of chapter six of the General Laws is hereby abolished,
11 and all its rights, powers, duties and obligations are
12 hereby transferred to the said department of commerce
13 and shall hereafter be exercised and performed by the
14 commission on interdepartmental co-operation and
15 planning established within the department of com-
16 merce under this act.

1 SECTION 2. There shall be a department to be
2 known as the department of commerce, under the
3 supervision and control of a commissioner of com-

4 merce, in this act called the commissioner. He shall
5 be the executive and administrative head of the
6 department, and, except as otherwise provided, shall
7 have charge of the administration of all laws which
8 it is the duty of the department to administer. The
9 commissioner shall be appointed by the governor,
10 with the advice and consent of the council, for a term
11 of ten years, and shall receive a salary of eighteen
12 thousand dollars.

1 SECTION 3. There shall be, within the department,
2 a commission on interdepartmental co-operation and
3 planning, consisting of the commissioner of com-
4 merce, who shall be chairman, the commissioner of
5 conservation, the commissioner of agriculture, the
6 commissioner of public works, the commissioner of
7 labor and industries, the commissioner of corporations
8 and taxation, the commissioner of public utilities, the
9 chairman of the metropolitan district commission, the
10 chairman of the Port of Boston Authority, the chair-
11 man of the aeronautics commission, and the chairman
12 of the commission on interstate co-operation.

13 The duties of the commission shall, in general, be —

14 (a) To meet at the call of the commissioner of
15 commerce, but, in any event, not less frequently than
16 once in every two months.

17 (b) To assist and co-operate with the commissioner
18 of commerce in the development and execution of such
19 policies and activities in the said department, and in
20 their own respective departments, boards and com-
21 missions, as will best promote and further the purpose
22 of this chapter and the interests of the commonwealth.

23 (c) To consider and assist in the solution of problems
24 of manufacturers, industrialists, recreational, mari-

25 time and aeronautical interests, and other business or
26 commercial enterprises contemplating migrating from
27 or locating in the commonwealth.

28 (d) To exercise and perform the functions hereto-
29 fore exercised and performed by the state planning
30 board.

1 SECTION 4. The commissioner shall appoint a
2 regional board of five members in each of five districts
3 of the commonwealth, as from time to time estab-
4 lished by him. The terms of office of each member of
5 each such board shall be five years, except that when
6 first appointed one of the members shall be appointed
7 for four years, one for three years, one for two years
8 and one for one year. He may consider for member-
9 ship on said boards persons whose names are recom-
10 mended to him by industrial associations, labor or-
11 ganizations and others. Such boards shall advise and
12 assist the commissioner in matters relating to the
13 work of the department in their respective districts.
14 The members of said boards shall receive no compensa-
15 tion, but shall be reimbursed for all traveling and other
16 expenses incurred in the performance of their duties.
17 At the request of the commissioner of commerce,
18 members of any such board may attend meetings of
19 the commission on interdepartmental co-operation
20 and planning.

1 SECTION 5. The commissioner shall organize in the
2 department a division of planning, a division of
3 recreation, a division of statistics and research, a
4 division of promotion and publicity, a division of
5 community and industrial relations, a division of
6 services and information, and such other divisions as

7 he may from time to time determine; and each of
8 such divisions shall be in charge of a director ap-
9 pointed by the commissioner, with the approval of the
10 governor and council, and such director may be re-
11 moved by the commissioner with like approval. The
12 commissioner may appoint or employ such officers and
13 employees as the work of the department may require.
14 The commissioner may establish and maintain such
15 number of branch offices in the commonwealth and in
16 the city of Washington, District of Columbia, as the
17 work of the department may require. The depart-
18 ment shall make an annual report to the general court.

1 SECTION 6. There shall be, within the department,
2 an advisory board of recreation, to be appointed by
3 the governor, with the advice and consent of the
4 council. The board shall consist of five members,
5 and the term of office of each member shall be five
6 years, except that when first appointed one of the
7 members shall be appointed for four years, one for
8 three years, one for two years and one for one year.
9 Said board shall advise the commissioner and the
10 division of recreation in matters relating to the promo-
11 tion and encouragement of the recreational advantages
12 of the commonwealth.

1 SECTION 7. The department of commerce shall
2 have the power and its duty shall be —

3 (a) To take every possible action to encourage,
4 protect and promote the interests of Massachusetts
5 industries.

6 (b) To solicit, encourage and assist in the location
7 and development of new industries within the com-
8 monwealth.

9 (c) To co-operate with, and assist, the industries in
10 the commonwealth in matters of foreign trade, inter-
11 state commerce and intrastate problems, and in the
12 providing of such statistical and scientific information
13 as may be of assistance.

14 (d) To co-operate with and assist persons and
15 organizations engaged in agriculture within the com-
16 monwealth in the farming and marketing of their
17 products, and in any other manner essential to the
18 promotion and development of agriculture in the
19 commonwealth.

20 (e) To co-operate with and assist persons and
21 organizations in the commonwealth engaged in the
22 business of marine fisheries, in the production and
23 marketing of their products, and in any other manner
24 essential to the promotion and development of the
25 marine fisheries industry.

26 (f) To publicize and disseminate, through the
27 mediums of newspapers, magazines, radio, outdoor
28 advertising, or otherwise, information and literature
29 setting forth the facilities, products, advantages,
30 natural resources and attractions of the common-
31 wealth which make it a desirable place for industries,
32 business, agriculture, marine fisheries, recreation,
33 education, employment and residence.

34 (g) To promote and encourage the development
35 of the recreational advantages and facilities of the
36 commonwealth, and to co-operate with and assist
37 persons and organizations engaged in the business of
38 recreation, and to take any other steps necessary or
39 essential to increase the recreational attractions of the
40 commonwealth.

41 (h) To collect and prepare for distribution statis-
42 tical, technical and scientific data and information
43 which might be essential in the promotion of Massa-

44 chusetts industries, agriculture, marine fisheries, re-
45 creation and aeronautics, and, in connection there-
46 with, to utilize the services of research laboratories
47 and other outside services maintained by educational
48 institutions or other persons or organizations.

49 (i) To assist in the transportation and distribution
50 of wholesale and retail products of Massachusetts
51 establishments.

52 (j) To promote, aid and encourage groups and
53 organizations in cities, towns, counties and districts
54 in the commonwealth engaged in the promotion of
55 industries, agriculture, marine fisheries and recreation.

56 (k) To serve as a clearing house for problems
57 related to Massachusetts industries, agriculture,
58 marine fisheries and recreation.

59 (l) To provide information service for the assist-
60 ance of industries in the commonwealth and for the
61 encouragement of other industries to locate within the
62 commonwealth.

63 (m) To assist small business through technological
64 aids and research, and by supplying up-to-the-minute
65 business administration methods and systems.

1 SECTION 8. All departments, divisions, commis-
2 sions and other agencies of the commonwealth shall
3 furnish the division of statistics and research in the
4 department of commerce with copies of all statistics
5 and data compiled by them and with any other in-
6 formation requested by said division, excepting any
7 information required by statute to be withheld.

1 SECTION 9. All books, papers, maps, charts, plans,
2 records and all other equipment in the possession of or
3 used solely in connection with any board or commis-
4 sion abolished by this act, or of any member or officer

5 thereof, shall be delivered to the department of
6 commerce established by this act.

1 SECTION 10. All employees of the board and the
2 commission abolished by this act, including executive
3 secretaries, are hereby transferred to the department
4 of commerce established by this act, without impair-
5 ment of their retirement or other rights or civil service
6 status, if any, and so far as practicable shall continue
7 to perform their usual duties upon the same terms and
8 conditions as heretofore.

1 SECTION 11. The industrial accident board shall
2 no longer constitute the department of industrial
3 accidents as provided in section one of chapter twenty-
4 four of the General Laws, and all the rights, powers,
5 duties and obligations conferred or imposed upon said
6 department shall hereafter be exercised and per-
7 formed by the industrial accident board. Said board,
8 together with the division of self-insurance heretofore
9 existing in said department, shall serve in the depart-
10 ment of labor and industries, but in no respect subject
11 to the jurisdiction or control thereof. The said divi-
12 sion shall be directly under the supervision and control
13 of said board, and shall be in charge of a director who
14 shall be appointed by said board, with the approval
15 of the governor and council. Said director may be
16 removed for cause at any time by said board with like
17 approval. Said division shall perform such of the
18 functions of the board in relation to the administra-
19 tion and enforcement of the provisions of chapter one
20 hundred and fifty-two of the General Laws relating to
21 self-insurance as the board may from time to time
22 determine. The board may employ such employees
23 to serve in said division as may be necessary.