

SENATE No. 164

To accompany the petition of Charles V. Hogan for legislation to provide that employees on certain public highway bridges declared to be State highways shall be employees of the Commonwealth and entitled to certain benefits. Public Service.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT EMPLOYEES ON CERTAIN PUBLIC HIGHWAY BRIDGES DECLARED TO BE STATE HIGHWAYS SHALL BE EMPLOYEES OF THE COMMONWEALTH AND ENTITLED TO CERTAIN BENEFITS.

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 one of chapter six hundred and ninety of
2 the acts of nineteen hundred and forty-five is hereby
3 amended by inserting after the word "fund", in the
4 twenty-first line, the following sentence:— There-
5 after, all such employees shall be employees of the
6 state department of public works, shall be subject to
7 chapter thirty-one of the General Laws and the rules
8 and regulations made under authority thereof, and
9 shall be entitled to the benefit of all applicable pro-
10 visions relative to retirement and pension in chapter
11 thirty-two of the General Laws; provided, that nothing
12 herein shall be deemed or construed to reduce the
13 amount of any retirement or pension rights of any

14 such employee, — so as to read as follows: — *Section 1.*
15 On January first, nineteen hundred and forty-six, the
16 care, control and maintenance of every public high-
17 way bridge with a clear span of not less than twenty
18 feet located on a through route, including any former
19 bridge in direct continuation of a state highway, but
20 excluding any bridge under the control of the metro-
21 politan district commission and any bridge referred
22 to in section two, are hereby transferred to the de-
23 partment of public works and thereafter such bridge
24 shall be a state highway and the cost of the care, con-
25 trol and maintenance thereof shall be paid out of the
26 highway fund; provided, that prior to January first,
27 nineteen hundred and forty-six, the public authority
28 in charge of such bridge shall have filed with said
29 department approval of the transfer aforesaid. Until
30 June thirtieth, nineteen hundred and forty-six, all
31 employees employed in the operation of the draw of
32 any bridge so made a state highway shall continue
33 to be so employed and the cost of the operation of such
34 draw shall be paid by the public authority having
35 charge of the bridge and said authority shall be re-
36 imbursed by the commonwealth for the actual cost
37 of the operation thereof from the highway fund.
38 Thereafter, all such employees shall be employees of
39 the state department of public works, shall be subject
40 to chapter thirty-one of the General Laws and the
41 rules and regulations made under authority thereof,
42 and shall be entitled to the benefit of all applicable
43 provisions relative to retirement and pension in chap-
44 ter thirty-two of the General Laws; provided, that
45 nothing herein shall be deemed or construed to reduce
46 the amount of any retirement or pension rights of
47 any such employee. Said department shall file with

48 the clerk of the house of representatives on or before
49 the first Wednesday in January, nineteen hundred and
50 forty-six, a complete list of the bridges made state
51 highways, as provided in this section. For the pur-
52 poses hereof, a through route is defined to be any
53 route shown on a map entitled "Route Map of Massa-
54 chusetts, 1941", published by the Massachusetts
55 department of public works, including the insert maps
56 on the reverse side thereof, in whatever form such
57 route is indicated. A copy of this map is on file in
58 the office of the state secretary.

