

HOUSE No. 60

Accompanying the third recommendation of the Massachusetts Aeronautics Commission (House, No. 57). Aeronautics.

The Commonwealth of Massachusetts

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

AN ACT FURTHER REGULATING APPEALS FROM AIRPORT APPROACH REGULATIONS AND FROM CERTAIN RULINGS, DECISIONS AND ORDERS OF THE MASSACHUSETTS AERONAUTICS COMMISSION.

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. Chapter 90 of the General Laws is
2 hereby amended by striking out section 45, as most
3 recently amended by section 8 of chapter 537 of the
4 acts of 1941, and inserting in place thereof the follow-
5 ing section:—

6 *Section 45.* Any person aggrieved by any airport
7 approach regulation or by any ruling, decision or
8 order of the commission under sections thirty-five
9 to fifty-two, inclusive, or under any rule or regulation
10 made thereunder, may, within ten days after the
11 effective date of such regulation, ruling, decision or
12 order appeal to the superior court sitting in equity
13 for the purposes of having the lawfulness thereof
14 inquired into and determined. In such proceedings

15 said court may make such decrees as it deems neces-
16 sary to correct manifest legal error, and parties to
17 such proceedings shall have all rights of appeal and
18 exception as in other equity cases.

1 SECTION 2. Nothing in this act shall be deemed
2 to terminate or adversely affect any proceeding in the
3 form of an appeal pending under section forty-five
4 of chapter ninety of the General Laws as in effect
5 immediately prior to the effective date of this act.