

SENATE No. 143

To accompany the petition of Arthur B. Long, mayor of Westfield, that provision be made for the acquisition and operation by the Commonwealth of the Westfield-Barnes Airport, so called, in said city. Aeronautics.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FOR THE ACQUISITION AND OPERATION BY THE COMMONWEALTH OF THE WESTFIELD-BARNES AIRPORT, SO CALLED, IN THE CITY OF WESTFIELD.

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 state department of public works,
2 in this act called the department, acting in the name
3 and on behalf of the commonwealth, is hereby author-
4 ized and directed to acquire by purchase, deed or
5 otherwise, or to take by eminent domain under chap-
6 ter seventy-nine of the General Laws, the lands and
7 buildings thereon, and rights therein, public or pri-
8 vate, situated in the city of Westfield, and known as
9 the "Westfield-Barnes Airport."

1 SECTION 2. The department, acting in the name
2 and on behalf of the commonwealth, is hereby further
3 authorized to fill, grade and construct runways, erect

4 buildings, and make other improvements at or ad-
5 jacent to the airport, in accordance with plans pre-
6 pared by or under direction of the department;
7 provided, that no work shall be done in accordance
8 therewith unless a copy of such plans shall first have
9 been submitted to the Massachusetts aeronautics
10 commission and said commission shall have made to
11 the department its recommendations relative thereto
12 or thirty days have elapsed without any such recom-
13 mendations. In this section and the following sec-
14 tions of this act, the term airport shall mean the
15 airport property as enlarged and improved in ac-
16 cordance with this act. For the purposes of this
17 section, the department, acting in the name and on
18 behalf of the commonwealth, is hereby authorized to
19 acquire by eminent domain under chapter seventy-
20 nine of the General Laws, or by purchase or otherwise,
21 necessary public or private lands and rights and ease-
22 ments therein, including such air rights as may be
23 certified by said commission to the department to be
24 necessary to provide unobstructed air space for the
25 safe and convenient landing and taking off of aircraft
26 utilizing the airport, and also including the right or
27 easement, for a limited period of time or perpetually,
28 to place and maintain such suitable marks or radio
29 beacons for the day time, and to place, operate and
30 maintain such suitable lights for the night time, mark-
31 ing of buildings, or other structures or obstructions,
32 as may be necessary for the safe and convenient
33 operation of aircraft utilizing the airport; provided,
34 that no lands or rights or easements therein, other
35 than air rights and rights or easements connected
36 with the placing, operating and maintaining of marks
37 and lights, shall be so acquired until after the depart-

38 ment has submitted the proposition to said commis-
39 sion and said commission has made to the department
40 its recommendations relative thereto or thirty days
41 have elapsed without any such recommendations.

1 SECTION 3. The bureau of airport management of
2 the commonwealth shall, subject to the provisions of
3 section four, and to any action taken thereunder,
4 maintain and operate said airport. Said bureau, from
5 time to time, may make, and thereafter amend or
6 repeal, reasonable rules and regulations respecting all
7 aeronautical activities and facilities of said airport.

1 SECTION 4. The department, acting in the name
2 and on behalf of the commonwealth, may lease to the
3 United States of America, with or without considera-
4 tion, such part of the property at the airport as may
5 be necessary for the construction and maintenance of
6 any aid to aerial navigation. The department may
7 enter into such agreements with the federal govern-
8 ment relative to the construction, maintenance and
9 operation of the airport as may be necessary in order
10 to obtain federal funds and assistance, and for such
11 purposes may expend such funds in addition to any
12 moneys provided therefor under section five.

1 SECTION 5. Subject to the approval of the governor
2 and council, the state treasurer, in order to provide
3 funds for the purposes of this act, shall from time to
4 time, upon the request of the commissioner of public
5 works of the commonwealth, issue and sell at public
6 or private sale bonds of the commonwealth to an
7 amount not exceeding, in the aggregate, the sum of
8 two million dollars. All bonds issued by the common-

9 wealth as aforesaid shall be designated on their face
10 "Commonwealth-Barnes Airport Loan." Such bonds
11 shall be issued as coupon or registered bonds for such
12 term of years as may be recommended by the governor
13 in accordance with section three of Article sixty-two
14 of the amendments to the constitution, but such
15 bonds shall be payable not earlier than July first,
16 nineteen hundred and forty-six, nor later than July
17 first, nineteen hundred and fifty-one. Such bonds
18 shall bear interest semi-annually at such rate as shall
19 be fixed by the state treasurer, with the approval of
20 the governor and council.

1 SECTION 6. The commissioner of public works may
2 temporarily employ such engineering, clerical and
3 other assistants as he deems necessary for the purpose
4 of carrying out the work authorized by this act. Such
5 persons shall be employed subject to chapter thirty-
6 one of the General Laws, except that their employ-
7 ment may continue until the completion of said work,
8 any provision of said chapter thirty-one to the con-
9 trary notwithstanding.

1 SECTION 7. Said airport shall be known and desig-
2 nated as Barnes Airport and a suitable tablet or
3 marker bearing said designation shall be erected at
4 said airport by the department.