

SENATE No. 504

The Commonwealth of Massachusetts

SENATE, March 10, 1948.

The committee on Metropolitan Affairs, to whom was referred so much of the Message from His Excellency the Governor submitting recommendations relative to the maintenance of passenger service to the cities and towns now served by the Old Colony Railroad (Senate, No. 491) as relates to the extension of rapid transit facilities to Quincy and South Braintree, report the accompanying bill (Senate, No. 504).

For the committee,

PHILIP G. BOWKER.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE APPROVAL OF PLANS AND ESTIMATES OF COSTS OF THE EXTENSION OF RAPID TRANSIT TO THE CITY OF QUINCY AND THE TOWN OF BRAINTREE AND FOR ASCERTAINING THE WISHES OF THE INHABITANTS OF SAID CITY AND TOWN RELATING THERETO.

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 department of public utilities
2 shall proceed forthwith to consider the plans and
3 estimates of costs filed by the Metropolitan Transit
4 Authority on February twenty-fifth, nineteen hun-
5 dred and forty-eight, to extend the Cambridge-
6 Dorchester rapid transit route from or near its
7 present Savin Hill station to the city of Quincy and
8 that part of the town of Braintree called South
9 Braintree over the right of way of the Old Colony
10 Railroad Company division of the reorganized New
11 York, New Haven and Hartford Railroad Company.
12 Notwithstanding the provisions of section ten A
13 of chapter five hundred and forty-four of the acts
14 of nineteen hundred and forty-seven, relating to the
15 time for holding hearings, said department shall
16 hold such public hearing at such time as it deems

17 advisable after notice of such hearing has been given
18 to the mayor of said city and the selectmen of said
19 town. The department shall give its decision on
20 said plans and estimates of costs within three weeks
21 from the effective date of this act. Upon approval
22 by said department of the extension of rapid transit
23 to South Braintree in accordance with said chapter
24 five hundred and forty-four as modified by this act,
25 the department shall forthwith give notice thereof
26 to the mayor of said city and the selectmen of said
27 town.

1 SECTION 2. Notwithstanding the provisions of
2 section ten B of said chapter five hundred and forty-
3 four, the mayor of said city of Quincy and the select-
4 men of said town of Braintree shall call a special
5 city and town election, respectively, within thirty
6 days from the receipt of notice of such approval
7 from said department. On the official ballot for said
8 special city and town election there shall be placed
9 the following question: "Shall the met-
10 ropolitan rapid transit system be ex-
11 tended into this (city, town)?" The
12 votes upon such referendum shall be counted and
13 returned to the city or town clerk in the same man-
14 ner as votes for candidates in municipal elections.
15 Said clerk shall forthwith notify the department of
16 the result of the referendum.

YES.	
NO.	

17 In the event of failure, by the city or town officers
18 upon whom such duties are hereby imposed, to ob-
19 tain such vote and notify the department of the
20 result thereof within six days after said special elec-
21 tions, or within thirty days after giving of notice of
22 approval by the department if no such special elec-

tion is held, the city or town shall be deemed to have approved the extension.

SECTION 3. Notwithstanding the provisions of section ten C of said chapter five hundred and forty-four if the department approves the proposed extension to Quincy and Braintree in accordance with the provisions of this act and so notifies the mayor of the city of Quincy and the selectmen of the town of Braintree into which it is proposed that the transit system under the Metropolitan Transit Authority is to be thereby extended, the department shall report, recommending the same, to the general court immediately after the receipt by the department of notification of the result of said referendum in said city and town in which a special election is held in accordance with this act, or immediately after the expiration of thirty days after the giving of such notice of approval by the department if no such special election is held in either said city or town. Such report shall be filed with the clerk of the house of representatives and shall be accompanied by a draft of legislation authorizing the proposed extension, and by a statement of the votes for and against in said city of Quincy and said town of Braintree in which such a vote was submitted, and, in the case of either said city or said town in which no vote was seasonably reported in accordance with the provisions of this act, a statement that such city or town is deemed to have approved the extension because of failure of its officers charged with the duties of obtaining a vote on such extension and reporting the same to the department to perform said duties within the time required by this act. Such report by the department

32 may also be accompanied by such plans and specifi-
33 cations or other description as the department may
34 deem will best assist the general court in considering
35 the proposed extension. No rule relative to the time
36 within which measures shall be introduced in the gen-
37 eral court shall prevent consideration by this session
38 of the general court of any such report filed by the
39 department.

1 SECTION 4. This act shall take effect upon its
2 passage.

