

HOUSE No. 2470

The Commonwealth of Massachusetts

COMMISSION ON ADMINISTRATION AND FINANCE,
STATE HOUSE, BOSTON 33, February 18, 1955.

To the Honorable Senate and House of Representatives.

I have an opinion from the Attorney General that the Department of Public Works, Division of Waterways, does not have the authority under section 11, chapter 91, to reconstruct bridges and culverts and incidental work in connection with the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tide waters, foreshores and shores.

The Commissioner of Public Works has expressed his desire that the Division of Waterways have this authority, and in accordance with his request, I am filing the attached legislation to clarify this situation.

I would appreciate your filing this legislation with the proper committee.

Very truly yours,

CARL A. SHERIDAN,
Commissioner of Administration.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Five.

AN ACT EXTENDING THE AUTHORITY OF THE DEPARTMENT OF PUBLIC WORKS TO DO CERTAIN WORK IN TIDAL AND NON-TIDAL WATERS.

1 *Whereas*, The deferred operation of this act would tend
2 to defeat its purpose which is to do certain necessary
3 work in streams without delay, therefore it is hereby
4 declared to be an emergency law necessary for the im-
5 mediate preservation of the public health, safety and
6 convenience.

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 11 of chapter 91 of the General Laws, as
2 amended by chapter 516 of the acts of 1950, and as
3 amended by chapter 5 of the acts of 1955, is hereby
4 further amended by inserting after the word "streams"
5 in the first sentence the following words:— Great
6 Ponds. Said section 11 is further amended by inserting
7 after the first sentence the following sentence:— The
8 department of public works in pursuance of the work
9 authorized may construct, reconstruct, alter and repair
10 bridges, culverts, conduits, pipes and walls, and may do
11 such other incidental work as may be deemed necessary
12 for the improvement and safety of waterways.