
[Senate, No. 730. — Substituted by amendment by the Senate (Burkhardt) for Senate Bill No. 589.]

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE GOVERNOR TO DEAL WITH THE THREAT OF DANGER BY DROUGHT.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to provide forthwith for certain
3 additional authority to deal with threatened disaster, therefore
4 it is hereby declared to be an emergency law, necessary for the
5 immediate preservation of the public safety and 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 1. The first paragraph of section 5 of chapter 639
2 of the acts of 1950 is hereby amended by inserting after the
3 word "causes", in line 17, the words: —, or whenever because
4 of absence of rainfall or other cause a condition exists in all or
5 any part of the commonwealth whereby it may reasonably be
6 anticipated that the health, safety or property of the citizens
7 thereof will be endangered because of fire or shortage of water
8 or food, — so as to read as follows: — Because of the existing
9 possibility of the occurrence of disasters of unprecedented size
10 and destructiveness resulting from enemy attack, sabotage or
11 other hostile action, in order to insure that the preparations of
12 the commonwealth will be adequate to deal with such disasters,
13 and generally to provide for the common defense and to protect
14 the public peace, health, security and safety, and to preserve
15 the lives and property of the people of the commonwealth —
16 if and when the congress of the United States shall declare war,

17 or if and when the President of the United States shall by
18 proclamation or otherwise inform the governor that the peace
19 and security of the commonwealth are endangered by belligerent
20 acts of any enemy of the United States or of the commonwealth
21 or by the imminent threat thereof, or upon the occurrence of
22 any disaster or catastrophe resulting from attack, sabotage or
23 other hostile action or by fire, flood, earthquake or other natural
24 causes, or whenever because of absence of rainfall or other cause
25 a condition exists in all or any part of the commonwealth whereby
26 it may reasonably be anticipated that the health, safety or
27 property of the citizens thereof will be endangered because of
28 fire or shortage of water or food, the governor may issue a
29 proclamation or proclamations setting forth a state of emer-
30 gency.

1 SECTION 2. Section 72 of chapter 6 of the General Laws,
2 inserted by section 2 of chapter 511 of the acts of 1951, is hereby
3 amended by striking out the fourth sentence and inserting in
4 place thereof the following sentence:— Such a certificate of
5 authority shall be granted only after a public hearing by the
6 board, notice of which shall have been given by newspaper
7 publication not less than forty-eight hours in advance, and on
8 at least two different days in the area in or over which such
9 artificial measures are planned to be used; provided, however,
10 the board shall issue such certificate of authority without such
11 hearing, notice or publication to the state director of civil
12 defense upon receipt of a written request therefor from said
13 director.