

The Commonwealth of Massachusetts

MEMORANDUM OF COMMISSIONER OF CORPORATIONS AND TAXATION PURSUANT TO GENERAL LAWS, CHAPTER 3, SECTION 7, WITH RESPECT TO PETITION OF ANDREW B. HOLMSTROM (MAYOR), F. G. McGRATH (CITY MANAGER), STANISLAUS G. WONDOLOWSKI AND JOHN J. O'CONNOR, JR. FOR LEGISLATION REPEALING THE ACTS ESTABLISHING A CITY HOSPITAL IN THE CITY OF WORCESTER AND ESTABLISHING A BOARD OF TRUSTEES AT BELMONT HOSPITAL IN THE CITY OF WORCESTER AND PROVIDING FOR THE CORPORATE CONSOLIDATION OF THE MANAGEMENT AND CONTROL OF THE AFORESAID TWO HOSPITALS UNDER THE NAME OF "WORCESTER CITY HOSPITAL"

DECEMBER 5, 1952.

To the Honorable Senate and House of Representatives.

The above-named petition was transmitted to me by the Clerk of the House on December 4, 1952, with the request for a memorandum.

It does not appear that any corporation was organized by chapter 339 of the Acts of 1871 which is as follows:—

SECTION 1. The city of Worcester is hereby authorized to erect, establish and maintain a hospital for the reception of persons who, by misfortune or poverty, may require relief during temporary sickness.

SECTION 2. The city council of said city shall have power to make such ordinances, rules and regulations as they may deem expedient, for the appointment of trustees and all other necessary officers, agents and servants for managing the said hospital.

SECTION 3. This act shall take effect upon its passage.

What is sought is unquestionably that which cannot be accomplished under the General Laws, and while careful attention must be given to the language of the proposal, it is true that special legislation is necessary to accomplish the purposes of the petition.

No fee is required by General Laws, chapter 3, section 7, in the case of a corporation of this kind.

Respectfully submitted,

HENRY F. LONG,

Commissioner of Corporations and Taxation.

By Messrs. Wondolowski of Worcester and O'Connor of Worcester, petition of Andrew B. Holmstrom (mayor), F. G. McGrath (city manager), Stanislaus G. Wondolowski and John J. O'Connor, Jr. (by vote of the city council) for repeal of the law authorizing the establishment of a city hospital and a board of trustees at Belmont Hospital in the city of Worcester and for consolidating said hospitals under the name of the Worcester city hospital. Mercantile Affairs.

The Commonwealth of Massachusetts

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

AN ACT REPEALING THE ACTS ESTABLISHING A CITY HOSPITAL IN THE CITY OF WORCESTER AND ESTABLISHING A BOARD OF TRUSTEES AT BELMONT HOSPITAL IN THE CITY OF WORCESTER AND PROVIDING FOR THE CORPORATE CONSOLIDATION OF THE MANAGEMENT AND CONTROL OF THE AFORESAID TWO HOSPITALS UNDER THE NAME OF "WORCESTER CITY HOSPITAL".

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 three hundred and thirty-nine
2 of the acts of eighteen hundred and seventy-one, es-
3 tablishing a city hospital in the city of Worcester, and
4 chapter two hundred and seventy-six of the acts of
5 nineteen hundred and thirty-nine, establishing a board
6 of trustees at Belmont Hospital in the city of Worces-
7 ter and defining their powers and duties, are hereby
8 repealed. The respective boards of the Worcester

9 City Hospital and of the Belmont Hospital are hereby
10 abolished and their offices terminated.

1 SECTION 2. The Worcester City Hospital, incor-
2 porated by chapter three hundred and thirty-nine of
3 the acts of eighteen hundred and seventy-one, and
4 the Belmont Hospital, heretofore managed and con-
5 trolled by a board of trustees as set forth in chapter
6 two hundred and seventy-six of the acts of nineteen
7 hundred and thirty-nine, are by virtue of this act,
8 consolidated and shall hereinafter be known as the
9 "Worcester City Hospital." Such corporate amalga-
10 mation of the two hospitals is for the purpose of man-
11 agement and control under a single board of trustees
12 as herein provided for. By virtue of this consolida-
13 tion, neither hospital shall be precluded from serving
14 the general purposes for which they were originally
15 created. They shall continue to render their distinc-
16 tive medical services. It is intended that under the
17 jurisdiction of the city manager and the board of
18 trustees, a program for added efficiency be developed
19 and maintained.

20 The city hospital is established for the reception of
21 persons requiring relief during temporary sickness,
22 including pay patients, and of such persons settled
23 in the city of Worcester who by misfortune or pov-
24 erty may require such relief. The other hospital here-
25 tofore called Belmont Hospital shall receive and treat
26 persons affected with diseases dangerous to public
27 health and tuberculosis, as defined in General Laws,
28 chapter one hundred and eleven, section ninety-two.

29 The board of trustees in the management and con-
30 trol of the hospital may assign buildings and rooms
31 in the former Belmont Hospital to patients who are

32 not affected with diseases dangerous to the public
33 health. The board may transfer supplies, facilities,
34 equipment and the medical and other personnel in the
35 hospitals heretofore known as the Worcester City
36 Hospital and the Belmont Hospital in such manner
37 and at such times as they may determine.

1 SECTION 3. A board of seven trustees is hereby
2 established to manage, control and supervise the
3 Worcester City Hospital as it is now consolidated.
4 The city manager, by virtue of General Laws; chapter
5 forty-three, is responsible for the administration
6 of the Worcester City Hospital. All of the trustees
7 shall be residents of the city of Worcester. The city
8 manager upon the effective date of this act shall
9 appoint two members to the board of trustees for
10 a term ending January first, nineteen hundred and
11 fifty-four, two members for a term ending January
12 first, nineteen hundred and fifty-five, and three
13 members for a term ending January first, nineteen
14 hundred and fifty-six. Thereafter, in January of
15 nineteen hundred and fifty-four, and in each suc-
16 ceeding January, the city manager shall appoint for
17 a term of three years such trustees whose terms of
18 service shall have expired. Upon appointment, the
19 trustees shall be sworn to the performance of their
20 duties. Any vacancy in the office shall be filled for
21 the balance of the unexpired term in the same manner
22 as in the original appointment.

1 SECTION 4. The members of the board of trustees
2 shall meet for organization purposes annually not
3 later than the first Monday of February, and choose
4 one of their number as chairman and such other

5 officers as they deem necessary. They shall have the
6 power to make such rules and regulations relating
7 to the administration of Worcester City Hospital
8 and its officers and its employees as they deem ex-
9 pedient, subject, however, to the approval of the
10 city manager. These rules and regulations shall
11 not be inconsistent with law or with any of the provi-
12 sions of this act.

1 SECTION 5. The board of trustees shall have gen-
2 eral management and control of the Worcester City
3 Hospital and all of the branches thereof, which have
4 been, or which may hereinafter be, established, to-
5 gether with the buildings and the rooms containing
6 the same, and the use of the aforesaid buildings and
7 rooms and the fixtures and furniture, supplies and
8 equipment connected therewith, and they shall like-
9 wise be responsible for the expenditures of all money
10 appropriated to the Worcester City Hospital. The
11 city council has enacted a salary ordinance and salary
12 schedules. It affects the salaries of all the employees
13 of the Worcester City Hospital. These shall remain
14 in full force and effect subject to change only by the
15 Worcester city council.

1 SECTION 6. The city manager shall with the advice
2 and recommendations of the board of trustees, appoint
3 a single administrator who shall be responsible to the
4 city manager for the management of the Worcester
5 City Hospital. The city manager may, however,
6 delegate this responsibility to the board of trustees.

1 SECTION 7. All of the persons now employed at
2 the two hospitals shall, on the effective date of this

3 act, continue to serve in the respective grade and work
4 classification without impairment of their civil service
5 status, and shall retain all present rights now given
6 them under chapter thirty-one of the General Laws,
7 and such employees shall retain any step increases
8 from the minimum pay of their grade earned during
9 their service at the said hospitals, and all as provided
10 for in the salary schedules of the city of Worcester.
11 The aforesaid persons so employed in the hospitals
12 shall retain any and all of their rights and privileges
13 in the contributory and in the non-contributory re-
14 tirement laws and systems.

1 SECTION 8. This act shall take full effect upon its
2 acceptance by a vote of the city council of the city of
3 Worcester at any time prior to December thirty-
4 first, nineteen hundred and fifty-three, and subject to
5 the provisions of its charter but not otherwise.

