

HOUSE No. 103

Accompanying the eighth recommendation of the Department of Public Works (House, No. 94). Highways and Motor Vehicles.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-One.

An Act authorizing the Department of Public Works to Construct a Certain State Highway and Other Improvements in the City of Revere.

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 works,
2 hereinafter called the department, is hereby directed
3 to lay out and construct a state highway under the
4 provisions of chapter eighty-one of the General
5 Laws, except as herein otherwise provided, sub-
6 stantially in the following location: Beginning at
7 the Revere Beach parkway at or near the Revere
8 station of the Boston and Maine railroad, thence
9 extending in a generally northeasterly direction to
10 connect with the North Shore road so-called, at or
11 near Revere street, including any necessary altera-
12 tions to the bridge at Beach street, crossing the
13 tracks of the Boston and Maine railroad.

1 SECTION 2. The department may, on behalf of
2 the commonwealth, take by eminent domain, under
3 chapter seventy-nine of the General Laws, or ac-

4 quire by purchase or otherwise, such public or pri-
5 vate lands or rights therein as it may deem neces-
6 sary for carrying out the provisions of this act, in-
7 cluding such land or rights in land as may be neces-
8 sary for the construction of any necessary drainage
9 outlets; provided, that no damages shall be paid
10 for public lands so taken. The department of pub-
11 lic works is hereby authorized to use for such pur-
12 pose any lands or rights therein belonging to the
13 metropolitan district commission and to public lands
14 or ways of the city of Revere.

1 SECTION 3. The cost of laying out, constructing
2 and improving said proposed new ways, including
3 any damages awarded or paid on account of any
4 taking of land or property therefor, or for injury to
5 the same, and any sums paid for lands or rights
6 purchased, including the interest on any money
7 borrowed by the state treasurer on the credit of
8 the commonwealth under section five, and all other
9 expenses incurred in carrying out the provisions of
10 section one, shall be deemed to be the cost of the
11 work; provided, that such cost shall not exceed in
12 the aggregate six hundred and ninety thousand
13 dollars.

1 SECTION 4. To meet one third of the cost of the
2 work authorized in section one there shall be paid
3 by the commonwealth, from such appropriations as
4 may hereafter be made, a sum not exceeding two
5 hundred and thirty thousand dollars, to be paid out
6 of the Highway Fund; one third of the cost of the
7 work shall be paid by the municipalities of the
8 metropolitan parks district, including Revere, in

9 proportion to the respective taxable valuations of
10 the property of said municipalities as defined in
11 section fifty-nine of chapter ninety-two of the Gen-
12 eral Laws; one third of the cost of the work shall
13 be paid by the city of Revere.

1 SECTION 5. The part of the cost of the work
2 hereinbefore provided to be paid ultimately by the
3 city of Revere as a member of the metropolitan
4 parks district and otherwise, and the part thereof
5 to be paid as aforesaid by the other municipalities
6 of the metropolitan parks district, shall in the first
7 instance be paid by the commonwealth. On or be-
8 fore June tenth in the year nineteen hundred and
9 thirty-one, and in each subsequent year, until the
10 work is completed and the entire cost thereof ascer-
11 tained, and thereafter, the department shall ascer-
12 tain and certify to the state treasurer the amount
13 expended for the work authorized hereby since the
14 last certification as aforesaid by the department,
15 including interest paid by the commonwealth on
16 temporary loans, and shall ascertain and certify the
17 amount due from each municipality aforesaid to
18 meet its share of the amount then certified, and
19 the amounts due as aforesaid from such munici-
20 palities shall be assessed and collected by the state
21 treasurer in the apportionment and assessment of
22 the annual state tax, and shall be applied to the
23 payment of the principal and interest of the notes
24 issued as hereinafter provided, or to meet the cost
25 of the work authorized hereby.

26 The state treasurer shall, upon the request of
27 the department, and subject to the approval of the
28 governor and council, issue and sell at a public or

29 private sale temporary notes of the commonwealth,
30 to an amount to be specified from time to time by
31 the department, sufficient to provide means for the
32 payment in the first instance of that part of the
33 cost of the work which is to be borne ultimately by
34 the municipalities and counties aforesaid. All such
35 temporary notes shall be issued, and may be re-
36 newed, for such maximum term of years as the
37 governor may recommend to the general court in
38 accordance with section three of Article LXII of the
39 amendments to the constitution of the common-
40 wealth, and shall bear interest payable semi-an-
41 nually at such rate as shall be fixed by the state
42 treasurer, with the approval of the governor and
43 council. The total amount of all notes issued here-
44 under shall not exceed the sum of
45 dollars.

1 SECTION 6. To meet that portion of the cost of
2 the work to be borne ultimately by the city of
3 Revere, other than the proportionate parts of such
4 cost payable on account of its membership in the
5 metropolitan parks district, said municipality may
6 borrow outside its limit of indebtedness as fixed by
7 law such sums as may be necessary, and may issue
8 bonds or notes therefor, which shall be payable in
9 not more than ten years; and such indebtedness
10 shall, except as herein provided, be subject to chap-
11 ter forty-four of the General Laws, exclusive of the
12 limitation contained in the first paragraph of section
13 seven thereof, as revised by chapter three hundred
14 and twenty-four of the acts of nineteen hundred and
15 twenty-eight.

1 SECTION 7. When the work authorized under sec-
2 tion one shall have been completed, the state high-
3 way in Revere beginning at Winthrop avenue and
4 Revere Beach parkway near Eliot road, and ex-
5 tending northerly to the intersection of said new
6 State highway at or near Revere street, shall be
7 discontinued and revert to the city of Revere, and
8 said city shall keep the said way in good condition
9 and repair.



