

SENATE No. 588

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT, BOSTON, August 5, 1935.

To the Honorable Senate and House of Representatives:

The reconsideration by the Honorable Senate of Senate Bill #584 upon this day makes possible further consideration and action upon this much discussed measure. It is most unfortunate that party lines have been drawn rendering it difficult, if not impossible, to consider Senate Bill #584 upon merit alone. Accordingly, I believe it my duty and so recommend that your honorable body reject the pending measure.

I have repeatedly called attention to the difficulties in the existing law and have suggested remedies therefore without in any way removing from cities and towns any rights whatever which they may have in the premises.

There is, however, under existing law, a method provided for by which this problem can be solved in a manner that will protect the conflicting rights of the billboard concerns on one side and the public interest on the other. The division of Highways is clothed with ample authority to cancel the existing rules and regulations and to substitute therefor new rules and regulations. I believe this should be done and that the new rules and regulations should embody the essential features of the proposed bill. If this is accomplished cities and towns will have a right to be heard on the granting of every application for billboards in their respective communities and shall be given the further right to appeal from any adverse decision of the director to the entire Department of Public Works and from there to the Supreme Judicial Court. I believe

that any fair-minded individual will agree that this gives the cities and towns a real voice in the erection of billboards rather than the so-called local option which they nominally possess under the existing law but which has shown to be of no practical value.

JAMES M. CURLEY.