

HOUSE No. 115

The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC WORKS, OFFICE OF THE COMMISSIONER,
100 NASHUA STREET, BOSTON 02114, November 4, 1964.

HONORABLE KEVIN H. WHITE, *Secretary of the Commonwealth*, State House,
Boston, Massachusetts.

DEAR SIR: — In compliance with the provisions of section 33 of chapter 30 of the General Laws (Tercentenary Edition), as amended by chapter 67 of the acts of 1948, I have the honor to submit herewith such parts of the annual report of the Department of Public Works as contain recommendations or suggestions for legislative action, accompanied by drafts of ten (10) bills embodying the legislation recommended. These drafts have been submitted to the Counsel for the House of Representatives for advice and assistance as to the form thereof.

Respectfully submitted,

JAMES D. FITZGERALD,
Commissioner.

RECOMMENDATIONS.

The Department is recommending legislation this year for the following purposes:

1. AN ACT ALLOWING THE DEPARTMENT OF PUBLIC WORKS TO ESTABLISH A SCHEDULE OF FINES FOR PARKING VIOLATIONS ON STATE HIGHWAYS.

It is recommended that section 20C of chapter 90 of the General Laws be amended to include the Department in the allowances to set a schedule of fines for parking violations on State Highways. This allowance was granted to all cities and towns in 1963 and at that time should have included the Department.

2. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A BRIDGE OVER THE SAUGUS RIVER.

Included in the current program of the Department is a proposed crossing by Interstate Route 95 over the Saugus River, between the town of Saugus and the city of Lynn. As the location is approximately eight hundred feet downstream from the existing fixed bridge over this tidewater river, it will be necessary to obtain legislative approval of the new crossing by a fixed structure.

3. AN ACT RELATING TO THE SALE, RENTING OR LEASING OF LAND BY THE DEPARTMENT OF PUBLIC WORKS.

It is recommended that section 7E of chapter 81 of the General Laws be stricken out completely and a new section 7E inserted in place thereof, which would define more clearly the authorization of the Department to sell at public or private sale any land acquired by it for highway purposes, whether or not it was limited access, upon determination by the Board of Commissioners that such land or rights in land were no longer necessary for highway purposes.

The amendment would also provide expressly for the disposition of land acquired for maintenance sites, which land, strictly speaking, was not acquired for highway purposes.

4. AN ACT PROVIDING THAT PERSONS DISPLACED FROM REAL PROPERTY TAKEN BY THE DEPARTMENT OF PUBLIC WORKS SHALL BE GRANTED RELOCATION PAYMENTS.

This act would amend section 7J of chapter 81 of the General Laws, which provides for payment of moving expenses to occupants forced to vacate as the result of eminent domain takings.

The Federal Highway Act of 1962 provides that such moving expenses shall not exceed two hundred dollars in the case of an individual or three thousand dollars in the case of a business.

There have been several measures before Congress to increase the amount payable for moving expenses in either or both of said categories.

Since section 7J of chapter 81 as it now stands limits the amounts payable as indicated above, and since there is every likelihood that either or both of said amounts will be increased by the Congress, it is to the advantage of the Commonwealth to so amend section 7J of chapter 81, so that the Commonwealth will be in a position to accept such increased moving expenses, by the enactment of anticipatory legislation as set forth in the proposed amendment.

5. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ENTER LAND FOR THE PURPOSE OF MAKING REAL ESTATE APPRAISALS.

It is recommended that section 7F of chapter 81 of the General Laws, which authorizes the Department to enter into lands for the purpose of survey, drillings, soundings, be amended to include authorization for the Department to enter lands or buildings for the purpose of making Real Estate Appraisals.

Under the present statute, the Department is limited to making a Real Estate Appraisal only after the actual taking has been made. This amendment would be of benefit to both the owner and the Department in expediting land takings.

6. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE VACANT LAND FOR THE PURPOSE OF RELOCATING DWELLINGS STANDING ON LAND ACQUIRED BY THE DEPARTMENT FOR HIGHWAY PURPOSES.

This act will amend chapter 81 of the General Laws by adding a new section.

It is the desire of the Department, through this amendment, to purchase vacant land for the purpose of relocating buildings on land taken for highway purposes. After relocation of said buildings, the former owner may if he so desires, purchase the lot and building back from the Department at the cost to the Department of the lot and relocation process.

The Department feels that by this relocation rather than the demolition of buildings, on land acquired for highway purposes, it is avoiding to some degree the housing shortage that may occur in areas that the Highway Program is scheduled to affect.

7. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC WORKS TO ESTABLISH EDUCATIONAL REQUIREMENTS FOR RECRUITMENT IN A HIGHWAY ENGINEER INTERN TRAINING PROGRAM.

This act would provide the opportunity to attract to the Department of Public Works technical and professional personnel with capabilities to supplement the Department's engineering force in completing the ever expanding highway and transportation program, and ultimately to fill the higher engineering and administrative positions.

8. AN ACT PROVIDING FOR EDUCATIONAL QUALIFICATIONS OF APPLICANTS TO CIVIL SERVICE POSITIONS IN THE DEPARTMENT OF PUBLIC WORKS.

This act would provide for the development of internal placement policies and methods to insure that promotion and transfer are based on performance and needs of government service. Further, the act would assist the growth and development of personnel within the Department.

9. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ESTABLISH A CO-OPERATIVE PROGRAM WITH COLLEGES AND UNIVERSITIES.

This act would assist the Department to supplement the engineering staff with qualified, but not necessarily professional, technical assistance in the category of engineering aides. It would also provide a continual training and recruitment potential in the college undergraduate level through co-operative programs.

10. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS
TO LEASE AIR RIGHTS OVER STATE HIGHWAYS.

This act will amend chapter 81 of the General Laws by adding a new section.

It is the desire of the Department through this amendment to utilize the air rights over State Highways and in so doing, to broaden the tax base of cities and towns where taxable property has been taken for highway purposes.

COMMITTEE ON THE JUDICIARY

REPORT

ON THE

PROCEEDINGS

OF THE

COMMISSIONERS

OF THE

LAND OFFICE

IN

THE

STATE OF

NEW YORK

FOR THE

YEAR

1860

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