

HOUSE No. 2229

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, October 27, 1938.

The committee on Ways and Means, to whom was referred the recommendations contained in the Address of His Excellency the Governor (House, No. 2228), report (in part) the accompanying bill (House, No. 2229).

For the committee,

ALBERT F. BIGELOW.

[Printed as amended by the House.]

The Commonwealth of Massachusetts

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

AN ACT PROVIDING FUNDS FOR HIGHWAY WORK MADE NECESSARY BY THE RECENT HURRICANE AND FLOODS.

1 *Whereas*, The deferred operation of this act would
2 tend to defeat its purpose, therefore it is hereby de-
3 clared to be an emergency law, necessary for the
4 immediate preservation of the public health, safety
5 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. To provide for highway work made
2 necessary by the recent hurricane and floods, the
3 sums set forth in section two of this act, for the several
4 purposes and subject to the conditions therein speci-
5 fied, are hereby made available from the receipts from
6 the sale of bonds, notes or other forms of written
7 acknowledgment of debt, as authorized by section
8 three, subject to the provisions of law regulating the
9 disbursement of public funds and the approval thereof.

1 SECTION 2.

Item

- A. For the construction, reconstruction and repair of town and county ways, a sum not exceeding eight million seven hundred and fifty thousand dollars, out of which all liabilities incurred on account of the hurricane and flood emergency by the department of public works for any of the purposes set forth in item six hundred and fifty-three of chapter three hundred and fifty-six of the acts of nineteen hundred and thirty-eight, under authority of prior written approval of the governor and council, shall be met \$8,750,000 00

Item

- B. For the maintenance, reconstruction and repair of state highways, a sum not exceeding five million five hundred thousand dollars, out of which all liabilities incurred on account of the hurricane and flood emergency by the department of public works for any of the purposes set forth in item six hundred and fifty-five of chapter three hundred and fifty-six of the acts of nineteen hundred and thirty-eight, under authority of prior written approval of the governor and council, shall be met . . . \$5,500,000 00

1 SECTION 3. For the purposes of this act, the state
2 treasurer, upon the request of the commissioner of
3 public works, shall borrow on the credit of the com-
4 monwealth such sums, not exceeding, for work speci-
5 fied in Items A and B, respectively, of section two,
6 the amount authorized hereby to be expended there-
7 for, and not exceeding, in the aggregate, fourteen
8 million, two hundred and fifty thousand dollars, as
9 may from time to time be required and shall issue
10 in one or more series bonds, notes or other forms of
11 written acknowledgment of debt, hereinafter referred
12 to as obligations. Each series shall carry such rates
13 of interest as the state treasurer may fix, with the
14 approval of the governor, and shall be payable seri-
15 ally in such amounts and at such times as the state
16 treasurer may determine, with the approval of the
17 governor; provided, that the principal payments of
18 each series shall be made annually in amounts as
19 nearly equal as may be. The obligation last payable
20 of any series issued hereunder shall become due not
21 later than five years from the date of the obligations
22 of such series.

23 All obligations issued under this act shall be signed
24 by the state treasurer and approved by the governor.

25 All interest payments and payments on account of
26 principal on such obligations shall be paid from the
27 Highway Fund; provided, that, notwithstanding the

28 foregoing, such obligations shall be general obligations
29 of the commonwealth.

1 SECTION 4. Contracts for the hire of motor trucks
2 for use in carrying out work authorized by this act
3 shall be made by the department of public works
4 only with the owners of such trucks and payments
5 for the hire of such trucks shall be made directly to
6 said owners.