

The Commonwealth of Massachusetts

SECOND REPORT

OF THE

SPECIAL UNPAID COMMISSION ESTABLISHED
FOR THE PURPOSE OF CONSOLIDATING
AND ARRANGING ALL SPECIAL LAWS
RELATING TO THE CITY OF BOSTON

UNDER CHAPTER 43 OF THE RESOLVES OF 1951

JUNE, 1952

THE COMMISSIONERS OF THE BOARD OF

SECOND REPORT

AND THE BOARD OF COMMISSIONERS FOR THE
MANAGEMENT OF THE CITY OF BOSTON
AND THE BOARD OF COMMISSIONERS FOR THE
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SECOND REPORT OF THE SPECIAL UNPAID COMMISSION ESTABLISHED FOR THE PURPOSE OF CONSOLIDATING AND AR- RANGING ALL SPECIAL LAWS RELATING TO THE CITY OF BOSTON.

JUNE 26, 1952.

*To the Honorable Senate and House of Representatives in General Court
assembled.*

The Special Unpaid Commission submitting this report was established by chapter 28 of the Resolves of 1950 for the purpose of consolidating and arranging all special laws relating to the city of Boston in force and operation at the time of its report. In October, 1950, its members were appointed as follows:

By the President of the Senate.

Sen. CHARLES J. INNES of Boston.

Sen. JOHN E. POWERS of Boston.

By the Speaker of the House.

Rep. CHARLES J. ARTESANI of Boston.

Rep. WILLIAM F. SULLIVAN of Boston.

Rep. JAMES C. BAYLEY of Boston.

At the first meeting of the Commission, held shortly after the members were appointed, Senator Charles J. Innes was elected chairman, Rep. Charles J. Artesani, vice-chairman, and Rep. James C. Bayley, secretary.

The Commission was empowered, in consolidating and arranging the aforesaid laws, to suggest any mistakes, omissions, inconsistencies and imperfections which might appear therein and the manner in which they might be corrected, supplied and amended. It was widely known

at the time that there were many imperfections in the provisions of the specially tailored form of Plan A government which was to become operative in Boston on January 7, 1952. Accordingly, the Commission gave immediate attention to chapter 452 of the Acts of 1948, and on April 2, 1951, submitted a report (printed as Senate Document No. 610) which led to the enactment of chapter 376 of the Acts of 1951, entitled "An Act amending and clarifying Certain Sections of the Act providing Three Optional Plans of City Government in the City of Boston."

The Commission's report of April 2, 1951, also recommended that the Commission be revived and continued for the purpose of completing its major task. This recommendation was also adopted by the passage of chapter 43 of the Resolves of 1951, which revived and continued the Commission and directed it to complete the consolidation and arrangement and report thereon to the General Court by filing the same with the Clerk of the Senate not later than February 29, 1952.

Both the 1950 and the 1951 resolves provided for the Corporation Counsel of the city of Boston to prepare for the use of the Commission a draft of the proposed consolidation and arrangement. That official and his staff have been most co-operative in the matter and have proceeded as diligently as the work of the city law department would permit to prepare the required draft and accompanying report. The Commission has repeatedly met as the work of preparing the draft progressed, and studied and revised proof sheets thereof. While there have been two prior attempts to consolidate and arrange the special laws in question, one about two decades ago and the other about four decades ago, both were abortive because of a failure to integrate the same with General Laws without overlapping. The Corporation Counsel and his staff has, therefore, had to start anew, and, while much more than half of the consolidation and arrangement has been drafted to the satisfaction of the Commission, the time just has not been long enough for the Cor-

poration Counsel and his staff to complete the task and review it with the Commission. One great impediment to the work has been the enactment, while the work has been in progress, of special Boston acts which have to be integrated into the work and often require rewriting of parts supposedly finished.

The more the work has progressed the more the Commission has become convinced that the consolidation and arrangement, when completed, will be of inestimable value to the General Court, members of the bar, and the general public in understanding and dealing with the city of Boston. The Commission therefore earnestly recommends the passage of a resolve further reviving and continuing the Commission. A draft of such a resolve is annexed hereto as Appendix A.

Respectfully submitted,

CHARLES J. INNES,

Chairman.

CHARLES J. ARTESANI,

Vice Chairman.

WILLIAM F. SULLIVAN.

JOHN E. POWERS.

JAMES C. BAYLEY,

Secretary.

PROPOSED LEGISLATION.

APPENDIX A.

The Commonwealth of Massachusetts

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

RESOLVE REVIVING AND FURTHER CONTINUING THE SPECIAL UNPAID COMMISSION ESTABLISHED FOR THE PURPOSE OF CONSOLIDATING AND ARRANGING THE SPECIAL LAWS RELATING TO THE CITY OF BOSTON.

1 *Resolved*, That the special unpaid commission es-
2 tablished by chapter twenty-eight of the resolves of
3 nineteen hundred and fifty, and revived and continued
4 by chapter forty-three of the resolves of nineteen
5 hundred and fifty-one, is hereby further revived and
6 continued for the purpose of consolidating and ar-
7 ranging, as provided in said chapter forty-three, all
8 special laws relating to the city of Boston which may
9 be in force and operation at the time of the report
10 hereinafter provided for. The corporation counsel of
11 said city shall prepare for the use of said commission
12 a draft of said consolidation and arrangement; and
13 said commission may call upon such corporation
14 counsel for such other assistance as it may desire.
15 Said commission shall be provided with quarters in
16 the state house or elsewhere, may hold hearings, may

17 travel within and without the commonwealth, and
18 may expend for assistance and expenses the unex-
19 pended balance of the amount appropriated by item
20 0288-00 of section two of chapter eight hundred and
21 six of the acts of nineteen hundred and fifty-one.
22 Said commission shall complete said consolidation
23 and arrangement and report thereon to the general
24 court by filing the same with the clerk of the senate
25 not later than the third Wednesday of January, nine-
26 teen hundred and fifty-three.

