

By Mr. Crane of Boston, petition of Charles Francis Mahoney for legislation to authorize the transfer of the Division of Waterways from the Department of Public Works to the Department of Natural Resources. State Administration.

**The Commonwealth of Massachusetts**

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

AN ACT PROVIDING FOR THE IMPLEMENTATION OF THE STONE AND WEBSTER RECOMMENDATION AUTHORIZING THE TRANSFER OF THE FUNCTIONS OF THE DIVISION OF WATERWAYS OF THE STATE DEPARTMENT OF PUBLIC WORKS WITH RELATION TO OCEAN BEACHES OUTSIDE THE METROPOLITAN PARKS DISTRICTS TO THE BUREAU OF RECREATION OF THE DEPARTMENT OF NATURAL RESOURCES.

*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 positions of deputy director of the division  
2 of waterways of the department of public works and of general  
3 supervisor of public beaches in said division, established by  
4 section two of chapter six hundred and forty of the acts of nine-  
5 teen hundred and fifty-eight, and the functions and duties of the  
6 said division with regard to ocean beaches are hereby trans-  
7 ferred to the bureau of recreation in the department of natural  
8 resources established by section four B of chapter twenty-one  
9 of the General Laws.

1 SECTION 2. All monies appropriated for the division of water-  
2 ways for public beaches shall be available upon the effective date  
3 of this act to the bureau of recreation.

1 SECTION 3. All employees employed by the division of water-  
2 ways in the performance of its duties with respect to public  
3 beaches upon the effective date of this act are hereby transferred  
4 to the bureau of recreation without change in their civil service  
5 or other status, pay, seniority or other rights.

1 SECTION 4. Section of 60 of chapter 91 of the General Laws,  
2 as most recently amended by section 7 of chapter 640 of the  
3 acts of 1958, is hereby further amended by striking out, in line 3,  
4 the words "division of waterways in the department of public  
5 works" and inserting in place thereof the words: — bureau of  
6 recreation of the department of natural resources, — and by  
7 striking out, in line 5, the words "said division" and inserting in  
8 place thereof the words: — division of forests and parks.

1 SECTION 5. Section 61 of chapter 91 of the General Laws, as  
2 most recently amended by section 8 of chapter 640 of the acts  
3 of 1958, is hereby further amended by striking out, in lines 5 and  
4 6, the words "of public works through its division of waterways"  
5 and inserting in place thereof the words: — of natural resources  
6 through its bureau of recreation.

1 SECTION 6. Section 62 of chapter 91 of the General Laws,  
2 as most recently amended by section 9 of chapter 640 of the acts  
3 of 1958, is hereby further amended by striking out, in lines 5 and  
4 6, the words "of public works through its division of waterways",  
5 and inserting in place thereof the words: — of natural resources  
6 through its bureau of recreation.

1 SECTION 7. Section 4 of chapter 132A of the General Laws,  
2 as most recently amended by section 10 of chapter 640 of the  
3 acts of 1958, is hereby further amended by striking out, in line 8,  
4 the words "division of waterways in the department of public  
5 works" and inserting in place thereof the words: — bureau of  
6 recreation of the department of natural resources, — so as to  
7 read as follows: — *Section 4.* The proportion in which each  
8 city and town of the commonwealth, exclusive of those compris-  
9 ing the metropolitan parks district, but including Cohasset,  
10 shall annually pay money into the treasury of the commonwealth  
11 to meet the expenses incurred under this chapter, and the cost  
12 of maintaining the division, and any deficiency in the amounts  
13 previously paid in, and to meet the expenses, costs and deficien-  
14 cies of the public beaches under the control of the bureau of rec-  
15 reation of the department of natural resources, shall annually be  
16 determined by the state treasurer according to the average  
17 percentage of valuation and population, determined as to any

18 city or town by adding together the percentage which the valua-  
19 tion of the same bears to the total valuation of the cities and  
20 towns of the commonwealth, exclusive of those comprising said  
21 district, but including Cohasset, and the percentage which the  
22 population of such city or town bears to the total population  
23 of the cities and towns of the commonwealth, exclusive of those  
24 comprising said district, but including Cohasset, and dividing  
25 this sum by two.

1 SECTION 8. Salisbury beach reservation, Horseneck beach,  
2 Provincetown beach, Scusset beach and any other ocean beach  
3 under the jurisdiction of the state department of public works  
4 on the effective date of this act are hereby transferred to the  
5 bureau of recreation of the department of natural resources.

1 SECTION 9. Notwithstanding the provisions of any general  
2 or special law to the contrary, the position of conservation helper,  
3 bathhouse attendant and the lifeguard staff, filled on a seasonal  
4 basis in the bureau of recreation of the department of natural  
5 resources, shall not be subject to the provisions of chapter thirty-  
6 one of the General Laws.

