

facilities contiguous to said right of way, in accordance with plans to be approved by the department of public works and showing the location and dimensions of each such right of way and of said parking area. If it is necessary to acquire land for the purpose of laying out either right of way or said parking area, said county commissioners shall at the time either right of way or said parking area is laid out take such land by eminent domain under chapter seventy-nine of the General Laws. Any person sustaining damages in his property by the laying out of either right of way or said parking area, or by specific repairs or improvements thereon, shall be entitled to recover the same under said chapter seventy-nine; provided, that the right to recover damages, if any, by reason of the laying out of either right of way or said parking area, shall vest upon the recording of the order of taking by said county commissioners, and that no entry or possession for the purpose of constructing a public way or parking area on land so taken shall be required for the purpose of validating such taking or for the payment of damages by reason thereof.

SECTION 2. The selectmen of the town of Sturbridge from time to time may make specific repairs on or improve either right of way or said parking area to such extent as they may deem necessary, but neither the county of Worcester, nor any city or town therein, shall be required to keep either right of way or said parking area in repair, nor shall they be liable for injury sustained by persons travelling thereon; provided, that sufficient notice to warn the public is posted where such ways enter upon or unite with an existing public way.

SECTION 3. All expenses incurred by said county commissioners in connection with either right of way or said parking area shall be borne by the county of Worcester, or by such cities and towns therein, and in such proportions, as said county commissioners may determine.

SECTION 4. Either right of way or said parking area shall not be discontinued or abandoned without authority therefor from the general court.

SECTION 5. Nothing in this act shall be construed to limit the powers of the department of public health, or of any local board of health, under any general or special law.

Approved April 27, 1948.

Chap. 260 AN ACT ESTABLISHING THE STATE HOUSING BOARD AND TRANSFERRING TO IT THE POWERS, DUTIES AND OBLIGATIONS OF THE STATE BOARD OF HOUSING.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide without delay for the establishment of the state housing board to serve under the governor and council and to transfer to it certain powers and duties now exercised and imposed upon the state board of housing and to transfer to its chairman other powers and

duties now exercised and imposed upon the state board of housing, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Sections seventeen and eighteen of chapter eighteen of the General Laws are hereby repealed.

G. L. (Ter. Ed.), 18, §§ 17 and 18, repealed.
G. L. (Ter. Ed.), 6, § 17, etc., amended.

SECTION 2. Section 17 of chapter 6 of the General Laws, as most recently amended by section 1 of chapter 513 of the acts of 1947, is hereby further amended by inserting after the word "board", in line 8, the words: — , the state housing board, — so as to read as follows: — *Section 17.* The armory commission, the art commission, the commission on administration and finance, the commissioner of veterans' services, the commissioners on uniform state laws, the public bequest commission, the state ballot law commission, the board of trustees of the Soldiers' Home in Massachusetts, the milk regulation board, the alcoholic beverages control commission, the state planning board, the state housing board, the trustees of the state library, the state racing commission, the Greylock reservation commission, the Port of Boston Authority, the Massachusetts public building commission, the Massachusetts fair employment practice commission, the outdoor advertising authority, the commission on alcoholism and the Massachusetts aeronautics commission shall serve under the governor and council, and shall be subject to such supervision as the governor and council deem necessary and proper.

Certain officers and commissions to serve under governor and council.

SECTION 3. Said chapter 6 of the General Laws is hereby further amended by adding after section 63, inserted by section 2 of said chapter 513, under the heading STATE HOUSING BOARD, the following section: — *Section 64.* There shall be a state housing board, in this section called the board, consisting of five members appointed by the governor, with the advice and consent of the council, one of whom shall be designated by the governor as chairman. Upon the expiration of the term of office of a member, his successor shall be appointed in the manner aforesaid to serve for a term of five years. Any vacancy shall be filled in the manner aforesaid for the remainder of the unexpired term. Any vacancy therein shall not impair its powers nor affect its duties. The chairman shall receive, subject to appropriation, such annual salary as the governor and council shall approve and shall devote his whole time to the duties of his office. The remaining four members shall each receive, subject to appropriation, such annual salary as the governor and council shall approve. Except where the powers and duties of the board are exercised and performed by the chairman, as hereinafter provided, the majority of the members of the board shall constitute a quorum for the transaction of its business. It shall have a seal which shall be judicially noticed, and shall make an annual report to the general court

G. L. (Ter. Ed.), 6, new § 64, added.

State housing board, members, officers, powers, etc.

and such additional reports to the general court and the governor as it or he shall deem necessary or advisable. All other powers and duties of the board shall be exercised and performed by the chairman as hereinafter provided. The board shall serve as advisory council to the chairman, to the extent and in the manner which may from time to time be prescribed by the governor and council, in the exercise and performance by the chairman of the powers and duties of the board. The principal office of the board shall be in the city of Boston but it may sit at any place within the commonwealth. The time and place of its meetings shall be prescribed by the chairman. Adequate offices in the state house or elsewhere in said city shall be provided for the board, and the proper county commissioners shall provide it with suitable rooms in courthouses or other buildings when necessary for hearings outside said city.

The chairman may, within the limits of the amount appropriated therefor, appoint such experts, counsel, clerks and assistants as the work of the board may require and may remove them, and may make such expenditures as may be necessary in order to execute effectively the functions of the board. The members and employees of the board shall receive their necessary traveling expenses and, except as otherwise provided by law, their expenses actually incurred for subsistence while traveling outside the city of Boston in the performance of their duties. The necessary administrative and other expenses of the board shall be paid from such appropriations as may be made for the purpose. All moneys received by the board as fees or otherwise shall be paid at least monthly to the state treasurer.

G. L. (Ter. Ed.), 121, § 26J, etc., amended.

SECTION 4. Section 26J of chapter 121 of the General Laws, as most recently amended by section 2 of chapter 200 of the acts of 1948, is hereby further amended by striking out the paragraph defining "Housing board" or "board" and inserting in place thereof the following:—

"Housing board" defined.

—"Housing board" or "board", the state housing board established under section sixty-four of chapter six.

State board of housing abolished.

SECTION 5. The state board of housing existing under section seventeen of chapter eighteen of the General Laws, and amendments thereof and additions thereto, including all the offices in said board, is hereby abolished. The state housing board, established by this act, acting by a majority of its members, shall exercise and perform all of the rights, powers, duties and obligations of the state board of housing under the provisions of chapter three hundred and seventy-two of the acts of nineteen hundred and forty-six, and amendments thereof. The chairman of the state housing board shall exercise and perform all other rights, powers, duties and obligations of the state board of housing, except the making of an annual report to the general court and such additional reports to the general court and the governor as it or he shall deem necessary or advisable. The state

housing board shall be the lawful successor of the state board of housing, including the offices therein.

SECTION 6. The members of the state board of housing on the effective date of this act shall constitute the membership of the state housing board established by this act and shall serve for the remainder of their respective unexpired terms as members of the state board of housing. The chairman of the state board of housing on the effective date of this act shall serve as chairman of the state housing board until the designation by the governor of any other member of the state housing board as chairman. All employees of the state board of housing on the effective date of this act, shall be transferred to and shall serve under the state housing board established by this act, without impairment of any of their rights or of their civil service status, if any. They shall perform such duties for the state housing board for which they are qualified as the chairman of the state housing board may prescribe. All unexpended balances of moneys heretofore appropriated for said state board of housing shall be immediately available for expenditure by said state housing board.

Employees of old board transferred to present board.

Approved April 28, 1948.

AN ACT PROVIDING FOR AN ADMINISTRATIVE SURVEY BY THE FINANCE COMMISSION OF THE CITY OF BOSTON, AND PROVIDING FOR A SPECIAL APPROPRIATION THEREFOR.

Chap. 261

Be it enacted, etc., as follows:

SECTION 1. Under the authority granted to it by chapter four hundred and eighty-six of the acts of nineteen hundred and nine, the finance commission of the city of Boston is hereby directed forthwith to make an administrative survey, analysis and appraisal of the organization, policies, procedures, practices, staff requirements, expenditures and expenditure requirements of the government of the city of Boston and of each department, bureau, office, service, commission, committee, board and other agency whose expenditures are paid in whole or in part by the treasurer of the city of Boston, for the constructive purpose of revealing all possible opportunities for increasing the effectiveness and reducing the cost of such services as are paid for in whole or in part by said treasurer. The finance commission shall make a final report of its findings and recommendations to the mayor of said city, the governor and the general court not later than the first day of February in the year nineteen hundred and fifty.

The expense of said investigation and report shall be paid by the city of Boston upon requisition by the commission, not exceeding in the aggregate the sum of one hundred and fifty thousand dollars, in addition to the annual appropriation required by section twenty of said chapter four hundred and eighty-six, as amended.

There shall be appropriated by the city in each year until the investigation and report are completed sums sufficient to