

By Mr. Scaccia of Boston, petition of Angelo M. Scaccia and another relative to the entry on public or private land by the Department of Public Works for purposes of making surveys, soundings and drillings. Transportation.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT AMENDING THE STATUTE ENABLING THE DEPARTMENT OF PUBLIC WORKS TO MAKE SURVEYS, SOUNDINGS AND DRILLINGS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 81, Section 7F of the General Laws is hereby amended
- 2 to read in its entirety as follows:—
- 3 Section 7F. Entry on public or private land for purpose of sur-
- 4 veys, soundings and drillings.
- 5 Whenever the department deems it necessary to make surveys,
- 6 soundings, drillings or examinations to obtain information for or
- 7 to expedite the construction of state highways or other projects
- 8 under its jurisdiction, the department, its authorized agents or
- 9 employees may, after due notice by registered or certified mail to
- 10 the Metropolitan District Commission, the Department of Envi-
- 11 ronmental Management, or the Department of Fisheries, Wildlife
- 12 and Environmental Management, respectively, with respect to
- 13 land under the jurisdiction of any of said agencies, or to the owner
- 14 of land which is privately held, enter upon any lands, water and
- 15 premises, not including buildings, in the commonwealth for the
- 16 purpose of making surveys, soundings, drillings and examinations
- 17 as they may deem necessary or convenient for the purposes of this
- 18 act, and such entry shall not be deemed a trespass nor shall an
- 19 entry for such purposes be deemed an entry under any condemna-
- 20 tion proceedings which may be then pending. The department
- 21 shall make reimbursement for any injury or actual damage
- 22 resulting to such lands, waters and premises caused by any act of

23 its authorized agents or employees and shall so far as possible
24 restore such lands to the same condition as prior to the making of
25 such surveys, soundings, drillings or examinations.