

HOUSE No. 2724

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 6, 1950.

The committee on Ways and Means, to whom was referred the Bill providing for an accelerated highway program (House, No. 2570), report that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 2724).

For the committee,

DANIEL CASEY.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT PROVIDING FOR AN ACCELERATED HIGHWAY PROGRAM.

1 *Whereas*, The deferred operation of this act would
2 unnecessarily delay putting into effect the accelerated
3 highway program provided for therein, therefore this
4 act is hereby declared to be an emergency law, neces-
5 sary for the immediate preservation of the public
6 safety 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. The state department of public works,
2 hereinafter called the department, and the metro-
3 politan district commission, hereinafter called the com-
4 mission, are hereby authorized and directed to expend
5 a sum not to exceed one hundred million dollars, in
6 addition to any other appropriations for like purposes
7 as may have heretofore or may hereafter be made, for
8 projects for the laying out, construction, reconstruc-
9 tion and relocation of highways, parkways, bridges,
10 grade crossing eliminations and alterations of crossing
11 at other than grade, for traffic safety devices in ac-
12 cordance with section six of this act, for the alteration,
13 construction and reconstruction of state-owned bridges

14 in accordance with chapter six hundred and ninety
15 of the acts of nineteen hundred and forty-five, as
16 amended and supplemented, and for traffic studies
17 in urban areas.

18 The department and/or the commission shall ac-
19 cept any federal funds available for such projects,
20 and such federal funds when received shall be credited
21 to the Highway Fund.

1 SECTION 2. Except in the case of parkway projects
2 under the jurisdiction of the commission, the depart-
3 ment shall have full authority to select the projects to
4 be undertaken under the authority of this act.

1 SECTION 3. Pursuant to the provisions of section
2 one of this act, the commission is hereby authorized
3 and directed to expend a sum, not to exceed eight
4 million dollars, for projects of the commission in the
5 area set forth in the "Master Highway Plan for the
6 Boston Metropolitan Area", as established and de-
7 fined in Exhibit B of House Document No. 1767 of
8 the year nineteen hundred and forty-eight.

1 SECTION 4. Pursuant to the provisions of section
2 one of this act, the department is hereby authorized
3 and directed to expend a sum, not to exceed thirty-
4 seven million dollars, for projects in the area set forth
5 in the "Master Highway Plan for the Boston Metro-
6 politan Area", as established and defined in said Ex-
7 hibit B of House Document No. 1767 of the year
8 nineteen hundred and forty-eight.

1 SECTION 5. Pursuant to the provisions of section
2 one of this act, the department is hereby authorized

3 and directed to expend a sum, not to exceed fifty-four
4 million dollars, for projects in the area set forth in
5 "The Report on Massachusetts State Highway Needs,
6 exclusive of Metropolitan Boston", as established and
7 defined in Exhibit A of said House Document No.
8 1767, of the year nineteen hundred and forty-eight
9 and for traffic studies in urban areas; and not less
10 than five million dollars of said sum shall be expended
11 in each of the following four areas of the common-
12 wealth: in the area west of the Connecticut river; in
13 the area lying between the Connecticut river and the
14 easterly boundary line of Worcester county; in Essex,
15 Middlesex and Norfolk counties including Route 128
16 therein; and in Bristol, Plymouth, Barnstable, Dukes
17 and Nantucket counties; provided, that notwith-
18 standing the provisions of said House Document
19 No. 1767 the department may expend from said
20 sum an amount not to exceed one million dollars for
21 resurfacing of existing highways with not less than
22 two inches of bituminous-bound aggregate using
23 present traveled ways as a base.

1 SECTION 6. Pursuant to the provisions of section
2 one of this act, the department is hereby authorized
3 and directed to expend a sum, not to exceed one mil-
4 lion dollars, for traffic safety devices on state high-
5 ways and on roads constructed under the provisions of
6 section thirty-four of chapter ninety of the General
7 Laws.

1 SECTION 7. The department and the commission
2 may, on behalf of the commonwealth, take by eminent
3 domain under chapter seventy-nine of the General
4 Laws, or acquire by purchase or otherwise, such pub-

5 lic or private lands, cemeteries, public parks or reserva-
6 tions, or parts thereof or rights therein, and/or public
7 ways as it may deem necessary for carrying out the
8 provisions of this act, including such land or rights in
9 land as may be necessary for the construction of any
10 necessary drainage outlets; provided, that no damage
11 shall be paid for public lands or parks, parkways or
12 reservations so taken.

1 SECTION 8. When the work on any project author-
2 ized by section one shall have been completed, the
3 title to or control of such highways, lands and/or
4 rights therein taken or acquired therefor as in the opin-
5 ion of the department are no longer needed for state
6 highway purposes, or in the opinion of the commission
7 are no longer needed for parkway purposes, may be
8 transferred by the department or the commission, as
9 the case may be, to the city or town in which the land
10 or the highway lies. Such sections of highway shall
11 become city or town ways and shall be kept in good
12 condition and repair by the city or town in which the
13 land lies and the provisions of section twenty-five of
14 chapter eighty-one of the General Laws shall apply
15 thereto.

1 SECTION 9. To meet the expenditures necessary
2 in carrying out the provisions of this act, the state
3 treasurer shall, upon request of the governor and
4 council, issue and sell at public or private sale bonds
5 of the commonwealth, registered or with interest
6 coupons attached, as he may deem best, to an amount
7 to be specified by the governor and council from time
8 to time but not exceeding in the aggregate the sum of
9 one hundred million dollars. All bonds issued by the

10 commonwealth as aforesaid shall be designated on the
11 face: Highway Improvement Loan, Act of 1950, and
12 shall be on the serial payment plan for such maximum
13 term of years not exceeding fifteen years from the date
14 of issue, as the governor may recommend to the gen-
15 eral court pursuant to section three of Article LXII
16 of the Amendments to the Constitution of the com-
17 monwealth, the maturities thereof to be so arranged
18 that the combined amounts payable in the several
19 years of the period of amortization other than the
20 final year of the bonds issued under authority of this
21 chapter and of the bonds issued under authority of
22 chapter three hundred and six of the acts of nineteen
23 hundred and forty-nine shall be as nearly equal as in
24 the opinion of the state treasurer it is practicable to
25 make them. Said bonds shall bear interest payable
26 semi-annually at such rate as the state treasurer with
27 the approval of the governor shall fix. Such bonds
28 shall be payable not earlier than July first, nineteen
29 hundred and fifty-two, nor later than June thirtieth,
30 nineteen hundred and sixty-nine.

31 All interest payments and payments on account of
32 principal on such obligations shall be paid from the
33 Highway Fund; provided, that, notwithstanding the
34 foregoing, such obligations shall be general obligations
35 of the commonwealth.

1 SECTION 10. The cost of the work authorized in
2 section one shall include all project payments, prop-
3 erty damages, expenses for consultants and engineering
4 services, and for all legal and other technical and
5 expert services, and incidental expenses in connection
6 with the projects herein authorized. The department
7 and the commission, severally, may engage such

8 additional engineering and other personnel subject to
9 the provisions of chapters thirty and thirty-one as
10 may be necessary to carry out the terms of this act,
11 and may also engage the services of such consulting
12 engineers as it may deem necessary, but no increase
13 in the number of permanent positions in the engineer-
14 ing force of the department or of the commission shall
15 be allowed on account of this act.

1 SECTION 11. The department and the commission,
2 respectively, shall file detailed progress reports with
3 the governor and with the clerk of the house of repre-
4 sentatives on December thirty-first, nineteen hundred
5 and fifty, June thirtieth, nineteen hundred and fifty-
6 one, and December thirty-first, nineteen hundred and
7 fifty-one, and shall render a final report on or before
8 July thirty-first, nineteen hundred and fifty-two rela-
9 tive to all projects undertaken under the provisions
10 of this act.

1 SECTION 12. All contracts for the projects au-
2 thorized by this act shall be entered into by the
3 department and the commission, respectively, not
4 later than June thirtieth, nineteen hundred and fifty-
5 two.

