

SENATE No. 708

The Commonwealth of Massachusetts

SENATE, February 25, 1964.

The committee on Rules, to whom was referred, under Rule 20 the Senate petition of George D. Hammond for legislation to authorize the Water Resources Commission to construct reservoirs for flood control and other purposes in the watershed of Bradley Brook in the towns of Blandford and Russell, report recommending that Joint Rule 12 be suspended with reference thereto.

For the committee,

MAURICE A. DONAHUE.

By Mr. Hammond, a petition (subject to Joint Rule 12) of George D. Hammond for legislation to authorize the Water Resources Commission to construct reservoirs for flood control and other purposes in the watershed of Bradley Brook in the towns of Blandford and Russell. Harbors and Public Lands.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS FOR FLOOD CONTROL AND OTHER PURPOSES IN THE WATERSHED OF BRADLEY BROOK IN THE TOWNS OF BLANDFORD AND RUSSELL.

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. Chapter five hundred and twelve of the acts of
2 nineteen hundred and sixty-three is hereby repealed.

1 SECTION 2. The water resources commission, hereinafter
2 called the commission, in order to facilitate the performance
3 of its duties, powers and obligations, is hereby authorized and
4 directed to enter into and execute with the United States
5 Department of Agriculture an agreement or contract, in ac-
6 cordance with the provisions of the Watershed Protection and
7 Flood Prevention Act, for the construction of certain works of
8 improvement in the watershed area of Bradley Brook in the
9 towns of Blandford and Russell for the purposes of flood pre-
10 vention and related purposes, including water resources utiliza-
11 tion, which project shall be designated as the Bradley Brook
12 Watershed Project.

1 SECTION 3. The commission, acting on behalf of the com-
2 monwealth, may enter into agreements providing for the con-
3 struction of flood protection works including, but not limited

4 to, the following reservoirs for the storage of flood waters and
5 other water resources utilization in said watershed area:

- 6 1. Reservoir on Black Brook in the town of Blandford.
- 7 2. Reservoir on Freeland Brook in the town of Blandford.

1 SECTION 4. The commission, acting for and in behalf of
2 the commonwealth, may enter into agreements with the town
3 of Russell for the commission to be the contracting authority
4 to construct the works of improvement described in section
5 three and shall, in behalf of the town of Russell, hereinafter
6 called the town, take by eminent domain under chapter sev-
7 enty-nine of the General Laws, or otherwise acquire, all lands,
8 water rights, rights-of-way, and easements, public or private,
9 necessary for accomplishing any purpose mentioned in this
10 act; provided, however, that the town shall deposit funds in
11 advance with the state treasurer to the credit of the commis-
12 sion for payment of all non-federal costs of the projects au-
13 thorized under this act, which costs shall include the land
14 costs. The funds so deposited shall be held in a special account
15 and expended by the commission without further appropria-
16 tion. Any unexpended balance remaining in the special ac-
17 count upon the completion of the works authorized shall be
18 returned to the town.

1 SECTION 5. The agreements entered into as authorized by
2 section two shall set forth the sums to be paid by the federal
3 government on account of the construction of the works of
4 improvement allocated to flood control or other flood retarda-
5 tion works, and such other sums as the federal government is
6 to pay on account of other works to be included in the over-all
7 project and authorized by said Watershed Protection and Flood
8 Prevention Act. Federal funds deposited in the treasury of the
9 commonwealth shall be placed in a special account to the
10 credit of the commission and shall be disbursed without further
11 appropriation to pay for federal obligations provided for in
12 the agreements between the United States Soil Conservation
13 Service and the commission and for no other purposes. Any
14 unexpended balances remaining in the account upon comple-
15 tion of the project shall be returned to the federal government.

1 SECTION 6. The town shall be responsible for any damages
2 or costs incurred as a result of the acquisition of the lands,
3 water rights, rights-of-way, or other easements, public or pri-
4 vate, and the ownership of the property and rights so acquired
5 shall remain in the name of the town.

1 SECTION 7. The commission or its duly authorized agents
2 shall have the right to enter upon any lands for the purpose
3 of making surveys, test pits and borings, and many take, or
4 otherwise acquire, the right temporarily to occupy any lands
5 necessary for the construction of any works or for any other
6 purposes authorized by this act.

1 SECTION 8. Upon completion, the reservoirs shall be main-
2 tained and operated by the town in a manner satisfactory to
3 the commission.

1 SECTION 9. The town of Russell shall pay annually to the
2 town of Blandford its loss of taxes on any land acquired under
3 this act. The tax losses shall be determined by taking the
4 average assessed valuations of the land and structures located
5 on the land at the time of acquisition for the three years next
6 preceding the taking or acquisition by the commission in the
7 name of the commonwealth multiplied by the then current tax
8 rate. In the event there is a general revaluation of the assessed
9 valuations of property in the town of Blandford, the assessed
10 valuations for the three-year period determined above shall be
11 increased or decreased in the same proportion that the assess-
12 ments on other properties in the town are increased or de-
13 creased.

1 SECTION 10. To meet the non-federal share of the cost of
2 this project, the state treasurer shall, upon request of the
3 governor and council, issue and sell to the appropriate federal
4 agency or at public or private sale bonds of the commonwealth,
5 registered or with interest coupons attached, as he may deem
6 best, to an amount to be specified by the governor and council
7 from time to time, but not exceeding, in the aggregate, the
8 sum of forty thousand dollars. All bonds issued by the com-

9 monwealth, as aforesaid, shall be designated on their face,
10 Bradley Brook Watershed Project, Act of 1964, and shall be on
11 the serial payment plan for such maximum term of years, not
12 exceeding ten years, as the governor may recommend to the
13 General Court pursuant to Article LXII of the Amendments to
14 the Constitution of the Commonwealth, the maturities thereof
15 to be so arranged that the amounts payable in the several
16 years of the period of amortization other than the final year
17 shall be as nearly equal as in the opinion of the state treasurer
18 it is practicable to make them. Said bonds shall bear interest
19 semi-annually at such rate as the state treasurer, with the ap-
20 proval of the governor shall fix. The initial maturities of such
21 bonds shall be payable not later than one year from the date
22 of issuance thereof and the entire issue not later than June
23 thirtieth, nineteen hundred and seventy-nine.

1 SECTION 11. The state treasurer shall notify the town of
2 Russell annually, on January first of its assessment based on
3 fifty percent of the interest and principal payments on the
4 bonds issued in accordance with section ten with the assess-
5 ments to be paid to the commonwealth by the following May
6 first.

1 SECTION 12. This act shall take effect upon its acceptance
2 by the town of Russell.

The first part of the report, which is the most important, is devoted to a general survey of the situation of the country. It shows that the country is in a state of general prosperity, and that the people are happy and contented. The second part of the report is devoted to a detailed account of the various departments of the country, and the progress of the different branches of industry and commerce. The third part of the report is devoted to a description of the various public works and improvements which have been carried out during the year. The fourth part of the report is devoted to a summary of the various public accounts, and the balance of the country's revenues and expenditures.

The report is a valuable and interesting document, which gives a clear and concise account of the state of the country. It is a must-read for anyone who is interested in the progress of the country, and the welfare of its people. The report is well written, and is easy to read. It is a pleasure to read such a report, which shows that the country is in a state of general prosperity, and that the people are happy and contented.

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