

By Mr. Chmura of Holyoke, petition of Andrew Pavlica for legislation to ascertain the will of the voters of wards and precincts in which land is to be taken by eminent domain. The Judiciary.

**The Commonwealth of Massachusetts**

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

AN ACT REGULATING THE TAKING OF LAND BY EMINENT DOMAIN.

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

1 No land shall be taken by eminent domain in the common-  
 2 wealth unless such taking is approved by the voters of the ward  
 3 or precinct in which the land is located as hereinafter provided.  
 4 A body politic or corporate intending to take land by eminent  
 5 domain shall file with the city clerk of the city or town within  
 6 which the land is located a notice of such intention describing  
 7 the land to be taken and the purpose for which such taking is  
 8 to be made. If such a notice is filed with a city clerk in a year  
 9 in which a municipal election is to be held in said city there shall  
 10 be printed on the official ballot to be used in said wards at said  
 11 election the following question: — “Do you approve  
 12 of the taking by eminent domain of the land (describe  
 13 land) for the purpose of (describe purpose)?”

YES	
NO	

14 If such a notice is filed with said clerk in a year in which a  
 15 biennial state election is to be held the clerk shall transmit the  
 16 same to the state secretary who shall cause said question to be  
 17 placed on the official ballot to be used in said wards at said  
 18 election.

19 If such a notice is filed with a town clerk he shall cause such  
 20 question to be printed on the official ballot to be used for the  
 21 election of officers at the next town meeting.

