

Accompanying the twenty-fourth recommendation of the Department of Public Works (House, No. 199). The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO TAKE RELOCATION OF THE FACILITIES OF A PUBLIC UTILITY COMPANY IN BEHALF OF SUCH COMPANY.

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

1 The provisions of Section 7G, Chapter 81 of the General Laws is
2 hereby amended to read as follows: —

3 Whenever, in connection with the laying out, widening, relocat-
4 ing, constructing or altering of a public way by the department,
5 land or an easement therein owned by a public utility company is
6 taken by the department by eminent domain under chapter 79,
7 thereby necessitating the relocation of the facilities of such com-
8 pany, the department may acquire by purchase or otherwise or
9 take by eminent domain under chapter 79 such land or easements
10 therein in behalf of such public utility company as such company
11 may designate, for the relocation of such facilities, control of the
12 land or rights in the land so acquired under this section shall not
13 vest in the public utility company until such time as the work for
14 which the land or rights in land have been acquired and has been
15 completed by said department. Such taking in behalf of a public
16 utility company shall be in lieu of any damages for the value of the
17 land or easements therein of such company so taken by the depart-
18 ment, not including however, any damages for the cost of such
19 relocation for which the commonwealth may be liable.

