

HOUSE . . . No. 1126

By Mr. Patrick Gilbert Sullivan of Boston, petition of Francis E. Kelly for legislation relative to the vote required for establishment or acquisition of municipal lighting plants by cities and towns. Power and Light.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Nine.

AN ACT RELATIVE TO THE ESTABLISHMENT OR ACQUISITION
OF A MUNICIPAL LIGHTING PLANT BY A CITY OR TOWN.

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 one hundred and sixty-four of the General
2 Laws is hereby amended by striking out sections
3 thirty-five and thirty-six and inserting in place thereof
4 the following:—

5 *Section 35.* A city shall not acquire such a plant
6 until authorized by a two thirds vote of its city coun-
7 cil, or of a majority of the commissioners if the city
8 government consists of a commission, and thereafter
9 ratified by a majority of the voters at an annual or
10 special city election. If such a vote is not ratified, no
11 similar vote shall be submitted for ratification within
12 one year thereafter.

13 *Section 36.* A town shall not acquire such a plant
14 until authorized by a two thirds vote, taken by ballot

15 with the use of the voting list, at a town meeting
16 called therefor.

17 *Section 36A.* Nothing in this act will restrict a
18 city or town in the purchase, construction or leasing
19 of any property necessary in the conduct of the busi-
20 ness. The city or town will not be required to pur-
21 chase the plants of any company which is in existence
22 at time of the passage of this act.