

By Mr. Brennan, a petition (accompanied by bill, Senate, No. 551) of John A. Brennan, Jr., for legislation to further provide for the construction of certain drainage and flood control facilities in the city of Melrose. Housing and Urban Development.

**The Commonwealth of Massachusetts**

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

AN ACT FURTHER PROVIDING FOR THE CONSTRUCTION OF CERTAIN DRAINAGE AND FLOOD CONTROL FACILITIES IN THE CITY OF MELROSE.

*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 Metropolitan District Commission herein-  
2 after called the Commission is hereby authorized and directed to  
3 construct certain drainage and flood control facilities to alleviate  
4 flooding problems in the vicinity of Ell Pond, Spot Pond Brook  
5 and Cascade Brook in Melrose, Mass. For the purpose of carrying  
6 out the drainage and flood control works authorized by this Act  
7 the Metropolitan District Commission may expend a sum not to  
8 exceed one million dollars.

1 SECTION 2. Said commission, for the purpose of this act, may  
2 on behalf of the commonwealth, take by eminent domain under  
3 chapter seventy-nine of the General Laws, or acquire by purchase  
4 or otherwise, any lands, water courses, right-of-way or easements,  
5 and shall have all rights, powers and duties and be subject to the  
6 limitations of section thirty-two of chapter ninety-two of the Gen-  
7 eral Laws; provided, however, that cities and towns in the area or  
8 areas within which construction may occur shall grant to the  
9 commission the right to enter upon any public land and to con-  
10 struct such facilities as may be necessary without recourse to  
11 damage therefor. The commission, however, shall, as provided in  
12 said section thirty-two, heed all reasonable requests of officials of  
13 said cities and towns to restore such public property to its present  
14 condition insofar as it is practical.

1 SECTION 3. To meet the expenditures necessary in carrying  
2 out the provisions of this act, the state treasurer shall, upon request  
3 of the governor, issue and sell at public or private sale bonds of the  
4 commonwealth, registered or with interest coupons attached, as he  
5 may deem best, to an amount to be specified by the governor from  
6 time to time, but not exceeding, in the aggregate the sum of one  
7 million dollars. All bonds issued by the Commonwealth as afore-  
8 said, shall be designed on their face, Drainage and Flood Control  
9 Loan Act of 1981, and shall be on the serial payment plan for such  
10 maximum term of years, not exceeding twenty years, as the gover-  
11 nor may recommend to the general court pursuant to Section 3 of  
12 Article LXIII of the Amendments to the Constitution of the  
13 Commonwealth, the maturities thereof to be so arranged that the  
14 amounts payable in the several years of the period amortization  
15 other than the final year shall be as nearly equal as in the opinion of  
16 the state treasurer it is practicable to make them. Said bonds shall  
17 bear interest semi-annually at such rate as the state treasurer, with  
18 the approval of the governor, shall fix. The initial maturities of  
19 such bonds shall be payable not later than one year from the date  
20 of issue thereof and the entire issue not later than June thirtieth,  
21 two thousand and five.

1 SECTION 4. This act shall take effect upon its passage.