

By Mr. Walsh of Boston, petition of Richard L. Walsh relative to prohibiting certain charges by the Boston Water and Sewer Commission and other water commissions. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT PROHIBITING CERTAIN CHARGES BY THE BOSTON WATER AND SEWER COMMISSION AND OTHER WATER COMMISSIONS.

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. Subsection D of section 7 of chapter 436 of the
2 acts of 1977 is hereby amended by inserting after the first sentence
3 thereof the following sentence: — The commission is hereby prohi-
4 bited from fixing, changing or collecting any fees, rates, rents,
5 assessments or other charges for the examination or inspection of
6 property or equipment, including water meters owned by the com-
7 mission, whether or not said property or equipment, is owned by
8 the commission or the customer, or for the replacement of any
9 property or equipment that is owned by the commission. These
10 prohibitions shall be effective Janury first, nineteen hundred and
11 seventy-eight and all monies collected from said date to effective
12 date of this act shall be returned to the customer so charged.

1 SECTION 2. Section 39L of chapter 40 of the General Laws, as
2 enacted by chapter 527 of the acts of 1958, is hereby amended by
3 striking out the third sentence and inserting in place thereof the
4 following sentence: — A written report of the examination and test
5 shall be furnished to the person making the application and if it
6 appears that the meter has not registered within two per cent of
7 accuracy and that the person has been charged with, or has paid for

8 more water than he should have been charged with or should have
9 paid for, the amount of such excess shall forthwith be credited to
10 such person or remitted to him if he has paid the same, if, however,
11 it appears that the person has been charged with or paid for less
12 water than he should have been charged with or should have paid
13 for, he shall forthwith be charged with the proper additional
14 amount and shall pay the same to the city, town or district supply-
15 ing the water.

1 SECTION 3. Section 69B of chapter 41 of the General Laws, as
2 most recently amended by chapter 766 of the acts of 1971, is hereby
3 amended by inserting, after the second sentence thereof the follow-
4 ing sentence: — They are hereby prohibited from fixing or collect-
5 ing any charges for the examination or inspection of property or
6 equipment, whether or not said property or equipment is owned by
7 them or the customer, and for the replacement of any property or
8 equipment that they own.

1 SECTION 4. The provisions of section 2 and section 3 of this
2 act shall be effective as of January first, nineteen hundred and
3 seventy-eight and all monies collected from said date to the effec-
4 tive date of this act shall be returned to customers so charged.