

By Mr. Conway of Malden, petition of James S. Conway relative to the relocation payment procedure for occupants displaced by eminent domain acquisitions. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy.

AN ACT TO IMPROVE RELOCATION PAYMENT PROCEDURE TO OCCUPANTS DISPLACED BY EMINENT DOMAIN ACQUISITIONS.

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 7 of chapter 79A of the General Laws is hereby
2 amended by striking out the following words "The taking
3 agency shall give to each occupant, not later than the day be-
4 fore the date such occupant is required to move, a minimum
5 relocation payment of twenty-five dollars or a certificate which,
6 when redeemed by the mover, shall guarantee payment to such
7 mover for the reasonable and necessary charges for moving;
8 provided, however, that such certificate shall be limited on the
9 face thereof as to the maximum amount reimbursable there-
10 under, such amount to be not less than twenty-five dollars nor
11 more than the maximum relocation payment authorized by law
12 to be reimbursed for such moving costs. Such certificate shall
13 be redeemed by the mover by delivery thereof to the taking
14 agency, with such other documentation as the taking agency
15 shall require; and the mover shall be paid by such agency an
16 amount equal to the reasonable and necessary charges for mov-
17 ing or the maximum amount allowed for such moving costs,
18 whichever is less." and by adding the following words:— The
19 taking agency shall establish a procedure within the relocation
20 plan to provide each occupant with a full and timely reloca-
21 tion payment. In no event shall an occupant receive less than
22 twenty-five dollars. A business occupant must be paid all mov-
23 ing costs up to three thousand dollars and may be paid all mov-
24 ing costs. Payments granted under the provisions of this sec-
25 tion shall not be subject to attachment by trustee process or
26 otherwise, nor shall they be subject to be taken on execution or
27 other process.

The Constitution of the United States

Article I, Section 8, Clause 18

18. The Congress shall have the power to make and enforce laws, to regulate commerce with foreign nations, to regulate interstate commerce, and to regulate commerce with the Indian Tribes.

19. The Congress shall have the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and to provide for the common defence and the general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

20. The Congress shall have the power to borrow money on the credit of the United States.

21. The Congress shall have the power to coin money, to regulate the value thereof, and to fix the standard of weights and measures.

22. The Congress shall have the power to define and punish the crimes of piracy, of robbery on the high seas, and of counterfeiting the securities and current coin of the United States.

23. The Congress shall have the power to punish counterfeiting of the securities and current coin of the United States.

24. The Congress shall have the power to establish an office or offices for the receipt and payment of debts due to the United States.

25. The Congress shall have the power to declare war, to issue letters of marque and reprisal, and to make rules concerning captures on land and water.

26. The Congress shall have the power to grant letters of marque and reprisal, and to make rules concerning captures on land and water.

27. The Congress shall have the power to define and punish the crimes of piracy, of robbery on the high seas, and of counterfeiting the securities and current coin of the United States.

28. The Congress shall have the power to define and punish the crimes of piracy, of robbery on the high seas, and of counterfeiting the securities and current coin of the United States.

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31. The Congress shall have the power to define and punish the crimes of piracy, of robbery on the high seas, and of counterfeiting the securities and current coin of the United States.