

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**James E. Vallee**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act authorizing the town of Franklin to appropriate funds and incur debt for the purpose of removing overhead utilities and replacing the same with underground facilities.

PETITION OF:

NAME:

James E. Vallee

DISTRICT/ADDRESS:

10th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 5106 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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AN ACT AUTHORIZING THE TOWN OF FRANKLIN TO APPROPRIATE FUNDS AND INCURE DEBT FOR THE PURPOSE OF REMOVING OVERHEAD UTILITIES AND REPLACING THE SAME WITH UNDERGROUND FACILITIES.

*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 town of Franklin may appropriate funds and incur debt outside the  
2 debt limit as provided in section 10 of chapter 44 of the General Laws for the purpose of  
3 removing or causing to be removed poles, overhead wires and associated overhead structures  
4 used in connection with the provision of public utilities and which are located upon, along or  
5 across public ways or on private property within the town and replacing the same with  
6 underground facilities. Any debt incurred pursuant to this act shall be repaid over a term of not  
7 more than 20 years. Any debt incurred hereunder shall otherwise be subject to said chapter 44.

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9           SECTION 2. Any resolution or other vote of the town council appropriating funds or  
10 authorizing the increasing of debt pursuant to section 1 shall specify in general terms the area in  
11 which the overhead utilities are to be removed and replaced by underground facilities and  
12 contain a funding by the town council that the project to be financed by such appropriation or  
13 incurring of debt will improve the provision of such utilities within the town and will enhance  
14 the general quality and public welfare of the town.

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