

**HOUSE . . . . . No. 3337**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Paul W. Mark*

*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 adoption of the accompanying bill:

An Act relative to municipal light commissions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>2/11/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>2/19/2021</i>

**HOUSE . . . . . No. 3337**

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By Mr. Mark of Peru, a petition (accompanied by bill, House, No. 3337) of Paul W. Mark and John Barrett, III relative to the appointment of a manager of municipal lighting for municipalities acquiring gas or electric plants. Telecommunications, Utilities and Energy.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 2898 OF 2019-2020.]

**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act relative to municipal light 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 Chapter 164 of the General Laws is hereby by amended by striking Section 56 and  
2 replacing it with the following-

3 Section 56. The mayor of a city, or the selectmen or municipal light board, if any, of a  
4 town acquiring a gas or electric plant shall appoint a manager of municipal lighting who shall,  
5 under the direction and control of the mayor, selectmen or municipal light board, if any, and  
6 subject to this chapter, have full charge of the operation and management of the plant, the  
7 manufacture and distribution of gas or electricity, the purchase of supplies, the employment of  
8 attorneys and of agents and servants, the method, time, price, quantity and quality of the supply,  
9 the collection of bills, and the keeping of accounts. His compensation and term of office shall be  
10 fixed in cities by the city council or municipal light commission, if any, and in towns by the

11 selectmen or municipal light board, if any; and, before entering upon the performance of his  
12 official duties, he shall give bond to the city or town for the faithful performance thereof in a  
13 sum and form and with sureties to the satisfaction of the mayor, selectmen or municipal light  
14 board, if any, and shall, at the end of each municipal year, render to them such detailed statement  
15 of his doings and of the business and financial matters in his charge as the department may  
16 prescribe. All moneys payable to or received by the city, town, manager, or municipal light  
17 board in connection with the operation of the plant, for the sale of gas or electricity or otherwise,  
18 shall be paid to the city or town treasurer. All accounts rendered to or kept in the gas or electric  
19 plant of any city shall be subject to the inspection of the city auditor or officer having similar  
20 duties, and in towns they shall be subject to the inspection of the selectmen. The auditor or  
21 officer having similar duties, or the selectmen, may require any person presenting for settlement  
22 an account or claim against such plant to make oath before him or them, in such form as he or  
23 they may prescribe, as to the accuracy of such account or claim. The willful making of a false  
24 oath shall be punishable as perjury. The auditor or officer having similar duties in cities, and the  
25 selectmen in towns, shall approve the payment of all bills or payrolls of such plants before they  
26 are paid by the treasurer, and may disallow and refuse to approve for payment, in whole or in  
27 part, any claim as fraudulent, unlawful or excessive; and in that case the auditor or officer having  
28 similar duties, or the selectmen, shall file with the city or town treasurer a written statement of  
29 the reasons for the refusal; and the treasurer shall not pay any claim or bill so disallowed. This  
30 section shall not abridge the powers conferred on town accountants by sections fifty-five to  
31 sixty-one, inclusive, of chapter forty-one. The manager shall at any time, when required by the  
32 mayor, selectmen, municipal light board, if any, municipal light commission, if any or

- 33 department, make a statement to such officers of his doings, business, receipts, disbursements,
- 34 balances, and of the indebtedness of the town in his department.