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**Chap. 428**

Said payments shall become effective on the first payment date after the effective date of this act and shall not be retroactive.

**SECTION 2.** This act shall take effect upon its passage.

Approved December 24, 1998.

**Chapter 429. AN ACT AUTHORIZING THE TOWN OF HAMPDEN TO BORROW MONEY FOR THE PAYMENT OF CERTAIN LEGAL EXPENSES AND SETTLEMENT COSTS.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Notwithstanding any general or special law to the contrary, the town of Hampden is hereby authorized to borrow from time to time such sums of money as may be necessary, not to exceed an aggregate amount of \$150,000, for the purpose of paying certain engineering and legal expenses and settlement costs incurred by the town in connection with litigation relating to the town's water supply, and may issue bonds or notes therefor. Each authorized issue shall constitute a separate loan and each such loan shall be payable within five years from its date. Indebtedness incurred under this act shall not be included in determining the limit of indebtedness of the town under section 10 of chapter 44 of the General Laws, but except as provided herein, shall otherwise be subject to the provisions of that chapter.

**SECTION 2.** The vote of the town passed under Article 1 of the special town meeting held on October 26, 1998, authorizing borrowing for engineering and legal expenses and settlement costs in connection with litigation relating to the town's water supply, is hereby ratified, validated and confirmed.

**SECTION 3.** This act shall take effect upon its passage.

Approved December 24, 1998.

**Chapter 430. AN ACT RELATIVE TO THE BROCKTON 21ST CENTURY CORPORATION.**

*Be it enacted, etc., as follows:*

**SECTION 1.** Chapter 137 of the acts of 1993 is hereby amended by striking out section 3 and inserting in place thereof the following section:-

Section 3. The members of the corporation are hereby constituted a body corporate under the name of the Brockton 21st Century Corporation. Said corporation shall be subject to and have the powers and privileges conferred by the provisions of chapter 180 of the General Laws except insofar as said provisions are inconsistent with or otherwise restricted or limited by the provisions of this act.

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**Chap. 430**

**SECTION 2.** The fourth paragraph of section 5 of said chapter 137 is hereby amended by striking out, in line 4, the word ", stockholders".

**SECTION 3.** Section 6 of said chapter 137 is hereby repealed.

**SECTION 4.** Section 7 of said chapter 137 is hereby amended by striking out, in line 9, the word "stocks,".

**SECTION 5.** Section 9 of said chapter 137 is hereby amended by striking out, in lines 1 and 3, the word "shareholders", each time it appears, and inserting in place thereof, in each instance, the following word:- members.

**SECTION 6.** Section 11 of said chapter 137 is hereby amended by striking out, in line 7, the word "shareholders" and inserting in place thereof the following word:- members.

**SECTION 7.** Said chapter 137 is hereby further amended by striking out section 15 and inserting in place thereof the following section:-

*Section 15.* The corporation shall not be subject to any of the provisions of chapter 63 of the General Laws, nor shall said corporation be liable for any taxes based upon or measured by income. The securities and evidences of indebtedness issued by said corporation shall be free from taxation by the commonwealth.

**SECTION 8.** Section 16 of said chapter 137 is hereby repealed.

**SECTION 9.** Section 17 of said chapter 137 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

This charter may be amended by the affirmative vote of two-thirds of the members entitled to vote; provided, however, that no such amendment which is inconsistent with the general purposes expressed herein or which eliminates or restricts the right of the state secretary to examine the corporation or the obligation of said corporation to make reports as provided in section 13 shall be made without the approval of the general court; and provided, further, that no amendment of this charter which affects a member's voting right shall be made without the consent of such member affected by such amendment.

**SECTION 10.** Said section 17 of said chapter 137 is hereby further amended by striking out the third paragraph.

**SECTION 11.** Said chapter 137 is hereby further amended by striking out section 18 and inserting in place thereof the following section:-

*Section 18.* The corporation may, upon the affirmative vote of two-thirds of its members, petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in section 11A of chapter 180 of the General Laws.

**SECTION 12.** Section 19 of said chapter 137 is hereby amended by striking out, in line 1, the word "three" and inserting in place thereof the following word:- six.

**SECTION 13.** The corporation shall merge with Brockton 21st Century Corporation previously organized under the provisions of chapter 180 of the General Laws by filing an agreement of merger with the state secretary under the provisions of section 10 of said chapter 180.

Approved December 24, 1998