

By Mr. Tisei, petition (accompanied by bill, Senate, No. 530) of Richard R. Tisei and James V. DiPaola for legislation to direct the Metropolitan District Commission to make certain improvements of the water quality of the Malden River in the city of Malden. Housing and Urban Development.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Ninety-Three.

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AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO MAKE CERTAIN IMPROVEMENTS OF THE WATER QUALITY OF THE MALDEN RIVER IN THE CITY OF MALDEN.

*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 Metropolitan District Commission, here-  
2 inafter called the Commission is hereby authorized and directed  
3 to construct the extension of the Malden/Medford Line Brook  
4 Culvert to the west bank of the Malden River, improve the channel  
5 configuration, including the shores and banks of the Malden River  
6 and other projects and works as may be required to improve the  
7 quality of the water therein, and improve, protect and restore the  
8 natural environment of the river. The Commission may make  
9 application for federal assistance in the construction of any project  
10 authorized by this act and any federal funds to be received shall  
11 be credited to the Metropolitan District Commission funds and  
12 be used to pay debt service costs incurred as authorized by this  
13 act.

1 SECTION 2. The Commission, for the purpose of this act,  
2 may, on behalf of the Commonwealth, take by eminent domain  
3 under Chapter seventy-nine of the General Laws, or acquire by  
4 purchase or otherwise any lands, waters, water rights,  
5 watercourses, rights of way, easements, or other property or

6 interest in property, and shall have all the rights, powers and duties  
7 and be subject to the limitations of Section thirty-two of Chapter  
8 ninety-two of the General Laws; provided, however, that cities and  
9 towns in the area or areas within which construction may occur  
10 shall grant to the Commission the right to enter upon any public  
11 land and to construct such facilities as may be necessary without  
12 recourse to damages therefor. The Commission, however, shall,  
13 as provided in said Section thirty-two, heed all reasonable requests  
14 of officials of said cities and towns to restore such public property  
15 to its present condition as far as is practicable.

1 SECTION 3. To meet the expenditures necessary in carrying  
2 out the provisions of this act, the State Treasurer shall, upon  
3 request of the Governor, issue and sell at public or private sale  
4 bonds of the Commonwealth, registered or with interest coupons  
5 attached, as he may deem best, to an amount to be specified by  
6 the Governor from time to time but not exceeding, in the  
7 aggregate, the sum of \$3,000,000.00. Such bonds shall be  
8 designated on the face, Malden River Quality Loan Act of 1993,  
9 and shall be on the serial payment plan for such  
10 maximum term of years, not exceeding twenty years, as the  
11 Governor may recommend to the general court pursuant to  
12 section three of article LXII of the Amendments to the  
13 Constitution of the Commonwealth, the maturities thereof to be  
14 so arranged that the amounts payable in the several years of the  
15 period of amortization other than the final year shall be as nearly  
16 equal as in the opinion of the State Treasurer, it is practicable  
17 to make them. Said bonds shall bear interest semi-annually at such  
18 rate as the State Treasurer, with the approval of the Governor,  
19 shall fix. The initial maturities of such bonds shall be payable not  
20 later than one year from the date of issue thereof than the entire  
21 issue not later than June thirteenth, two thousand and six.

1 SECTION 4. This act shall take effect upon its passage.