

HOUSE No. 3547

By Mr. O'Donnell of Salem, petition of Henry J. O'Donnell III for legislation to further regulate the basis for the determination of the annual apportionments of cost of maintenance and operation of accounts of the South Essex Sewerage District. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Five.

AN ACT AMENDING THE BASIS FOR THE DETERMINATION OF THE ANNUAL APPORTIONMENTS OF COST OF MAINTENANCE AND OPERATION ACCOUNTS OF THE SOUTH ESSEX SEWERAGE DISTRICT AMONG THE INSTITUTIONS, TOWNS AND/OR CITIES PARTICIPATING THEREIN.

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 eleventh paragraph of Section 18 of
2 Chapter 339 of the Acts of 1925, as amended by Section 1 of
3 Chapter 22 of the Acts of 1929, is hereby further amended by
4 striking out the third sentence and inserting in place thereof the
5 following sentence:— The cost of maintenance and operation of
6 said sewers and other works for each account described in
7 subdivisions (a) to (g), inclusive, shall be estimated by said
8 board for each year on or before February fifteenth and shall be
9 apportioned by said board to the institutions, towns and/or
10 cities participating in that account in proportion to their
11 respective flow of sewage as determined by said board for the
12 previous year.

1 SECTION 2. The thirteenth paragraph of said Section 18 of
2 Chapter 339 of the Acts of 1925, as amended by Section 1 of
3 Chapter 22 of the Acts of 1929 and as further amended by
4 Chapter 169 of the Acts of 1945 is hereby:— Deleted.

1 SECTION 3. Chapter 190 of the Acts of 1972 is hereby
2 amended by striking out Section 3 and inserting in place thereof
3 the following section:—

4 *Section 3.* After any connection by any sewer system serving
5 the property described in section one, to the district trunk sewer
6 in accordance with section two, the board is hereby authorized
7 to allocate and apportion annually to said portion of the town
8 of Middleton described in section one a proportionate share of
9 the cost of maintenance and operation of the sewer system on
10 the same basis as determined for the members in said District
11 and make such assessment in the same manner as the members
12 in said District are assessed.

1 SECTION 4. Any provision of any Special Act or General
2 Law to the contrary notwithstanding, the cost of maintenance
3 and operation of any sewers, works or facilities owned or
4 controlled by the said District and/or constructed prior to the
5 year 1969 shall be apportioned to the institutions, towns and/or
6 cities in proportion to the respective flow of sewage as
7 determined by said Board for the previous year.

1 SECTION 5. This Act shall take affect upon its passage.