

By Mr. Montigny, a petition (accompanied by bill, Senate, No. 2361) of Mark C. Montigny, Joseph B. McIntyre, Robert M. Koczera and Antonio F. D. Cabral (with the approval of the mayor and the city council) for legislation to authorize the city of New Bedford to establish and maintain an Environmental Assessment Revolving Fund. Natural Resources and Agriculture. [Local approval received.]

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO ESTABLISH AND MAINTAIN AN ENVIRONMENTAL ASSESSMENT REVOLVING FUND AND CREATING AN ENVIRONMENTAL ASSESSMENT LIEN TO SECURE REPAYMENT OF FUNDS EXPENDED FROM SAID FUND.

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. Notwithstanding the provisions of any general or
2 special law to the contrary, the City of New Bedford is hereby
3 authorized to establish and maintain a fund to be known as an
4 Environmental Assessment Revolving Fund, which shall be kept
5 separate and apart from all other accounts of the City. The City
6 Treasurer shall be the custodian of the Environmental Assessment
7 Revolving Fund and may deposit the proceeds or invest the
8 same in accordance with the provisions of section 54 or 55 of
9 Chapter 44 of the General Laws. Any interest earned thereon shall
10 be credited to and become a part of said fund.

1 SECTION 2. The City of New Bedford may appropriate money
2 in any year into the Environmental Assessment Revolving Fund
3 from any available source including monies received from the
4 Commonwealth of Massachusetts, the United States Government
5 or other source.

1 SECTION 3. The City of New Bedford may expend monies
2 from the Environmental Assessment Revolving Fund to perform
3 environmental assessments on any parcel of land located in the
4 City of New Bedford which is either a municipally owned parcel
5 of land, a tax possession, or a parcel on which the City holds a
6 Tax Title.

1 SECTION 4. There shall be established in the City of New
2 Bedford an Environmental Assessment Lien which shall be placed
3 on any parcel of land on which the City has expended funds from
4 the Environmental Assessment Revolving Fund to secure repay-
5 ment of said funds. Said Environmental Assessment Lien shall be
6 enforceable in the same manner as Liens pursuant to section 3A of
7 Chapter 139 of the General Laws and section 9 of Chapter 143 of
8 the General Laws.

1 SECTION 5. The City of New Bedford is authorized to promul-
2 gate and enforce procedures relative to the expenditure of funds
3 from the Environmental Assessment Revolving Fund and relative
4 to the placement and enforcement of the Environmental
5 Assessment Lien.