

Chapter 306. AN ACT AUTHORIZING CITIES AND TOWNS TO INCREASE FEES FOR CERTIFICATES OF LIENS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately increase the fees for certificates in certain cities and towns, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 23A of chapter 60 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after the word "section", in lines 1 and 2, the words:- , prior to January first, nineteen hundred and eighty-eight.

SECTION 2. Said chapter 60 is hereby further amended by inserting after section 23A the following section:-

Section 23B. In any city or town accepting the provisions of this section, the collector of taxes shall furnish a certificate of liens as provided in section twenty-three according to the following fee schedule: for land of less than one acre upon which there is no permanent structure, a fee of twenty-five dollars; for land upon which is situated no more than a single family residence and outbuildings, a fee of twenty-five dollars; for land upon which is situated no more than a two family residence and outbuildings, a fee of twenty-five dollars; for land upon which is situated no more than a three family residence with outbuildings, a fee of twenty-five dollars; for land upon which is situated a residence for four or more families, a fee of one hundred dollars; for land upon which is situated a commercial, industrial or public utility structure, a fee of one hundred and fifty dollars; for farms, forest land and all other real property, a fee of fifty dollars. In no case shall the fee exceed one half of one per cent of the assessed value of the real estate and the money so received shall be paid into the town treasury.

SECTION 3. This act shall take effect on January first, nineteen hundred and eighty-eight.

Approved July 23, 1987.

Chapter 307. AN ACT PROVIDING FOR THE IMPROVEMENT OF THE CLINTON WASTEWATER TREATMENT PLANT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for improvements to the Clinton wastewater treatment plant, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law to the contrary, the ownership, possession and control of the town of Clinton wastewater treatment plant is hereby conveyed to and vested in the Massachusetts Water Resources Authority. With respect to the operation, improvement and enlargement of said plant, said Authority shall be subject to the provisions of chapter three hundred and seventy-two of the acts of nineteen hundred and eighty-four. Any political subdivisions served by said plant shall be subject to the provisions of clause (c) of section eight of said chapter three hundred and seventy-two.

SECTION 2. Commencing on the effective date of this act, the Massachusetts Water Resources Authority may enter into contracts relating to, and shall be eligible for grants and other assistance for, improvements and enlargement to be made to said plant and any necessary appurtenances thereto. Projects for improvement and enlargement of said plant shall take into account the sewage treatment needs of the town of Clinton and the Lancaster sewer district and the septage needs of the towns of Sterling, Bolton, Lancaster, Clinton and Berlin. Said Authority is hereby authorized to take, pursuant to section nine of chapter three hundred and seventy-two of the acts of nineteen hundred and eighty-four, real property or any interests or rights therein in said towns deemed by it essential to achieve the purposes of this act and said chapter three hundred and seventy-two.

SECTION 3. The share of the costs of projects improving and enlarging said plant to be borne by the Massachusetts Water Resources Authority shall not exceed the local share.

SECTION 4. The division of water pollution control in the department of environmental quality engineering is hereby authorized and directed to expend a sum, not to exceed four million dollars, as a grant to the Massachusetts Water Resources Authority for the purpose of meeting the local share of project costs to be incurred by said Authority.

SECTION 5. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section four and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such time and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-two. Notes and interest thereon issued under the authority of

ACTS, 1987. - Chap. 307.

this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth, and shall be payable from the Local Aid Fund.

SECTION 6. To meet the expenditures necessary in carrying out the provisions of section four, the state treasurer shall, upon the request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of four million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Nashua Basin Wastewater Treatment Plant Improvement Loan, Act of 1987, and shall be issued for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, of the year two thousand and twelve. Bonds and interest thereon under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth and shall be payable from the Local Aid Fund.

SECTION 7. The ownership, possession and control of personal property at and associated with the town of Clinton wastewater treatment plant shall be transferred to the Massachusetts Water Resources Authority, and shall thereafter be in the ownership, possession and control of said Authority. All books, maps, papers, plans, records and documents of whatever description pertaining to the design, construction, operation and affairs of the plant which are in the possession of the metropolitan district commission shall be transferred and delivered to said Authority for its use, ownership, possession and control. The real property associated with said plant shall be deemed to be "system real property" as defined in section two of chapter three hundred and seventy-two of the acts of nineteen hundred and eighty-four. Said Authority shall not be liable for any claims, damages, penalties or liabilities arising out of or based upon matters occurring prior to the transfer to it of the legal responsibility for the operations of said plant.

SECTION 8. In order to compensate the town of Clinton for use of certain land in said town for watershed purposes, the division of watershed management within the metropolitan district commission shall make an annual payment to said town, subject to appropriation, in an amount equal to the user fees levied against said town by the Massachusetts Water Resources Authority for services provided by the town of Clinton wastewater treatment plant not to exceed five hundred thousand dollars; provided, however, that said Authority shall annually compensate said town for such purposes in an amount equal to the user fees levied against said town by said Authority which exceeds five hundred thousand dollars during each year.

ACTS, 1987. – Chap. 308.

SECTION 9. A duplicate copy of each sewage bill submitted to the town of Clinton shall be forwarded to the division of watershed management within the metropolitan district commission at the time said billing is made by the Massachusetts Water Resources Authority. Said division within thirty days of receipt of said billing shall forward an amount, subject to the provisions of section eight, to said town. Within ten days of receipt of such sum, said town shall forward such amount to said Authority. No amount of such payments by said division shall be included in the amount of the annual determination of fiscal year charges to said authority assessed to said authority under section one hundred and thirteen of chapter ninety-two of the General Laws.

SECTION 10. Chapter five hundred and fifty-seven of the acts of eighteen hundred and ninety-eight is hereby repealed.

SECTION 11. Chapter four hundred and sixty-two of the acts of nineteen hundred and fifty-four is hereby repealed.

SECTION 12. Chapter five hundred and nine of the acts of nineteen hundred and eighty is hereby repealed.

Approved July 23, 1987.

Chapter 308. AN ACT RELATIVE TO ADJUSTMENTS IN THE CALCULATION OF LENDING LIMITATIONS FOR CERTAIN STOCK CORPORATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for adjustments in the calculation of lending limitations for certain stock corporations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of subsection A of section fourteen of chapter one hundred and sixty-seven E of the General Laws to the contrary, for purposes of calculating the limitations prescribed under said subsection A, any stock corporation that had negative undivided profits as of October seventeenth, nineteen hundred and eighty-four, shall treat the value of such undivided profits as zero through December thirty-first, nineteen hundred and eighty-six. The value of any additional negative undivided profits accumulated after October seventeenth, nineteen hundred and eighty-four, shall be included for purposes of calculating the limitations prescribed under said subsection A.

SECTION 2. This act shall take effect as of October seventeenth, nineteen hundred and eighty-four.

Approved July 23, 1987.