

Chapter 299

THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Twelve

AN ACT AUTHORIZING THE CEDAR MEADOW LAKE WATERSHED DISTRICT TO PROLONG BETTERMENT PAYMENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Cedar Meadow Lake Watershed district may borrow funds for the purposes authorized in chapter 268 of the acts of 1993. Any borrowing of funds to acquire a dam and appurtenant real property authorized by the members present and voting at the May 16, 2012 meeting shall be repaid within 40 years of its date of issue. Except as provided in this act, any borrowing under this act shall be subject to the requirements of chapter 44 of the General Laws, constitute public improvement for purposes of chapter 80 of the General Laws and, subject to the approval of the district pursuant to the vote of the members at a meeting duly called on May 16, 2012, the management committee may assess betterments to pay any and all costs, of or relating to, acquiring, owning, maintaining or improving such dam and any appurtenant real property in such amounts as the management committee shall determine. Except as otherwise provided by this act, any betterments so assessed shall be subject to said chapter 80. Any betterments assessed under this act may be apportioned for a maximum term of 40 years.

SECTION 2. Notwithstanding any general or special law to the contrary, with respect to betterment assessments authorized in this act, the district may assess interest on such betterment assessments at the rate of interest set by the management committee; provided, however, that no such rate shall exceed the rates authorized in section 13 of chapter 80 of the General Laws; and provided further, that if the management committee does not elect to set lower rates as authorized in this act, the rate shall be established as authorized in said section 13.

SECTION 3. Notwithstanding any general or special law to the contrary, the district, its members, officers or employees shall have no liability for or related to the presence, release or threat of release of oil or any hazardous material with respect to any dam or appurtenant real property acquired by the district that occurred prior to the date such dam or appurtenant real property was acquired by the district.

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

House of Representatives, September 27, 2012.

Passed to be enacted,

Paul J. Donato

Acting
Speaker.

Passed to be enacted,

Kenneth J. Donnelly

In Senate, October 1, 2012.

Acting
President.

11 October, 2012.

Approved,

at

2

o'clock and 50 minutes, P. M.

[Signature]

Governor.