

Draft change in law

11/29 (12)

John Murray

From: Stephen Anderson
Sent: Monday, November 22, 2004 8:52 PM
To: Don Johnson; John Murray
Cc: Douglas Wilkins
Subject: RE: Acton/GraceSewer: Proposed Statutory Amendment

PS:

We should probably add an emergency preamble to the proposed amendment as follows:

Whereas the deferred operation of this act would tend to defeat its purpose, which is forthwith to authorize redetermination of sewer assessments made by the uniform unit method, and to make certain changes in law immediately necessary or appropriate to effectuate said important public purpose, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Steve

> -----Original Message-----
> From: Stephen D. Anderson
> Sent: Monday, November 22, 2004 8:37 PM
> To: Don P. Johnson (E-mail); John Murray III (E-mail)
> Cc: Douglas Wilkins
> Subject: Acton/GraceSewer: Proposed Statutory Amendment
> Importance: High

> Gentlemen:

> As you know, M.G.L. c. 83, Section 15A, governing redetermination of sewer assessments only refers to the uniform rate fixed under Section 15, not to the uniform unit fixed under Section 15. It provides as follows:

> Section 15A. Any city at any meeting of the proper municipal authority, or any town at a town meeting, may, from time to time, redetermine the uniform rate fixed under section fifteen, or under any special law, and charged to the abutters for the construction of sewers.

> Before the state legislature's time for proposed legislation closes next Wednesday, I recommend that the Town ask Senator Resor to submit the following proposed "clarifying amendment" to Section 15A (see bolded red language below):

> Section 15A. Any city at any meeting of the proper municipal authority, or any town at a town meeting, may, from time to time, redetermine the uniform rate or uniform unit fixed under section fifteen, or under any special law, and charged to the abutters for or to the existing and potential sewer units to be served by the construction of sewers.

> The exact proposed amendment would read:

> Chapter __ of the Acts of 2004

> AN ACT RELATIVE TO THE REDETERMINATION OF MUNICIPAL SEWER ASSESSMENTS

> 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. Section fifteen A of chapter eighty-three is amended by adding the words "> " or uniform unit> "> after the words "> " uniform rate> "> and by adding the words "> " or to the existing and potential sewer units to be served by> ">

