

SENATE No. 2462

The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court
(2017-2018)
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SENATE, Monday, April 23, 2018

The committee on Environment, Natural Resources and Agriculture, to whom was referred the petition (accompanied by bill, Senate, No. 423) of James B. Eldridge and Jason M. Lewis for legislation to improve municipal water infrastructure,- reports the accompanying bill (Senate, No. 2462).

For the committee,
Anne M. Gobi

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In the One Hundred and Ninetieth General Court
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An Act improving municipal water infrastructure.

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. Section 3 of chapter 29C of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after paragraph (viii), in line 46, the following
3 paragraph:-

4 (ix) to expend money in the Municipal Water Infrastructure Trust Fund pursuant to
5 section 19 of chapter 29C.

6 SECTION 2. Chapter 29C of the General Laws is hereby amended by inserting after
7 section 18 the following section:-

8 Section 19. Municipal Water Infrastructure Trust Fund

9 (a) There shall be a Municipal Water Infrastructure Trust Fund. The board shall be the
10 trustee of the fund and shall expend money in the fund for municipal or regional water
11 infrastructure projects. There shall be credited to the fund: (i) any gallon-based withdrawal
12 assessment collected pursuant to subsection (b); and (ii) any interest earned on money in the
13 fund. Amounts credited to the fund shall be expended by the board pursuant to subsection (b)

14 without further appropriation. Money remaining in the fund at the end of a fiscal year shall not
15 revert to the General Fund.

16 (b) Annually, not later than July 1, each municipality shall submit to the board the
17 number of gallons of water withdrawn from that municipality's water source in the previous
18 fiscal year and an assessment of \$0.70 per 1,000 gallons of water withdrawn. Not later than
19 September 30, the department shall post on the department's website the aggregate number of
20 gallons from the previous fiscal year withdrawn by ratepayers within each city or town.

21 (c) The board shall: (i) proportionately distribute $\frac{3}{4}$ of the amount received from the fund
22 to a city or town based on the number of gallons from the previous fiscal year that were
23 withdrawn within that city or town to pay for water infrastructure projects in the city or town; (ii)
24 distribute $\frac{1}{4}$ of the amount collected to the Massachusetts Clean Water Trust.

25 (d) Annually, a city or town receiving money from the Municipal Water Infrastructure
26 Trust Fund shall submit a report to the commissioner of the department not later than December
27 31 detailing the projects and the amount used or planned to be used for water infrastructure
28 projects as described in subsection (c). The department shall compile the reports and post the
29 projects and amounts of money used on the website of the department.

30 SECTION 3. The department of environmental protection shall promulgate regulations
31 ensuring the security of public water systems by requiring public water systems drawing water
32 from a well to completely enclose any wellhead that is part of the public water system.