

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael S. Day, (BY REQUEST)***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act for environmental, and water testing requirements, and funding thereof.

PETITION OF:

| NAME:                   | DISTRICT/ADDRESS:                               | DATE ADDED:      |
|-------------------------|---|------------------|
| <i>Vincent L. Dixon</i> | <i>60 Lake St Unit N Winchester MA<br/>0180</i> | <i>1/20/2023</i> |

**HOUSE . . . . . No.**

By Representative Day of Stoneham (by request), a petition (subject to Joint Rule 12) of Vincent L. Dixon relative to environmental and water testing requirements. Environment and Natural Resources.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act for environmental, and water testing requirements, and funding thereof.

*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. The Massachusetts General Laws are hereby amended by inserting the  
2 following new chapter:

3 An Act for environmental, and water testing requirements, and funding thereof.

4 1.) It being important for the public health, and safety, various environmental, and water  
5 testing requirements, have been developed, by statute, regulatory actions, and various  
6 circumstances. Challenged public revenues, and circumstances, from time to time, mean that  
7 testing is delayed, even when it is having effect on individuals, businesses, or organizations. It is  
8 in the interests of such circumstances, to encourage, and further enable, needed actions, and that  
9 is the purpose of this legislation.

10 2.) All environmental, and water testing required by law, shall be enforced, and  
11 enforceable; by appropriate funding, from public budgets, appropriate private compensations,  
12 and when needed, by appropriate court order.

13           3.) Since such testing is vital, if funding from public sources, does not appear to be fully  
14 sufficient, at a particular time, or times, to provide for such testing, as is legal, and necessary,  
15 other resources, may be expended, as described in this statute.

16           4.) Such testing may have alternative financing, for testing, by one or more, of several  
17 mechanisms:

18           Voluntary contributions, and/or agreed-upon funding, transferred from one or more  
19 individual persons, property owners, organizations, and/or others, may be accessed, specifically  
20 to meet the need for, and to conduct legally defined, and/or needed testings.

21           Reasonable required testing, shall be reimbursable by a Tax Donation Credit (TDC);  
22 which shall be certifiable, in a document that states the nature of required testings, being  
23 performed according to legal standards, and/or needed circumstance. This Credit, would be  
24 useable on legally filed tax returns, only by the individual, and/or organization, bearing the cost  
25 of needed testing, which would otherwise be performed, by public budget expenditure.

26           5.) Such testing, if advanced in schedule, by the means of this legislation, can be  
27 authorized by the appropriate jurisdictional authorities; if there is unreasonable delay, a person  
28 with standing, in relation to the particular site, may seek an appropriate court order, to obtain  
29 such reasonable testing, when it is in sufficient public interest.