SENATE DOCKET, NO. 1302 FILED ON: 1/21/2011

SENATE . . . . . No. 369

The Commonwealth of Massachusetts

PRESENTED BY:

Anthony W. Petruccelli

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 establishing a lead service replacement program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Anthony W. Petruccelli	

SENATE DOCKET, NO. 1302 FILED ON: 1/21/2011

SENATE . . . . . No. 369

By Mr. Petruccelli, a petition (accompanied by bill, Senate, No. 369) of Anthony W. Petruccelli for legislation to establish a lead service replacement program. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *429* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act establishing a lead service replacement program.

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. Notwithstanding any general or special law to the contrary, the Department of Environmental Protection is hereby directed to establish a Lead Service Replacement Program to assist homeowners, homeowner associations or condominium associations with the replacement of lead service lines.

SECTION 2. The Department shall make loans available to qualifying municipalities at an interest rate of 0%. Municipalities may use these funds to replace the public portion (water main to the gate valve) of lead service lines as well as to provide low-interest Betterment Loans on the basis of a sliding scale that relates a homeowner's income and assets to the cost of replacing lead services.

10 SECTION 3. Chapter 62, Section 6, is hereby amended by adding the following
11 subsection, "(l) Any owner of residential property located in the commonwealth who is not a
12 dependent of another taxpayer and who occupies said property as his principal residence, shall be
13 allowed a credit equal to 40 per cent of the expenditures for the replacement of lead. Said
14 expenditures shall be the actual cost to the taxpayer or $5,000, whichever is less; provided,
15 however, that said credit shall be available to eligible taxpayers beginning in the tax year in
16 which the repair or replacement of said lead service line was completed; and provided, further,
17 that said credit shall not exceed $1,500 in any tax year and any excess credit may be applied over
18 the following five subsequent tax years up to an aggregate maximum of $5,000. The amount of
19 any such credit shall be reduced by an amount equal to the total interest subsidy or grant received
20 from the commonwealth, whether directly or indirectly, toward the cost of said expenditures. The
21 department shall promulgate such rules and regulations as are necessary to administer the credit
22 afforded by this subsection, including, but not limited to, a notification system by the
23 commonwealth to recipients of said interest subsidy or grant of the amount of the total subsidy
24 provided by the commonwealth."

25 SECTION 4. The Department of Revenue shall consult with the Department of
26 Environmental Protection in developing rules, regulations and guidelines for said Program and
27 related tax credit.