HOUSE DOCKET, NO. 3604 FILED ON: 4/23/2013

HOUSE . . . . . No. 3480

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake

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 relative to the town of Eastham water supply.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Sarah K. Peake	*4th Barnstable*	*4/23/2013*

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By Ms. Peake of Provincetown, a petition (subject to Joint Rule 12) of Sarah K. Peake relative to the administration and implementation of the Drinking Water Revolving Fund. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to the town of Eastham water supply.

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 18 of chapter 29C of the general laws, as appearing in the 2010 official edition, is hereby amended by inserting after the words “cent”, in line 131, the following words:-

, but all permanent loans and other forms of financial assistance made by the trust to finance the costs of certain public drinking water projects on the department’s intended use plan for calendar year 2013 to calendar year 2023, inclusive, that at the time of initial application, meet the criteria listed below shall provide for a subsidy or other assistance in the payment of debt service such that the loans and other forms of financial assistance shall be the financial equivalent of a loan made at a zero rate of interest, and the costs of public drinking water projects on an intended use plan that are eligible for a permanent loan or other financial assistance from the trust at the financial equivalent of a loan made at a zero rate of interest shall not exceed 20 per cent of the total costs of all public drinking water projects on the intended use plan, provided however that, notwithstanding any other provision to the contrary, any eligible borrower that qualifies for a zero rate of interest loan shall be considered a disadvantaged community pursuant to the federal Safe Drinking Water Act, as amended.. Projects that meet the following criteria, as verified by the department of environmental protection, are eligible for the zero rate of interest loans:

The project’s primary purpose is to protect health by providing a public water supply in response to groundwater contamination from an adequately regulated, capped and closed municipal landfill requiring compliance by the public entity under M.G.L. 21E; and

The project is located in a municipality which relies exclusively on on-site wastewater disposal systems for residential properties; and

The project is located in a municipality in which there is no existing municipality owned and operated drinking water supply system serving single-family residential properties; and

The applying municipality's development must be at eighty per cent or greater of build out as defined by the area regional planning agency or its equivalent.

To provide for such subsidy or assistance, in addition to the contract assistance provided in Section 6A, the state treasurer acting on behalf of the commonwealth shall enter into an agreement with the trust that that the commonwealth shall provide contract assistance for debt service obligations on loans and other forms of financial assistance made by the trust up to an maximum amount of $500,000 per fiscal year of the commonwealth. Such contract assistance agreement shall provide for payments by the commonwealth to the trust at such times during each fiscal year and upon such terms and under such conditions as the trust may stipulate. The trust may pledge such agreement and the rights of the trust to receive amounts there under as security for payment of debt obligations issued to the trust. Such agreement shall constitute a general obligation of the commonwealth for which the faith and credit of the commonwealth shall be pledged for the benefit of the trust and of the holders of any debt obligations of the trust which may be secured by the pledge of such agree mentor of amounts to be received by the trust under such agreement.