SENATE DOCKET, NO. 1828 FILED ON: 1/20/2017

SENATE . . . . . No. 425

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 drought management.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
James B. Eldridge	*Middlesex and Worcester*	
Carolyn C. Dykema	*8th Middlesex*	
Carmine L. Gentile	*13th Middlesex*	*1/25/2017*
Daniel J. Ryan	*2nd Suffolk*	*1/30/2017*
Kate Hogan	*3rd Middlesex*	*2/2/2017*
Mike Connolly	*26th Middlesex*	*2/2/2017*
William N. Brownsberger	*Second Suffolk and Middlesex*	*2/2/2017*
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	*2/2/2017*
Sal N. DiDomenico	*Middlesex and Suffolk*	*2/2/2017*
Mary S. Keefe	*15th Worcester*	*2/2/2017*
Anne M. Gobi	*Worcester, Hampden, Hampshire and Middlesex*	*2/2/2017*
Denise Provost	*27th Middlesex*	*2/2/2017*
Richard J. Ross	*Norfolk, Bristol and Middlesex*	*2/2/2017*
Jack Lewis	*7th Middlesex*	*2/3/2017*
Bruce E. Tarr	*First Essex and Middlesex*	*2/3/2017*
Sean Garballey	*23rd Middlesex*	*2/3/2017*
James Arciero	*2nd Middlesex*	*2/3/2017*

Patrick M. O'Connor	*Plymouth and Norfolk*	*3/7/2017*
Natalie Higgins	*4th Worcester*	*3/28/2017*
Michael J. Barrett	*Third Middlesex*	*4/10/2017*

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SENATE . . . . . No. 425

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 425) of James B. Eldridge, Carolyn C. Dykema, Carmine L. Gentile, Daniel J. Ryan and other members of the General Court for legislation relative to drought management. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to drought management.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith improve the commonwealth's preparedness and response to drought, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 21A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after section 2A the following section:-

Section 2B. (a) There shall be established within the office the drought management task force. The secretary and the director of the Massachusetts emergency management agency shall appoint the following parties to the task force: (1) officials from state agencies and professional organizations with responsibility for areas likely to be affected by drought conditions; (2) representatives of agencies that provide data used to assess drought conditions or that have the ability to respond to drought conditions; and (3) public health and safety and environmental professionals, and may invite officials from federal agencies to participate. The secretary and the

director shall have joint responsibility for coordinating the task force. The task force shall meet at least quarterly, but it shall meet at least monthly during drought. The task force shall be staffed by a director appointed by the secretary.

(b) Within 6 months, the task force shall adopt, and update thereafter as needed, a revised drought management plan that addresses preparedness, and defines drought indices, action levels with appropriate levels of response, communication, and coordination based on drought severity. The drought management plan shall protect public health and safety and the environment. Some drought management plan actions may be triggered by particular drought indices and shall not require a majority of the indices at a drought level to be reached.

(c) The task force shall assist in collecting and assessing technical information, facilitating coordination and communication among task force members, agencies and the public, and provide recommendations to the secretary, the secretary of public safety and security and the governor on the level of drought and responses thereto. The task force shall also make recommendations for the end of drought, or reduction of the drought level, focusing on the key drought indicators of precipitation, groundwater levels and streamflow.

(d) The secretary may order water conservation measures, including limits on nonessential outdoor water use, based on the severity of drought in drought regions to protect public health, safety or the environment. Such water conservation measures by the secretary shall apply uniformly to all water users within a drought region.

(e) Notwithstanding section 27C of chapter 29 or any ordinance, by-law, rule or regulation to the contrary, cities and towns shall enforce water conservation restrictions issued by the secretary to the fullest extent permitted by law.