

SENATE No. 478

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 a moratorium on hydraulic fracturing.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>	<i>1/23/2017</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/30/2017</i>
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	<i>1/31/2017</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/1/2017</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/2/2017</i>

SENATE No. 478

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 478) of Marc R. Pacheco, Carmine L. Gentile, Marjorie C. Decker, Paul R. Heroux and other members of the General Court for legislation relative to a moratorium on hydraulic fracturing. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2309 OF 2015-2016.]

The Commonwealth of Massachusetts

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**In the One Hundred and Ninetieth General Court
(2017-2018)**
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An Act relative to a moratorium on hydraulic fracturing.

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 26A of chapter 21 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after the word “effluent”, in line 67, the
3 following words:- , hydraulic fracturing fluid.

4 SECTION 2. Section 27 of said chapter 21, as so appearing, is hereby amended by adding
5 the following clause:-

6 (14) Enforce restrictions on drilling, waste treatment and disposal and mining activities
7 which have been enacted to protect the water quality and the natural resources of the
8 commonwealth.

9 SECTION 3. Section 42 of said chapter 21, as so appearing, is hereby amended by
10 inserting after the word “commonwealth”, in line 3, the following words:- ,or into an injection
11 well or into a treatment works in the commonwealth.

12 SECTION 4. (a) As used in this section, the following words shall have the following
13 meanings unless the context clearly requires otherwise:-

14 “Fluid”, any material or substance which flows or moves whether in semi-solid, liquid,
15 sludge, gas or any other form or state.

16 “Gas”, all natural gas, whether hydrocarbon or nonhydrocarbon, including hydrogen
17 sulfide, helium, carbon dioxide, nitrogen, hydrogen, casinghead gas and all other fluid
18 hydrocarbons not defined as oil.

19 “Hydraulic fracturing”, the process of pumping a fluid into or under the surface of the
20 ground in order to create fractures in rock to produce or recover oil or gas.

21 “Oil”, crude petroleum, oil and all hydrocarbons, regardless of specific gravity, that are in
22 the liquid phase in the reservoir and are produced at the wellhead in liquid form.

23 “Oil and gas”, oil and gas collectively, or either oil or gas, as the context may require to
24 give effect to the purposes of this chapter.

25 (b) For the period from January 1, 2018 to December 31, 2027, inclusive, a person shall
26 not engage in hydraulic fracturing.

27 (c) For the period from January 1, 2018 to December 31, 2027, inclusive, a person shall
28 not collect, store, treat or dispose of wastewater hydraulic fracturing fluid, wastewater solids,
29 drill cuttings or other byproducts from hydraulic fracturing.