HOUSE DOCKET, NO. 3688 FILED ON: 1/18/2019

HOUSE . . . . . No. 1781

The Commonwealth of Massachusetts

PRESENTED BY:

Carolyn C. Dykema

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 providing for the establishment of sustainable water resource funds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Carolyn C. Dykema	*8th Middlesex*	*1/18/2019*
Shawn Dooley	*9th Norfolk*	*1/22/2019*
Louis L. Kafka	*8th Norfolk*	*1/22/2019*
Brian W. Murray	*10th Worcester*	*1/23/2019*
Christine P. Barber	*34th Middlesex*	*1/23/2019*
James B. Eldridge	*Middlesex and Worcester*	*1/24/2019*
Michael O. Moore	*Second Worcester*	*1/24/2019*
Mike Connolly	*26th Middlesex*	*1/25/2019*
David Paul Linsky	*5th Middlesex*	*1/28/2019*
Susan Williams Gifford	*2nd Plymouth*	*1/28/2019*
Daniel J. Hunt	*13th Suffolk*	*1/28/2019*
Jonathan Hecht	*29th Middlesex*	*1/29/2019*
Kate Hogan	*3rd Middlesex*	*1/29/2019*
David M. Rogers	*24th Middlesex*	*1/29/2019*
James Arciero	*2nd Middlesex*	*1/29/2019*
Edward J. Kennedy	*First Middlesex*	*1/30/2019*
Patrick M. O'Connor	*Plymouth and Norfolk*	*1/30/2019*
David F. DeCoste	*5th Plymouth*	*1/30/2019*

Hannah Kane	*11th Worcester*	*1/30/2019*
Thomas A. Golden, Jr.	*16th Middlesex*	*1/30/2019*
Peter J. Durant	*6th Worcester*	*1/31/2019*
Andres X. Vargas	*3rd Essex*	*1/31/2019*
Denise Provost	*27th Middlesex*	*1/31/2019*
Dylan A. Fernandes	*Barnstable, Dukes and Nantucket*	*1/31/2019*
Tami L. Gouveia	*14th Middlesex*	*2/1/2019*
Carmine Lawrence Gentile	*13th Middlesex*	*2/1/2019*
Ryan C. Fattman	*Worcester and Norfolk*	*2/1/2019*
David Allen Robertson	*19th Middlesex*	*2/1/2019*
Lenny Mirra	*2nd Essex*	*2/1/2019*
Jack Patrick Lewis	*7th Middlesex*	*2/1/2019*

HOUSE DOCKET, NO. 3688 FILED ON: 1/18/2019

HOUSE . . . . . No. 1781

By Ms. Dykema of Holliston, a petition (accompanied by bill, House, No. 1781) of Carolyn C. Dykema and others for legislation to provide for a local option for municipalities to assess fees on new developments to support the cost of expanded or upgraded water infrastructure. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act providing for the establishment of sustainable water resource funds.

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. Chapter 40 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 39M the following new section:-

Section 39N. (a) Notwithstanding any general or special law to the contrary, a city, town, water district, wastewater district, stormwater utility or statutory authority created to operate a water distribution or wastewater collection system or stormwater system which accepts this section may collect a reasonable fee to be used exclusively for measures to remedy and offset the impacts on the natural environment of new and/or increased water withdrawals, sewering, wastewater discharges, stormwater discharges or impairment of recharge of groundwater through depletion of ground or surface waters, and to sustain the quantity, quality and ecological health, of waters of the commonwealth. Such measures to remedy and offset these impacts include without limitation, local recharge of stormwater and wastewater; redundant water sources; reductions in loss from drinking water systems, treatment of drinking water or interconnections

with other systems for the purposes of optimizing water supply sources for environmental benefit; expansion of stormwater treatment and wastewater treatment systems; reuse of water; removal of sewer infiltration and inflow; water conservation; retrofits of existing buildings and parking lots with low impact development methods; removal of dams; improvements to aquatic habitat; development of integrated water resources management plans, studies and planning to mitigate environmental impacts; and, land acquisition for the protection of public water supply sources, siting of decentralized wastewater facilities, stormwater recharge sites or for riparian habitat. The fee, which may be based on retaining within the basin or saving at least one gallon, but no more than ten gallons, for every gallon of increased water or sewer demand, or net impairment of recharge shall be assessed in a fair and equitable manner and separate fees may be established for different types of uses, such as residential and commercial uses.

(b) When adopting this section, the city, town, district or statutory authority shall designate the board, commission, or official responsible for assessing, collecting, and expending such fee. Fees assessed pursuant to this section shall be deposited by the designated board, commission, or official in separate accounts classified as "Sustainable Water Resource Funds" for drinking water, wastewater or stormwater. The principal and interest thereon shall be expended at the direction of the designated board, commission, or official without further appropriation. These Funds shall not be used for any purpose not provided in this section. These Funds may also receive monies from public and private sources as gifts, grants, and donations to further water conservation, water return or water loss prevention; from the federal government as reimbursements, grants-in-aid or other receipts on account of water infrastructure improvements; or fines, penalties or supplemental environmental projects. Any interest earned from whatever source shall be credited to and become part of said Fund.

(c) A city, town, district, or authority that has accepted this section may in the same manner revoke its acceptance. Monies remaining in the fund shall be expended in a manner consistent with this section.