

# HOUSE . . . . . No. 2472

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Sean Garballey***

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*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 closing the water infrastructure funding gap with water and sewer connection fees.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/17/2019</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>2/1/2019</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>2/1/2019</i>

# HOUSE . . . . . No. 2472

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By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 2472) of Sean Garballey, Peter Capano and Brendan P. Crighton for legislation to establish under the Department of Revenue a water infrastructure trust fund to address water infrastructure needs and authorize cities and towns to collect additional fees for water or sewer services connections. Revenue.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
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An Act relative to closing the water infrastructure funding gap with water and sewer connection fees.

*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. Chapter 29 of the general laws, as appearing in the 2016 Official Edition,  
2 shall be amended after section 2VVVV, by inserting the following new section:-

3           Section 2WWWW. There shall be a Commonwealth Water Infrastructure Trust  
4 Fund. The commissioner of the department of revenue shall be the trustee of the fund and shall  
5 expend money in the fund to address the Commonwealth's water infrastructure needs. There  
6 shall be credited to the fund: (i) any fee assessment collected pursuant to section two of this act;  
7 and (ii) any interest earned on money in the fund. Amounts credited to the fund shall be  
8 expended by the commissioner pursuant to subsection (a) without further appropriation. Money  
9 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

(a) The department of revenue shall: (i) proportionately distribute, for the improvement of water infrastructure within that city or town, fifty percent (50%), of the amount received from the fund to a city or town based on the amount of the additional fees collected in accordance with section 2 of this act by a city or town from the previous calendar year; (ii) distribute forty percent (40%) of the amount collected to the Massachusetts Clean Water Trust established in chapter 29C of the General Laws to provide financial assistance in the funding of water infrastructure projects or any other purpose authorized under chapter 29C; and (iii) distribute ten percent (10%) of the amount collected to the department of revenue for administration and enforcement of this act.

(b) Annually, a city or town receiving funds from the Commonwealth Water Infrastructure Trust Fund shall submit a report to the commissioner of the department of revenue not later than December 31 detailing the water infrastructure-related projects and the amount of funds used, or planned to be used, for water infrastructure-related projects funded, in whole or part, from the Commonwealth Water Infrastructure Trust Fund. The commissioner shall compile the reports and post the projects and amounts of money used on the website of the department and forward a copy of the same to the Massachusetts Clean Water Trust.

SECTION 2. Section 22F of the Chapter 40 of the general laws, as appearing in the 2016 official edition, is hereby amended by inserting at the end thereof the following paragraph:-

Each city or town that charges a fee for a permit to connect to the municipality's water or sewer services shall collect an additional \$500 for a residential property connection and an additional \$1,000 for a commercial or industrial property connection, apart from the

- 32 municipality's established fee for such service, to be deposited in the Commonwealth Water
- 33 Infrastructure Trust Fund.