

HOUSE No. 3494

The Commonwealth of Massachusetts

PRESENTED BY:

Michael S. Day, (BY REQUEST)

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 for environmental, and water testing requirements, and funding thereof.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Vincent Lawrence Dixon</i>		<i>1/16/2019</i>

HOUSE No. 3494

By Mr. Day of Stoneham (by request), a petition (accompanied by bill, House, No. 3494) of Vincent Lawrence Dixon relative to environmental and water testing requirements. Public Health.

The Commonwealth of Massachusetts

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

An Act for environmental, and water testing requirements, and funding thereof.

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. The Massachusetts General Laws are hereby amended by inserting the
2 following new chapter:

3 An Act for environmental, and water testing requirements, and funding thereof.

4 1.) It being important for the public health, and safety, various environmental, and water
5 testing requirements, have been developed, by statute, regulatory actions, and various
6 circumstances. Challenged public revenues, and circumstances, from time to time, mean
7 that

8 testing is delayed, even when it is having effect on individuals, businesses, or
9 organizations. It is

10 in the interests of such circumstances, to encourage, and further enable, needed actions,
11 and that
12 is the purpose of this legislation.

13 2.) All environmental, and water testing required by law, shall be enforced, and
14 enforceable; by appropriate funding, from public budgets, appropriate private
15 compensations,
16 and when needed, by appropriate court order.

17 3.) Since such testing is vital, if funding from public sources, does not appear to be fully
18 sufficient to provide for such testing, as is legal, and necessary, other resources, may be
19 expended, as described in this statute.

20 4.) Such testing may have alternative financing, for testing, by one or more of several
21 mechanisms:

22 Voluntary contributions, and/or agreed-upon funding, transferred from one or more
23 individual persons, property owners, organizations, and/or others, may be accessed,
24 specifically
25 to meet the need for, and to conduct legally defined, and/or needed testings.

26 Reasonable required testing, shall be reimbursable by a Tax Donation Credit (TDC);

27 which shall be certifiable, in a document that states the nature of required testings, being

28 performed according to legal standards, and/or needed circumstance. This Credit, would
29 be
30 useable on legally filed tax returns, only by the individual, and/or organization, bearing
31 the cost
32 of needed testing, which would otherwise be performed, by public budget expenditure.

33 5.) Such testing, if advanced in schedule, by the means of this legislation, can be
34 authorized by
35 the appropriate jurisdictional authorities; if there is unreasonable delay, a person with
36 standing,
37 in relation to the particular site, may seek an appropriate court order, to obtain such
38 reasonable
39 testing, when it is in sufficient public interest.