

SENATE No. 2309

The Commonwealth of Massachusetts

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

SENATE, August 1, 2019.

The committee on Senate Ways and Means to whom was referred the Senate Bill to create a Merrimack River District Commission (Senate, No. 457), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title ([Amendment Bill Number (Verbose)]).

For the committee,
Michael J. Rodrigues

SENATE No. 2309

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

An Act to create a Merrimack River District Commission.

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

1 There shall be a Merrimack river district commission to review the state of health of the
2 Merrimack river and its tributaries in order to improve and restore water quality. The
3 commission’s review shall include, but shall not be limited to: (i) current wastewater discharges
4 from municipal and industrial sources; (ii) combined sewer overflow discharge standards; (iii)
5 discharge flow data collection and distribution; (iv) monitoring of water quality standards and
6 criteria; (v) a notification system for alerts to the public; (vi) optimal research technology; (vii)
7 cost and cost-sharing among communities, including grant and other funding opportunities; and
8 (viii) time frames for achieving the benchmark health goals.

9 The commission shall consist of the following members or a designee: the executive
10 director of the Merrimack Valley Planning Commission, who shall serve as chair; the
11 commissioner of environmental protection; the commissioner of public health; the commissioner
12 of energy resources; the director of the Massachusetts emergency management agency; the
13 commissioner of conservation and recreation; the Vice Chancellor for research and innovation
14 leadership at the University of Massachusetts at Lowell; 1 member appointed by the Merrimack

15 River Watershed Council; 1 member appointed by Groundwork Lawrence, Inc.; 1 member
16 appointed by the Lowell Parks and Conservation Trust, Inc.; 1 member appointed by Save The
17 Harbor, Save The Bay, Inc.; 1 member appointed by the Environmental League of
18 Massachusetts, Inc.; 1 member appointed by the Conservation Law Foundation, Inc.; 1 member
19 appointed by the Sierra Club; and 1 member appointed by the Massachusetts River Alliance.

20 The commission shall be advised by and consult with an advisory panel that shall consist
21 of: 1 appointee of each mayor and town manager in the municipalities along the Merrimack
22 river; 1 appointee of each operator or manager of a sewer or combined sewer overflow location
23 along the Merrimack river; and 1 appointee of each conservation commission along the
24 Merrimack river who administers and enforces section 40 of chapter 131 of the General Laws
25 and stormwater management standards.

26 Appointments to the commission and the advisory panel shall be made not later than 30
27 days after the effective date of this act.

28 The department of environmental protection may furnish reasonable staff and other
29 support for the work of the commission. Members shall not receive compensation for their
30 service, but may receive reimbursement for reasonable expenses incurred in carrying out their
31 responsibilities as members of the commission.

32 The commission may select and contract with independent consultants to assist with
33 leading and managing public hearings, collecting and analyzing data and information,
34 completing a final report and any other activity to achieve the goals of the commission.

35 The commission shall conduct a series of public hearings to receive testimony and collect
36 data. The hearings shall be held in geographic locations bordering the Merrimack river.

37 The commission shall make recommendations regarding appropriate measures to ensure
38 the present and future health of the Merrimack river and its tributaries by addressing pollution
39 and ensuring that the Merrimack river and its tributaries meet applicable standards for public use
40 and enjoyment. The recommendations shall include an implementation plan. The implementation
41 plan shall include, but not be limited to, a determination of the infrastructure, equipment,
42 communication systems, funding and programs necessary to establish a baseline health goal for
43 the Merrimack river to maximize its environmental, economic, recreational and aesthetic
44 potential.

45 Not later than January 1, 2021, the commission shall submit a written report of its
46 findings and recommendations, together with any proposed legislation, to the clerks of the senate
47 and the house of representatives. The first meeting of the commission shall be not later than
48 January 1, 2020.