

SENATE No. 460

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 improving municipal water infrastructure.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/31/2019</i>

SENATE No. 460

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 460) of James B. Eldridge and Denise Provost for legislation to improve municipal water infrastructure. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 423 OF 2017-2018.]

The Commonwealth of Massachusetts

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

An Act improving municipal water infrastructure.

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 3 of chapter 29C of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting after the word “trust”, in line 46, the following:-

3 ; (ix) to expend money in the Municipal Water Infrastructure Trust Fund pursuant to
4 section 19 of chapter 29C.

5 SECTION 2. Chapter 29C of the General Laws is hereby amended by inserting after
6 section 18 the following section:-

7 Section 19. Municipal Water Infrastructure Trust Fund

8 (a) There shall be a Municipal Water Infrastructure Trust Fund. The board shall be the
9 trustee of the fund and shall expend money in the fund for municipal or regional water

10 infrastructure projects. There shall be credited to the fund: (i) any gallon-based withdrawal
11 assessment collected pursuant to subsection (b); and (ii) any interest earned on money in the
12 fund. Amounts credited to the fund shall be expended by the board pursuant to subsection (b)
13 without further appropriation. Money remaining in the fund at the end of a fiscal year shall not
14 revert to the General Fund.

15 (b) Annually, not later than July 1, each municipality shall submit to the board the
16 number of gallons of water withdrawn from that municipality's water source in the previous
17 fiscal year and an assessment of \$0.70 per 1,000 gallons of water withdrawn. Not later than
18 September 30, the department shall post on the department's website the aggregate number of
19 gallons from the previous fiscal year withdrawn by ratepayers within each city or town.

20 (c) The board shall: (i) proportionately distribute $\frac{3}{4}$ of the amount received from the fund
21 to a city or town based on the number of gallons from the previous fiscal year that were
22 withdrawn within that city or town to pay for water infrastructure projects in the city or town; (ii)
23 distribute $\frac{1}{4}$ of the amount collected to the Massachusetts Clean Water Trust.

24 (d) Annually, a city or town receiving money from the Municipal Water Infrastructure
25 Trust Fund shall submit a report to the commissioner of the department not later than December
26 31 detailing the projects and the amount used or planned to be used for water infrastructure
27 projects as described in subsection (c). The department shall compile the reports and post the
28 projects and amounts of money used on the website of the department.

29 SECTION 3. The department of environmental protection shall promulgate regulations
30 ensuring the security of public water systems by requiring public water systems drawing water
31 from a well to completely enclose any wellhead that is part of the public water system.