SENATE DOCKET, NO. 158 FILED ON: 1/15/2021

SENATE . . . . . No. 527

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:	
James B. Eldridge	*Middlesex and Worcester*	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*3/19/2021*

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SENATE . . . . . No. 527

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 527) of James B. Eldridge and Joanne M. Comerford for legislation to improve municipal water infrastructure. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *460* OF 2019-2020.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

SECTION 1. Section 3 of chapter 29C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the word “trust”, in line 46, the following:-

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

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

Section 19. Municipal Water Infrastructure Trust Fund

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

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

(b) Annually, not later than July 1, each municipality shall submit to the board the number of gallons of water withdrawn from that municipality's water source in the previous fiscal year and an assessment of $0.70 per 1,000 gallons of water withdrawn.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30, the department shall post on the department's website the aggregate number of gallons from the previous fiscal year withdrawn by ratepayers within each city or town.

(c) The board shall: (i) proportionately distribute ¾ of the amount received from the fund to a city or town based on the number of gallons from the previous fiscal year that were withdrawn within that city or town to pay for water infrastructure projects in the city or town; (ii) distribute ¼ of the amount collected to the Massachusetts Clean Water Trust.

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

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