

**HOUSE . . . . . No. 897**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Aaron L. Saunders*

*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 the Quabbin watershed and regional equity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Aaron L. Saunders</i>	<i>7th Hampden</i>	<i>1/20/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/20/2023</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>1/23/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/23/2023</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/19/2023</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/27/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>4/28/2023</i>
<i>Shirley B. Arriaga</i>	<i>8th Hampden</i>	<i>10/2/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/9/2024</i>

**HOUSE . . . . . No. 897**

By Representative Saunders of Belchertown, a petition (accompanied by bill, House, No. 897) of Aaron L. Saunders and others relative to the Quabbin watershed and regional equity. Environment and Natural Resources.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act relative to the Quabbin watershed and regional equity.

*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 10 of the General Laws is hereby amended by inserting after  
2 section 35SSS the following section:-

3 Section 35TTT (a) There shall be established and set up on the books of the  
4 commonwealth a separate fund to be known as the Quabbin Host Community Development  
5 Trust Fund to be used, without further appropriation, by the secretary of energy and  
6 environmental affairs for the municipal service, public safety, and development needs of  
7 Quabbin Reservoir Watershed Communities, as defined by the department of conservation and  
8 recreation, including, but not limited to, lands authorized to be taken under chapter 321 of the  
9 acts of 1927 or any successor statute granting the taking of land for a similar purpose. Any  
10 balance in the fund at the end of the fiscal year shall not revert to the General Fund, but shall  
11 remain available for expenditure in subsequent fiscal years. No expenditure made from the fund  
12 shall cause the fund to become deficient at any point during a fiscal year. Annually, not later than

13 October 1, a report shall be filed with the clerks of the senate and house of representatives and  
14 the house and senate committees on ways and means that shall include expenditures made and  
15 income received by the fund.

16 (b) All funds assessed and collected under section 21 of chapter 92A½ shall be deposited  
17 into the Quabbin Host Community Development Trust Fund. No less than 90% of funds  
18 deposited into the fund shall be expended in each fiscal year. No less than 70 per cent of  
19 expenditures by the trust in each fiscal year shall be made to Quabbin Reservoir Watershed  
20 Communities for municipal operations and capital improvements, including debt service. No  
21 more than 25 per cent of expenditures by the trust in each fiscal year shall be made to non-profit  
22 organizations directly serving the health, welfare, safety, and transit needs of Quabbin Reservoir  
23 Watershed Communities as well as the Connecticut River Basin Communities and Chicopee  
24 River Basin Communities. No more than 5 per cent of expenditures by the trust in each fiscal  
25 year shall be to communities for funding projects pursuant to section 26 of chapter 165,  
26 including costs for the operations and management of conduits, pipes, and hydrants constructed  
27 under the section.

28 (c) The secretary, in consultation with the several Select Boards of the Quabbin Reservoir  
29 Watershed Communities, shall establish rules and regulations for the administration of the fund.

30 SECTION 2. The third paragraph of section 5G of chapter 59 of the General Laws is  
31 hereby amended by striking out the second and third sentences and inserting in place thereof the  
32 following sentences:- Said amounts to be held in trust as payments in lieu of taxes shall be made  
33 on the total acreage in question that is held by each community; provided however, that the sum  
34 of said payments shall not be less than \$50,000 annually, and shall be valued in accordance with

35 the provisions of sections 13 to 17, inclusive, of chapter 58. In no event shall any city or town  
36 receive an amount less than the payment received from the metropolitan district commission in  
37 the prior fiscal year.

38 SECTION 3. Chapter 92A<sup>1/2</sup> of the General Laws is hereby amended by adding the  
39 following section:-

40 Section 21. The department shall assess the Massachusetts Water Resources Authority an  
41 amount equal to 5/100th of a dollar per 1000 gallons drawn from the Quabbin Reservoir. The  
42 executive director of the authority shall certify the previous fiscal year's water usage to the  
43 commissioner of the department on or before August 15. The commissioner shall bill the  
44 treasurer of the authority on October 1 for said previous fiscal year's obligations. Within 30 days  
45 of receipt of the department bill, the treasurer of the authority shall remit the total billed amount  
46 to the department. The commissioner of the department shall forward to the treasurer of the  
47 commonwealth the revenues generated by the division which shall be credited to the Quabbin  
48 Host Community Development Trust Fund.

49 SECTION 4. Subsection (b) of section 3 of chapter 372 of the acts of 1984 is hereby  
50 amended by striking out the words "one member of the board of directors who is a resident of a  
51 Connecticut river basin community who represents water resources protection interests" and  
52 inserting in place thereof the following words:- 3 members of the board of directors who are  
53 residents of Connecticut river basin communities who represent land and water resources  
54 protection interests.

55 SECTION 5. The first sentence of subsection (d) of said section 3 of said chapter 372 is  
56 hereby amended by inserting after the word "reappointment" the following words:- ; provided,

57 however, that no member of the board of directors shall serve for more than 12 years, except the  
58 secretary of the executive office of environmental affairs, serving ex officio.

59 SECTION 6. Notwithstanding any general or special law to the contrary, no later than  
60 December 31, 2023 the Massachusetts Water Resources Authority shall complete a Water  
61 System Expansion Evaluation of the Westfield River Basin communities, Chicopee River Basin  
62 communities, Connecticut River Basin communities, and Millers River Basin communities in a  
63 manner consistent with the Evaluation of Ipswich River Basin completed by the Authority in  
64 October 2022; provided, however, that notwithstanding the provisions of Sections 8 through 8D,  
65 inclusive, of chapter 21 of the General Laws, the Water Resources Commission shall not approve  
66 any interbasin transfer of water from the Quabbin Reservoir until said evaluation has been  
67 completed. The evaluation shall be made available on the Massachusetts Water Resources  
68 Authority's website and a copy shall be filed with the clerks of the house and senate and the  
69 house and senate chairs of the committee on environment, natural resources, and agriculture.