SENATE DOCKET, NO. 1195 FILED ON: 1/15/2025

SENATE . . . . . No. 563

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Cronin

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 meeting the Commonwealth's water infrastructure future.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
John J. Cronin	*Worcester and Middlesex*	
Michael O. Moore	*Second Worcester*	*7/30/2025*

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SENATE . . . . . No. 563

By Mr. Cronin, a petition (accompanied by bill, Senate, No. 563) of John J. Cronin for legislation relative to meet the Commonwealth's water infrastructure future. Environment and Natural Resources.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to meeting the Commonwealth's water infrastructure future.

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. To provide for a capital outlay program to rehabilitate, produce and modernize state-aided water infrastructure throughout the Commonwealth, the sums set forth in sections 2, inclusive for the several purposes and subject to the conditions specified in this act, are hereby made available subject to the laws regulating the disbursement of public funds.

SECTION 2.

1231-1000. For the Commonwealth Sewer Rate Relief Fund established under Section 2Z of Chapter 29 of the General Laws…….....…...$78,500,000

1599-0093. For the Massachusetts Clean Water Trust established in section 2 of chapter 29C of the general laws; provided that the trust shall prioritize allocation of the funds to contract assistance for debt service obligations on loans pursuant to section 6(f) of chapter 29 of the general laws; provided further that the contract assistance shall prioritize municipalities and other water utilities wherein the affordability of water infrastructure is a barrier to infrastructure

13 improvement projects and for whom the receipt of 0% loans and other incentives, which the
14 contract assistance could help obtain, would help to overcome those barriers. Funds not
15 expended in a given year for debt service, shall be redirected to provide principal forgiveness to
16 bring down the debt on prior approved projects or to open solicitation to projects that applied for
17 funding but were not selected on the most recent Intended Use
18 Plan……...$138,000,000

19 1599-3032. For costs associated with expanding the capacity of the Massachusetts
20 Water Resources Authority to serve new cities and towns identified in expansion feasibility
21 studies conducted by the authority provided, that the authority shall prioritize expansion
22 opportunities with a focus on increasing housing capacity in the commonwealth and improving
23 drinking water quality for cities and towns with water supplies contaminated by per- and
24 polyfluoroalkyl substances; and provided further, that annually, not later than March 14, the
25 authority shall submit a report to the secretary of the executive office for administration and
26 finance, the secretary of the executive office of housing and livable communities, the house and
27 senate committees on ways and means and the joint committee on housing that shall include: (i)
28 the amount of funds allocated in the current fiscal year's capital improvement program for the
29 purposes contained in this item; (ii) a summary of the authority's outreach efforts, including the
30 cities and towns that are interested in joining the authority's service area; (iii) the timeline and
31 implementation process of proposed expansions; and (iv) barriers to proposed
32 expansions…….. $2,000,000,000

33 7004-0083. For the HousingWorks infrastructure program established by section 27½
34 of chapter 23B of the General Laws; provided, that not less than $100,000,000 shall be expended
35 as grants to cities and towns for sewer, septic and water infrastructure upgrades that advance

36 projects that support housing development, preservation or rehabilitation; provided further, that
37 not less than $50,000,000 shall be expended as grants to cities and towns that (i) are compliant
38 with the multi-family zoning requirement under section 3A of chapter 40A of the General Laws;
39 and (ii) have demonstrated continued effort to advance housing production beyond the minimum
40 multi-family zoning requirement in said section 3A of said chapter 40A, as determined by the
41 secretary of housing and livable communities; provided further, that not less than $50,000,0000
42 shall be expended as grants to cities and towns that have: (a) accepted sections 3 to 7, inclusive,
43 of chapter 44B of the General Laws; and (b) expended an amount of not less than 10 per cent of
44 revenues available to the city or town under said sections 3 to 7, inclusive, of said chapter 44B
45 on community housing; and provided further, that the executive office of housing and livable
46 communities shall prioritize the awarding of said grants to cities and towns with higher
47 percentages of total revenues available to the city or town under said sections 3 to 7, inclusive, of
48 said chapter 44B expended on community housing……..$375,000,000

49 XXXX-XXXX. For the 1:1 matching program established by section 31A of
50 chapter 21 of the general laws; provided the department of environmental protection shall
51 prioritize the applications of communities are seeking admission to or additional water supply
52 from a regional water authority because their local sources are impacted by water quality issues,
53 their water supply is located in a stressed basin, or local economic development is significantly
54 constrained by their existing water supply…….$10,000,000

55 XXXX-XXXX. For the Regional Water Entity Reimbursement Fund established by
56 section 2NNNN of chapter 29 of the general laws; provided the Massachusetts Water Resource
57 Authority shall prioritize the rehabilitation of collection systems……..….$13,800,000

58 XXXX-XXXX. For costs associated with the improvement of the Commonwealth's
59 water infrastructure on all levels pursuant to the 2012 Water Infrastructure Finance Committee
60 report; provided that the funds be made available annually for the dedicated purpose of
61 improving water infrastructure; provided further that the funds will be prioritized for the
62 replacement and upgrade of existing water infrastructure and be issued in the form of grants by
63 the Massachusetts Department of Environmental Protection…….$200,000,000

64 XXXX-XXXX. For research and data gathering on biosolids pursuant to item
65 2200-7022 of chapter 209 of the acts of 2018; provided that the funds be used, in their entirety,
66 for funding the Biohub project's research into biosolids, per- and polyfluoroalkyl substances
67 (PFAS) binding to and transportation via biosolids, safe biosolid applications, and avoiding
68 landfilling; provided further that the Biohub project continue to pursue answers to the research
69 topics addressed in this item ……...$200,000

70 XXXX-XXXX. For creation of a grant program to be administered by the
71 Department of Environmental Protection to provide grants to Publicly Owned Treatment Works
72 and municipal and district sewer collections systems for adaptation planning to protect
73 wastewater infrastructure from storm and flood damage as required by NPDES permits issued by
74 the Environmental Protection Agency and Massachusetts Department of Environmental
75 Protection. ……...……...$10,000,000

76 SECTION 3. Notwithstanding any general or special law to the contrary, there is hereby
77 established an Interbasin Transfer Review Commission, which shall analyze and make
78 recommendations relative to Mass. Gen. Laws Ch. 21, §§8B-8D, and whether the act should be
79 updated to support the development of housing through increased access to water resources.

80 The Interbasin Transfer Review Commission shall evaluate current processes, practices
81 and standards for regulating interbasin transfers. In conducting this review, the Interbasin
82 Transfer Review Commission shall: (1) assess whether Mass. Gen. Laws Ch. 21, §§8B-8D
83 continues to effectively govern the transfer of water or wastewater outside of its river basin of
84 origin; (2) determine whether amending the current law can be done so in a manner that supports
85 increased housing production while maintaining environmental protections; (3) identify and
86 recommend potential actions for easing any existing administrative burdens or permitting
87 processes to facilitate the sharing of water resources for communities in need; (4) consider
88 whether any changes to its governing law are necessary or recommended to better assist
89 municipalities with the remediation of per- and polyfluoroalkyl substances (PFAS); and (5)
90 consider and make recommendations concerning any other matter deemed relevant by the
91 Interbasin Transfer Review Commission in its review of the current law.

92 Interbasin Transfer Review Commission shall consist of the following members: the
93 Secretary of the Executive Office of Energy and Environmental Affairs or their designee; the
94 Commissioner of the Division of Conservation and Recreation or their designee; Commissioner
95 of the Department of Environmental Protection or their designee; the Secretary of the Executive
96 Office of Housing and Livable Communities or their designee; and a representative from each of
97 the following organizations: American Council of Engineering Companies of Massachusetts; the
98 Massachusetts Municipal Association; the Massachusetts Water Resources Authority; the
99 Massachusetts Water Resources Authority Advisory Board; the Massachusetts Water Resources
100 Authority Water Supply Citizen's Advisory Committee; the Massachusetts Rivers Alliance,
101 Massachusetts Water Environment Association; Massachusetts Coalition for Water Resources
102 Stewardship; Massachusetts Water Works Association; the National Association of Industrial

103 and Office Parks Massachusetts; Massachusetts Water Resources Authority Wastewater
104 Advisory Committee and two additional regional water or wastewater utilities.

105 The Interbasin Transfer Review Commission shall be chaired by the Secretary of the
106 Executive Office of Environmental Affairs or her designee. The chairperson, or their designee,
107 shall be responsible for organizing each meeting, notifying the members, formulating the agenda,
108 providing a copy of the minutes following the meeting and such other duties as may be required.
109 The Interbasin Transfer Review Commission shall only make recommendations or take actions
110 by a majority vote of all members present and voting.

111 The Interbasin Transfer Review Commission shall issue a report with recommendations
112 on or before December 31, 2025 and file the same with the respective House and Senate Clerks
113 as well as the respective Chairs of the Joint Committee on Housing and the Joint Committee on
114 the Environment and Natural Resources.

115 SECTION 4. Section 25 of chapter 21A of the General Laws, as appearing in section 14
116 of chapter 259 of the acts of 2014, is hereby amended by striking out the entirety of the first
117 paragraph and inserting in place thereof:-

118 (a) There shall be a water infrastructure advisory committee to discuss, monitor, and
119 evaluate measures to address: (i) the progress of closing the gap in funding for water, wastewater
120 and stormwater infrastructure; (ii) new sources of funding to be used for closing the gap in
121 funding for water, wastewater and stormwater infrastructure; (iii) costs associated with
122 remediation of per- and polyfluoroalkyl substances (PFAS) in drinking water; (iv) costs
123 associated with removal of lead service lines; (v) costs associated with elimination of combined
124 sewer overflows; (vi) costs associated with reduction of nutrients in effluent discharges,

125 biosolids management, and stormwater management as required by EPA permits and
126 Commonwealth stormwater standards. The advisory committee shall meet at a minimum
127 quarterly or more frequently at the call of the secretary of energy and environmental affairs or
128 their designee, or upon the written request of any two members."

129 SECTION 5. Section 25 of said chapter 21A, as so appearing, is hereby further amended
130 by inserting after the third paragraph:-

131 (d) The advisory committee shall reevaluate and report on the current funding gap, as
132 well as emerging funding needs, for water, wastewater, and stormwater infrastructure at least
133 once every five years.

134 SECTION 6. Chapter 21A of the General Laws, as appearing in the 2022 Official
135 Edition, is hereby amended by inserting, after section 28, the following new sections:-

136 Section 29. (a) There shall be a water infrastructure efficiency task force to examine
137 regulatory hurdles to communities implementing water infrastructure improvement projects and
138 water resource management plans, as well as costs and feasibility for compliance with existing
139 and future regulatory mandates under the Safe Drinking Water Act and the Clean Water Act.

140 (b) The task force shall consist of: 1 representative from the Executive Office of Energy
141 and Environmental Affairs, 1 representative from the Executive Office of Economic
142 Development, 1 representative from the Division of Local Services, and a representative from
143 each of the following organizations: American Council of Engineering Companies of
144 Massachusetts; the Massachusetts Municipal Association; the Massachusetts Water Resources
145 Authority; the Massachusetts Water Resources Authority Advisory Board; the Massachusetts
146 Water Environment Association; Massachusetts Coalition for Water Resources Stewardship; the

147 Massachusetts Water Works Association; and two additional regional water or wastewater
148 utilities.

149 (c) The task force shall analyze the process and associated requirements around issuing
150 impact statements under section 5 and 5A of Chapter 30A of the General Laws, to ensure that
151 they are comprehensively prepared and include an analysis, not only of the costs, but also the
152 benefits weighed against the costs, associated with any rule, regulation, so-called guidance
153 document, or policy which results in the imposition of additional cost to a city or town, Public
154 Water System or Publicly Owned Treatment Works. At the conclusion of its analysis, the task
155 force shall issue a report of its findings, along with any recommendations to ensure the proper
156 cost/benefit analysis is performed, to the Clerk of the House and the Senate and the Joint
157 Committee on State Administration and the Joint Committee on Municipalities and Regional
158 Government.

159 SECTION 7. Chapter 74 of the General Laws, as appearing in the 2022 Official Edition,
160 is hereby amended by inserting, after section 58, the following new section:-

161 Section 59. (a) The board of higher education shall establish and maintain, in
162 cooperation with school districts and vocational school authorities, postsecondary technical
163 schools, and the boards of trustees of community colleges, a grant program, subject to
164 appropriate, to support training and education programs that address the workforce shortages
165 necessary to address the Commonwealth's water infrastructure need; provided that, applicable
166 workforce personnel shall be defined as personnel related to the construction, engineering and
167 operating of water infrastructure and its attendant systems. The grant program shall be
168 established with the goals of training students, creating new jobs, retraining and upgrading

169 existing jobs, and retraining existing workers to implement new technologies and to help meet
170 the workforce needs for meeting the Commonwealth's water infrastructure needs.

171 (b) The grant program shall be developed to address the following components:

172 (i) identify, support or establish collaborative regional partnerships including, but not
173 limited to, employers, workforce development and education organizations, regional economic
174 development organizations established pursuant to sections 3J and 3K of chapter 23A, and
175 economic development officials where a demand for water infrastructure related workforce
176 personnel exists;

177 (ii) address critical workforce shortages in the water infrastructure related workforce;

178 (iii) improve and increase employment opportunities for the water infrastructure
179 related workforce for low-income individuals, women, minorities, and veterans;

180 (vi) boost industry-relevant instructor capacity for high school and postsecondary
181 programs; and

182 (vii) direct support for succession planning, worker retention, and upskilling
183 strategies for older and incumbent workers.

184 (c) Entities eligible to apply to participate in the grant program shall include but not be
185 limited to (i) employers and employer associations; (ii) local workforce investment boards; (iii)
186 institutions of higher education; (iv) public comprehensive high schools and vocational technical
187 high schools; (v) private for-profit and nonprofit organizations providing education and
188 workforce training; (vi) 1-stop career centers; (vii) local workforce development entities; (viii)
189 union training programs; and (viii) any partnership or collaboration among such eligible

190 applicants. Any funds allocated through the grant program shall complement and not replace
191 existing local, state, private or federal funding for training and educational programs.

192 (d) A grant proposal submitted pursuant to this section shall include but not be limited
193 to:

194 (i) a plan that defines specific goals for increasing the number of water infrastructure
195 related workforce personnel;

196 (ii) the evidence-based program or programs the applicant shall use to meet the goals;

197 (iii) a budget necessary to implement the plan, including a detailed description of any
198 funding or in-kind contributions that an applicant will be providing in support of the proposal;

199 (iv) any private funding or private sector participation that the applicant anticipates in
200 support of the proposal; and

201 (v) the proposed number of individuals who would be enrolled, complete training and
202 be placed into employment within the trucking or related industries.

203 (e) The department of higher education shall, in consultation with the executive office
204 of housing and economic development, executive office of labor and workforce development,
205 department of elementary and secondary education, and entities representing parties who are
206 eligible to participate in the grant program, develop guidelines for an annual review of the
207 progress being made by each grantee. A grantee shall participate in any evaluation or
208 accountability process implemented by or authorized by department of higher education.

209 (f) The department of higher education shall file an annual report with the chairs of the
210 house and senate committee on ways and means, the chairs of the joint committee on labor and

211 workforce development, and the chairs of the joint committee on economic development and
212 emerging technologies not later than January 1; provided, however, that the report shall include
213 an overview of the activities of the programs, the number of participants in the programs, and the
214 employment outcomes in the programs.

215 SECTION 8. Notwithstanding any general or special law to the contrary, the ranking
216 process utilized by the Massachusetts Department of Environmental Protection to allocate
217 financial assistance for water infrastructure projects under 31 CMR 44.00 shall be evaluated to
218 ensure that essential repairs and upgrades are not being disadvantaged and are receiving the
219 financial assistance they require. In its evaluation of the program, the Agency shall hold at least
220 two stakeholder meetings with representatives from the American Council of Engineering
221 Companies of Massachusetts; the Massachusetts Municipal Association; the Massachusetts
222 Water Resources Authority; the Massachusetts Water Resources Authority Advisory Board; the
223 Massachusetts Water Environment Association; the Massachusetts Coalition for Water
224 Resources Stewardship; and the Massachusetts Water Works Association; to present its
225 evaluation and receive feedback on any changes needed 31 CMR 44.00 and/or the State
226 Revolving Fund Loan program project ranking and scoring criteria.

227 SECTION 9. Notwithstanding any general or special law to the contrary, unoccupied
228 water, wastewater, and transportation-related structures (Pumping, Equipment, Sub-Stations, and
229 Similar Facilities) shall be exempt from 248 CMR 10.10(15)(c)(19).