

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mr. Petruccelli

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 passage of the accompanying bill:

An Act establishing a lead service replacement program.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Mr. Petruccelli

First Suffolk and Middlesex

Joyce A. Spiliotis

12th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT ESTABLISHING A LEAD SERVICE REPLACEMENT PROGRAM.

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. Notwithstanding any general or special law to the contrary, the Department of
2 Environmental Protection is hereby directed to establish a Lead Service Replacement Program to
3 assist homeowners, homeowner associations or condominium associations with the replacement
4 of lead service lines.

5

6 SECTION 2. The Department shall make loans available to qualifying municipalities at an
7 interest rate of 0%. Municipalities may use these funds to replace the public portion (water main
8 to the gate valve) of lead service lines as well as to provide low-interest Betterment Loans on the
9 basis of a sliding scale that relates a homeowner's income and assets to the cost of replacing lead
10 services.

11

12 SECTION 3. Chapter 62, Section 6, is hereby amended by adding the following subsection, "(1)
13 Any owner of residential property located in the commonwealth who is not a dependent of

14 another taxpayer and who occupies said property as his principal residence, shall be allowed a
15 credit equal to 40 per cent of the expenditures for the replacement of lead. Said expenditures
16 shall be the actual cost to the taxpayer or \$5,000, whichever is less; provided, however, that said
17 credit shall be available to eligible taxpayers beginning in the tax year in which the repair or
18 replacement of said lead service line was completed; and provided, further, that said credit shall
19 not exceed \$1,500 in any tax year and any excess credit may be applied over the following five
20 subsequent tax years up to an aggregate maximum of \$5,000. The amount of any such credit
21 shall be reduced by an amount equal to the total interest subsidy or grant received from the
22 commonwealth, whether directly or indirectly, toward the cost of said expenditures. The
23 department shall promulgate such rules and regulations as are necessary to administer the credit
24 afforded by this subsection, including, but not limited to, a notification system by the
25 commonwealth to recipients of said interest subsidy or grant of the amount of the total subsidy
26 provided by the commonwealth.”

27

28 SECTION 4. The Department of Revenue shall consult with the Department of Environmental
29 Protection in developing rules, regulations and guidelines for said Program and related tax credit.

30