

SENATE No. 546

The Commonwealth of Massachusetts

PRESENTED BY:

Joanne M. Comerford

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:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>2/10/2025</i>
<i>Peter J. Durant</i>	<i>Worcester and Hampshire</i>	<i>2/25/2025</i>

SENATE No. 546

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 546) of Joanne M. Comerford, Jacob R. Oliveira and Peter J. Durant for legislation to establish the Quabbin Host Community Trust Fund. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2812 OF 2023-2024.]

The Commonwealth of Massachusetts

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

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 Trust Fund to be
5 used, without further appropriation, by the secretary of energy and environmental affairs for the
6 municipal service, public safety, and development needs of Quabbin Reservoir watershed
7 communities, as defined by the department of conservation and recreation, including, but not
8 limited to, lands authorized to be taken under chapter 321 of the acts of 1927 or any successor
9 statute granting the taking of land for a similar purpose. All funds assessed and collected under
10 section 21 of chapter 92A½ shall be deposited into the fund. Any balance in the fund at the end

11 of the fiscal year shall not revert to the general fund but shall remain available for expenditure in
12 subsequent fiscal years. No expenditure made from the fund shall cause the fund to become
13 deficient at any point during a fiscal year. Annually, not later than October 1, the secretary shall
14 file with the clerks of the senate and house of representatives and the house and senate
15 committees on ways and means a report of the fund's activities, including but not limited to
16 expenditures made and income received by the fund.

17 (b) Annually the Massachusetts Water Resources Authority shall deposit \$35,000,000
18 into the Quabbin Host Community Development Trust Fund, indexed to inflation. No less than
19 90% of funds deposited into the fund shall be expended in each fiscal year. No less than 70 per
20 cent of expenditures by the trust in each fiscal year shall be made to Quabbin Reservoir
21 watershed communities for municipal operations and capital improvements, including debt
22 service. No more than 25 per cent of expenditures by the trust in each fiscal year shall be made to
23 non-profit and cultural organizations directly serving the health, welfare, safety, and transit needs
24 of Quabbin Reservoir watershed communities as well as the Connecticut River Basin
25 communities and Chicopee River Basin communities. No more than 5 per cent of expenditures
26 by the trust in each fiscal year shall be to Quabbin Reservoir watershed communities for funding
27 projects pursuant to section 26 of chapter 165, including costs for the operations and
28 management of conduits, pipes, and hydrants constructed under the section.

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

31 SECTION 2. The third paragraph of section 5G of chapter 59 of the General Laws is
32 hereby amended by striking out the second and third sentences and inserting in place thereof the

33 following sentences:- Said amounts to be held in trust as payments in lieu of taxes shall be made
34 on the total acreage in question that is held by each community; provided however, that the sum
35 of said payments shall not be less than \$50,000 annually, and shall be valued in accordance with
36 the provisions of sections 13 to 17, inclusive, of chapter 58. In no event shall any city or town
37 receive an amount less than the payment received from the metropolitan district commission in
38 the prior fiscal year.

39 SECTION 3. Subsection (b) of section 3 of chapter 372 of the acts of 1984 is hereby
40 amended by striking out the words “one member of the board of directors who is a resident of a
41 Connecticut river basin community who represents water resources protection interests” and
42 inserting in place thereof the following words:- three members of the board of directors, one of
43 whom is a resident of a Quabbin Reservoir watershed community, as defined pursuant to section
44 35TTT of chapter 10 of the General Laws, in Franklin county, one of whom is a resident of a
45 Quabbin Reservoir watershed community in Hampshire county and one of whom is a resident of
46 a Quabbin Reservoir watershed community in Worcester county, each of whom shall represent
47 land and water resources protection and host community interests.

48 SECTION 4. Said subsection (b) of section 3 of chapter 372 of the acts of 1984 is hereby
49 further amended by striking out the words “a Connecticut river basin community shall include
50 any city or town in the commonwealth lying in whole or in part in the drainage area of the
51 Connecticut river or its tributaries” and inserting in place thereof the following words:- a
52 Quabbin reservoir watershed community as defined pursuant to section 35TTT of chapter 10 of
53 the General Laws.

54 SECTION 5. The first sentence of subsection (d) of said section 3 of said chapter 372 is
55 hereby amended by inserting after the word “reappointment” the following words:- ; provided,
56 however, that no member of the board of directors shall serve for more than 12 years, except the
57 secretary of the executive office of environmental affairs, serving ex officio.

58 SECTION 6. Notwithstanding any general or special law to the contrary, no later than
59 December 31, 2026 the Massachusetts Water Resources Authority shall complete a Water
60 System Expansion Evaluation of the Westfield River Basin communities, Chicopee River Basin
61 communities, Connecticut River Basin communities, and Millers River Basin communities in a
62 manner consistent with the Evaluation of Ipswich River Basin completed by the Authority in
63 October 2022; provided, however, that notwithstanding the provisions of Sections 8 through 8D,
64 inclusive, of chapter 21 of the General Laws, the Water Resources Commission shall not approve
65 any interbasin transfer of water from the Quabbin Reservoir until said evaluation has been
66 completed. The evaluation shall be made available on the Massachusetts Water Resources
67 Authority's website and a copy shall be filed with the clerks of the house and senate and the
68 house and senate chairs of the committee on environment and natural resources.

69 SECTION 7. Section 1 of this act shall take effect on January 1, 2026.