HOUSE DOCKET, NO. 912 FILED ON: 1/15/2013

HOUSE . . . . . No. 1944

The Commonwealth of Massachusetts

PRESENTED BY:

Lori A. Ehrlich

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:

An Act relative to the public health effects of hazardous air pollutants .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Lori A. Ehrlich	*8th Essex*
Ruth B. Balser	*12th Middlesex*
Tom Sannicandro	*7th Middlesex*
Denise Andrews	*2nd Franklin*
Denise Provost	*27th Middlesex*
Cory Atkins	*14th Middlesex*
Paul R. Heroux	*2nd Bristol*

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HOUSE . . . . . No. 1944

By Ms. Ehrlich of Marblehead, a petition (accompanied by bill, House, No. 1944) of Lori A. Ehrlich and others relative to air pollutants. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2343* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to the public health effects of hazardous air pollutants .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 111 of the general laws, as appearing in the 2008 official edition, is hereby amended by inserting after section 142O the following section:-

Section 142P. (a) There shall be a Pollution Public Health Effects Mitigation Trust Fund to support research and education regarding the health impacts of pollution on citizens of the commonwealth. The fund shall be administered by the commissioner. Expenditures from the fund shall be only for the purposes set forth in subsection (d).

(b) Revenues credited to the fund shall be from the following sources:

(1) funds appropriated by the general court;

(2) funds received from federal, state or other sources for the purpose of evaluating the health impacts of pollution;

(3) costs recovered or otherwise received from parties responsible for violating the terms of any valid air emissions permit;

(4) fees imposed pursuant to subsection (c); and

(5) interest earned on any monies in the fund.

15 (c) (1) A pollution mitigation fee shall be established in an amount not less than 20 cents
16 for each pound of any air pollutant emitted by any major source as defined in 42 U.S.C. section
17 7412(a). The fee shall be remitted to the department of revenue on the last day of each month
18 based on the amount of air pollutants emitted during the preceding month.

19 (2) An owner of a major source of any air pollutant shall be liable for the fee until it has
20 been paid to the commonwealth.

21 (3) All fees collected pursuant to this section shall be deposited in the fund and shall be
22 disbursed for the purposes set forth in subsection (d). The state treasurer shall not deposit or
23 transfer revenues generated pursuant to subsection (b) to the General Fund or any other fund
24 other than the Pollution Public Health Effects Mitigation Trust Fund.

25 (4) The commissioner shall set the amount of the pollution public health mitigation fee,
26 which shall be not less than 20 cents for each pound of any air pollutant emitted by each major
27 source.

28 (d) The commissioner shall use money from the fund:

29 (1) to provide funds for the study of the public health impacts from air pollutants,
30 including but not limited to acute local impacts such as asthma, upper respiratory conditions or
31 premature death; such research or studies may be conducted by the department or by a qualified
32 independent medical or public health expert, organization or educational institution;

33 (2) to educate the public in the vicinity of any existing or proposed major source of any
34 air pollutant regarding the actual or potential health impacts associated with air pollutants
35 emitted by such major source;

36 (3) to provide funds for research regarding methods or technologies for mitigating health
37 impacts associated with the emission of air pollutants; and

38 (4) reasonable administrative and personnel expenses related to the administration of the
39 fund and enforcement of this section.

40 (e) The commissioner shall administer the fund in accordance with this section. The
41 commissioner shall develop procedures governing the expenditure of, and accounting for money
42 expended from, the fund and shall also maintain accounting records showing the income and
43 expenses of the fund. The commissioner shall ensure that there are adequate moneys available in
44 the fund to carry out this section.