SENATE DOCKET, NO. 1465 FILED ON: 1/21/2011

SENATE . . . . . No. 152

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 establishing the office of clean technology and the clean technology commission.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James B. Eldridge	
Frank I. Smizik	*15th Norfolk*

SENATE DOCKET, NO. 1465 FILED ON: 1/21/2011

SENATE . . . . . No. 152

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 152) of James B. Eldridge and Frank I. Smizik for legislation to establish the office of clean technology and the clean technology commission. Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act establishing the office of clean technology and the clean technology commission.

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. Short Title; Purpose.

Sections 1 to 4, inclusive, shall be known, and may be cited, as "The Massachusetts Clean Tech Act." It is the purpose of this Act to create the office of clean technology under the Executive Office of Housing and Economic Development, and to create the commission on clean technology with the goal of achieving a 25 per cent increase from 2010 levels in clean technology sector jobs, businesses and research in the Commonwealth by 2020.

SECTION 2: The following sections shall be inserted following section 44 of Chapter 23A:-

Section 45A. Definitions applicable to Secs. 45B to 45F

As used in sections sixty four to sixty five, inclusive, the following words shall, unless the context requires otherwise, have the following meanings:

12 “Blueprint”, the Clean Tech Blueprint created by the Commission of Clean Technology.

13 “Clean technology or Clean tech”, products, services, and production processes that
14 reduce or eliminate environmental and health impacts throughout a product’s lifecycle while
15 maintaining the same or better levels of quality.

16 “Office”, the office of clean technology.

17 “Commission”, the Commission on Clean Technology established under section 64

18 “Priority Clean Technology Sectors”, clean energy; green buildings; materials reuse;
19 emerging bio-based and nano- materials; green chemistry and safer alternatives.

20 Section 45B. Office of Clean Technology; establishment; executive director.

21 There shall be within the department of economic development an office of clean
22 technology, hereinafter referred to as OCT, which shall be under the supervision and control of
23 an executive director. The powers and duties given to the executive director of OCT shall be
24 exercised and discharged subject to the direction, control and supervision of the director of
25 economic development.

26 The OCT executive director shall be appointed by the director of economic development,
27 with the approval of the governor, and may, with like approval be removed. The position of OCT
28 executive director shall be classified in accordance with section forty-five of chapter thirty and
29 the OCT executive director shall devote his full time during business hours to the duties of the
30 OCT and shall give to the state treasurer a bond for the faithful performance of his duties.

31 The executive director of OCT shall be the executive and administrative head of OCT
32 and shall be responsible for administering and enforcing the provisions of law relative to OCT

33 and to each administrative unit thereof. Powers and duties given to any administrative unit of
34 OCT by any general or special law shall be exercised subject to the direction, control and
35 supervision of the executive director of OCT.

36 Section 45C. Function of office

37 The office of clean technology shall be the principal agency of the government for
38 increasing the competitiveness of Massachusetts' clean technologies businesses by identifying
39 and encouraging efforts to expand the commonwealth's clean technological resources and by
40 promoting transfer of and access to new and emerging clean technologies for all sectors of the
41 Massachusetts economy.

42 The office of clean technology shall establish a Clean Tech Initiative that positions the
43 Commonwealth as a leader in clean technology, including Priority Clean Technology Sectors. To
44 further the Clean Tech Initiative, the office of clean technology shall adopt, implement and
45 coordinate the Green Innovation Index and Clean Tech Blueprint, created by the commission
46 pursuant to section 64 et seq. of chapter 23A, to increase clean tech sector jobs, clean tech sector
47 businesses, and clean tech research and development by twenty-five (25) per cent above 2010
48 levels by January 1, 2020. The office of clean technology, in consultation with the
49 Massachusetts Technology Collaborative, shall establish a baseline of clean tech jobs, clean tech
50 sector businesses, and clean tech research and development for the calendar year 2010.

51 Section 45D. Employees; consultants

52 The executive director of OCT may, subject to appropriation and with the approval of the
53 director of economic development, appoint and may, with like approval, remove all such
54 employees as may be necessary to carry out the work of OCT. Unless otherwise provided by

55 laws, all such appointments and removals shall be made in accordance with chapter thirty-one.
56 From time to time the executive director may, subject to appropriation and the laws and
57 regulations pertaining to the employment of consultants, employ such consultants as he may
58 deem necessary.

59 Section 45E. Gifts or grants; acceptance

60 OCT may accept gifts or grants of money or property from any source, which shall be
61 held in trust for the use of OCT by the director of economic development as custodian.

62 Section 45F. Annual report

63 The executive director of OCT shall prepare and submit an annual report pursuant to
64 section thirty-two of chapter thirty.

65 SECTION 3: The following sections shall be inserted following section 62 of Chapter
66 23A:-

67 Section 63. Definitions applicable to Secs. 64 to 65

68 As used in sections sixty four to sixty five, inclusive, the following words shall, unless
69 the context requires otherwise, have the following meanings:

70 "Blueprint", the Clean Tech Blueprint created by the Commission of Clean Technology.

71 "Clean technology or Clean tech", products, services, and production processes that
72 reduce or eliminate environmental and health impacts throughout a product's lifecycle while
73 maintaining the same or better levels of quality.

74 "Office", the office of clean technology established under section 45B.

75 “Commission”, the Commission on Clean Technology

76 “Priority Clean Technology Sectors”, clean energy; green buildings; materials reuse;
77 emerging bio-based and nano- materials; green chemistry and safer alternatives.

78 Section 64. Commission on Clean Technology

79 The secretary of housing and economic development, in consultation with the secretary
80 of energy and environmental affairs shall establish a commission on clean technology to advise
81 the office of clean technology established under this chapter, which shall consist the secretary of
82 housing and economic development or his designee, who will serve as a co-chair, the secretary
83 of energy and environmental affairs or his designee, who shall serve as a co-chair, a
84 representative from Massachusetts Technology Collaborative, a representative of the Office of
85 Technical Assistance a representative of the Toxics Use Reduction Institute, a representative
86 from the Massachusetts clean energy technology center, and eleven (11) members appointed by
87 the Governor with an interest and knowledge in matters related to the general purpose of the
88 commission appointed by the governor, including at least one representative from: the University
89 of Massachusetts, the finance community, statewide business assistance organizations, labor
90 organizations, workforce development organizations, public health organizations, manufacturing
91 assistance, and environmental advocacy organizations. Commission members shall serve two
92 (2) year terms and may be reappointed for multiple terms.

93 Section 65. Responsibilities of the Commission on Clean Technology.

94 (a) Develop, revise and create an implementation plan in the form of the Clean
95 Technology Blueprint, that shall guide the Clean Tech Initiative for the office of clean
96 technology;

97 (1) The Blueprint shall be created within one (1) year of the enactment of this
98 Act;

99 (2) The Blueprint shall be created in consultation with the Massachusetts
100 Technology Collaborative, the Office of Technical Assistance and the Toxics Use Reduction
101 Institute;

102 (3) The Blueprint shall develop a five (5) year implementation plan for the Clean
103 Tech Initiative with clear timelines and deliverables. The implementation plan shall:

104 (i) Establish a vision and goals for the Initiative consistent with the
105 intention of this Act;

106 (ii) Establish metrics to measure accomplished goals;

107 (iii) Create a brand or identity that encompasses and promotes all of the
108 Commonwealth's clean tech activities;

109 (iv) Identifying options to operate the Initiative at the state and regional
110 levels;

111 (v) Identify policies, programs, and approaches to support and expand the
112 Priority Clean Technology Sectors, through:

113 (A) Research;

114 (B) Regulation, guidance, and enforcement;

115 (C) Financial incentives;

116 (D) Technology adoption and technical support;

117 (E) Collaboration and cross-fertilization within and among sectors
118 and technologies;

119 (F) Education; and

120 (G) Workforce development.

121 (vi) Identify information gaps that must be addressed to advance clean
122 tech in the Commonwealth;

123 (vii) Evaluate existing programs and policies at the state, local and
124 business levels in clean tech.

125 (4) The Blueprint shall be provided to the chairs of the State's Joint Committee on
126 Economic Development and Emerging Technologies, and Joint Committee on the Environment,
127 Natural Resources and Agriculture.

128 (5)The Blueprint shall be reported each year by the office on clean technology.

129 (b) Prepare a Green Innovation Index of the Massachusetts Green Economy which shall
130 determine and measure indicators needed to meet the goals of the office of clean technology and
131 provide it to the office of clean technology;

132 (1) The Green Innovation Index shall be created within eighteen (18) months of
133 the enactment of this Act and shall be updated every two (2) years.

134 (c) Provide technical advice to the office on clean technology

135 SECTION 4: The following institutions shall provide guidance to the Office of Clean
136 Technology:

137 (a) The Office of Technical Assistance within the Office of Energy and Environmental
138 Affairs shall provide technical assistance to new and existing clean tech firms. In providing such
139 assistance, the Office of Technical Assistance shall conduct workshops and provide publications
140 and manuals relevant to clean tech industries;

141 (b) The Toxics Use Reduction Institute at the University of Massachusetts Lowell shall
142 provide research, trainings and other technical services to new and existing clean tech offices,
143 firms and commissions. In providing such services, the Institute shall organize conferences,
144 conduct trainings, arrange curricula and sponsor research projects within the University of
145 Massachusetts system;

146 (c) The Massachusetts Technology Collaboration may provide research or technical
147 development grants to assist clean tech industry development. In making its grants, the
148 Massachusetts Technology Collaborative shall consider as one of its decision criteria, economic
149 effects on the development of clean tech industries.