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:

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

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

"Office", the office of clean technology.

"Commission", the Commission on Clean Technology established under section 64

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

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

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

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

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

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

Section 45C. Function of office

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

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

Section 45D. Employees; consultants

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

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

Section 45E. Gifts or grants; acceptance

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

Section 45F. Annual report

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

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

Section 63. Definitions applicable to Secs. 64 to 65

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

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

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

“Office”, the office of clean technology established under section 45B.

"Commission", the Commission on Clean Technology

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

Section 64. Commission on Clean Technology

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

Section 65. Responsibilities of the Commission on Clean Technology.

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

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

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

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

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

(ii) Establish metrics to measure accomplished goals;

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

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

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

(A) Research;

(B) Regulation, guidance, and enforcement;

(C) Financial incentives;

(D) Technology adoption and technical support;

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

(F) Education; and

(G) Workforce development.

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

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

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

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

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

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

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

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

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

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

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