

HOUSE No. 3846

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

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 GreenWorks.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>5/28/2019</i>

HOUSE No. 3846

By Mr. Golden of Lowell, a petition (subject to Joint Rule 12) of Thomas A. Golden, Jr., for legislation to provide for a program of climate change resiliency for cities and towns in the Commonwealth. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to GreenWorks.

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. To provide for a program of climate change resiliency for cities and towns
2 in the commonwealth, the sums set forth in this act, for the several purposes and subject to the
3 conditions specified in this act, are hereby made available, subject to the laws regulating the
4 disbursement of public funds, which sums shall be in addition to any other amounts previously
5 made available for these purposes; provided, however, that the amounts specified for a particular
6 project may be adjusted to facilitate projects authorized in this act.

7 SECTION 2.

8 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

9 2000-7076. For the GreenWorks infrastructure program established in section 28 of
10 chapter 21A of the General Laws.....\$1,000,000,000

11 SECTION 2A.

12 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

13 Department of Energy Resources

14 9300-8000. For the purpose of developing a matching grant program to support and
15 provide technical assistance for cities and towns to develop and deploy municipal microgrid
16 energy systems; provided that the department of energy resources, in consultation with the
17 Massachusetts clean energy center, shall establish eligibility and selection criteria which shall
18 include, but not be limited to, the following: (i) the microgrid shall be located in a city or town in
19 the commonwealth; (ii) the microgrid shall be located on the property of at least two neighboring
20 municipal buildings, and provide electricity to such buildings; (iii) the microgrid fulfills one of
21 the following objectives: (a) mitigates peak energy demand periods, (b) reduces energy costs for
22 at least one of the host municipal buildings of the microgrid, or (c) ensures such municipal
23 buildings avoid electricity outages during power disruptions in the electric distribution system
24 and provides local residents with access to electricity; (iv) the microgrid shall utilize clean
25 energy, as defined in section 1 of chapter 23J, or electricity that is generated from renewable
26 energy generating sources, as defined in subsection (b) of section 11 of chapter 25A of the
27 General Laws, and is connected to on-site energy storage capacity; and (v) the municipality shall
28 receive the majority of the benefits accrued from the municipal microgrid project; provided
29 further that grant awards shall be capped at \$4 million per project; and provided further, that
30 applicants must provide a minimum of 50% project cost share.....\$100,000,000

31 9300-8001. For the purpose of developing and implementing grant programs
32 designed to encourage the electrification of vehicle fleets owned by municipalities or regional
33 transit authorities; provided that the department of energy resources may promulgate regulations

34 necessary for the operation of the programs; provided further, that not less than \$10 million shall
35 be expended for planning, training and technical assistance purposes including, but not limited
36 to, studies examining the feasibility of utilizing electric vehicles on existing public transportation
37 routes, studies examining how public transportation routes could be modified to provide
38 equivalent service while utilizing electric vehicles, studies evaluating the environmental and
39 economic benefits of replacing existing vehicles with electric vehicles, and training or technical
40 assistance necessary for the operation and maintenance of electric vehicles and related
41 infrastructure; provided further, that not less than \$25 million shall be expended for the purchase
42 of electric vehicles, including, but not limited to, plug-in hybrid or battery electric light-duty
43 vehicles, and the installation of related infrastructure by municipalities; provided further, that not
44 less than \$90 million shall be expended for the purchase of electric vehicles and the installation
45 of related infrastructure including, but not limited to, battery electric or plug-in hybrid electric
46 buses and battery electric or plug-in hybrid electric light-duty vehicles; and provider further, that
47 any funds expended under this item for a vehicle itself shall not exceed the difference between
48 the purchase price of the electric vehicle and the purchase price of an equivalent non-electric
49 vehicle with regards to passenger capacity and intended use.....\$125,000,000

50 9300-8002. For the purposes of establishing a sustainability coordinator grant program to
51 provide grants to municipalities to hire a sustainability coordinator to organize, secure funding,
52 implement and monitor projects that have been awarded through Section 28 of Chapter 21A of
53 the General Laws; provided, that a municipality or group of municipalities may apply for such
54 grants and preference is given to municipalities without the equivalent of a sustainability
55 coordinator ; provided further, that grant recipients execute a 5 year contract with a sustainability
56 coordinator; provided further, that grants awarded under this program shall provide funding for

57 not more than the first 2 years of such contract; and provided further, that grants awarded to a
58 municipality or municipalities that contain an environmental justice community shall provide
59 funding for not more than the first 3 years of such contract.....\$20,000,000

60 9300-8003. For the purpose of establishing a fund known as the Green Resiliency
61 Fund within the executive office of energy and environmental affairs to provide loans to a
62 municipality or groups of municipalities; eligibility and selection criteria may include, but shall
63 not be limited to, the following: (a) financial assistance to a municipality or group of
64 municipalities in meeting their obligations to provide matching funds pursuant to projects
65 awarded through Section 28 of Chapter 21A, provided that financial need has been
66 demonstrated; (b) resiliency improvements, including hardening of assets to prepare for extreme
67 weather events; or (c) resiliency investments which result in economic revitalization; provided
68 further, that rules and regulations shall be promulgated for the operation of the fund, which may
69 include, but shall not be limited to, ensuring timely repayment by borrowers, and the use of
70 interest rates to ensure that the fund maintains a consistent purchasing power from the time loans
71 are disbursed to the time of their collection..... \$50,000,000

72 SECTION 3. Chapter 21A is hereby amended by adding the following section:-

73 Section 28. (a) There shall be in the executive office of energy and environmental affairs
74 a GreenWorks infrastructure program: (i) to issue public infrastructure grants to municipalities,
75 local government bodies and other public instrumentalities for design, construction, building,
76 land acquisition, rehabilitation, repair and other improvements to publically-owned infrastructure
77 that improves climate adaptation and resiliency, mitigates the impacts of climate change, reduces
78 carbon emissions, implements energy efficient or conservation measures, improves the energy

79 efficiency of publically-owned buildings or contributes to the Commonwealth meeting its carbon
80 emissions limits established in section 3 of chapter 21N; (ii) to issue grants to municipalities to
81 assist in financing the siting and construction of renewable, energy storage and alternative energy
82 projects on municipally-owned land; (iii) to issue grants to municipalities to implement
83 adaptation and resiliency measures and infrastructure or building improvements outlined in the
84 statewide adaptation strategy pursuant to section 10 of chapter 21N; or (iv) to issue grants to
85 municipalities to implement infrastructure or other improvements to the built or natural
86 environment as identified through the municipal vulnerability preparedness program.

87 (b) Eligible public infrastructure projects authorized by subsection (a) shall be located on
88 public land or on public leasehold, right-of-way or easement. A project that uses grants to
89 municipalities for public infrastructure provided by this section shall be procured by a
90 municipality in accordance with chapter 7, section 39M of chapter 30, chapter 30B and chapter
91 149.

92 (c) There shall be at least 1 open solicitation period each year to accept and consider new
93 applications. Not less than 12 weeks before the annual open solicitation period, the executive
94 office of energy and environmental affairs shall release the criteria upon which the applications
95 shall be judged including, but not limited to, a minimum project readiness standard, overall
96 spending targets by project type and other preferences applying to that funding round. Grants
97 may be made outside of the open solicitation period at the discretion of the secretary of energy
98 and environmental affairs subject to subsections (d) and (e).

99 (d) An eligible city or town, acting by and through its municipal officers or by and
100 through any agency designated by such municipal officers to act on their behalf, may apply to

101 the program for a grant in a specific amount to fund a specified project. Two or more
102 municipalities may apply jointly, with 1 municipality acting as fiscal agent, or through a regional
103 planning agency acting as fiscal agent. The grants may be made in addition to other forms of
104 local, state, and federal assistance.

105 (e) Within the program, at least 10 per cent of the grant funds shall be dedicated annually
106 to assist towns with populations of 7,000 or less in undertaking qualifying projects. Such towns
107 shall be eligible for a grant not to exceed \$1,000,000 and towns shall be eligible to receive 1
108 grant every 3 fiscal years. Two or more towns eligible under this subsection may file a joint
109 application for a single project serving those towns; provided, however, the total amount
110 distributed to any 1 town shall not exceed the maximum amount allowed under this section.
111 Receipt of a grant which is part of a joint application shall not preclude a town from receiving
112 additional funds under a separate application.

113 (f) The secretary of energy and environmental affairs may establish rules and regulations
114 to govern the application and distribution of grants under the program. The rules and regulations
115 may include provisions for joint applications by 2 or more eligible towns for a single project
116 serving those towns.

117 (g) The secretary of energy and environmental affairs shall report annually to the clerks
118 of the house of representatives and the senate, who shall forward the report to the chairs of the
119 joint committee on telecommunications, utilities and energy, the chairs of the senate and house
120 committees on ways and means, and the chairs of house and senate committees on bonding,
121 capital expenditures and state assets on the activities and status of the program. The report shall
122 include a list and description of all projects that received grant funds under the program, the

123 amount of the grant awarded to the project, other source of public funds that supported the
124 project, a detailed analysis of the environmental impact of each project including, where
125 applicable, the number of construction and full time equivalent jobs to be created, the private
126 investment in the project, the expected tax revenue generated from the project, the projected
127 energy efficiency savings and the projected greenhouse gas emission reductions.

128 SECTION 4. To meet the expenditures necessary in carrying out the provisions of section
129 2, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the
130 commonwealth in an amount to be specified by the governor from time to time, but not
131 exceeding, in the aggregate, \$1,000,000,000. All bonds issued by the commonwealth, as
132 aforesaid, shall be designated on their face, GreenWorks Capital Improvement Act of 2019, and
133 shall be issued for a maximum term of years, not exceeding 20 years, as the governor may
134 recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the
135 Constitution; provided, however, that all such bonds shall be payable not later than June 30,
136 2050. All interest and payments on account of principal on such obligations shall be payable
137 from the General Fund. Bonds and interest thereon issued under the authority of this section
138 shall, notwithstanding any other provisions of this act, be general obligations of the
139 commonwealth.

140 SECTION 5. To meet the expenditures necessary in carrying out the provisions of section
141 2A, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the
142 commonwealth in an amount to be specified by the governor from time to time, but not
143 exceeding, in the aggregate, \$295,000,000. All bonds issued by the commonwealth, as aforesaid,
144 shall be designated on their face, Climate Resiliency Act of 2019, and shall be issued for a
145 maximum term of years, not exceeding 20 years, as the governor may recommend to the general

146 court pursuant to Section 3 of Article LXII of the Amendments to the Constitution; provided,
147 however, that all such bonds shall be payable not later than June 30, 2050. All interest and
148 payments on account of principal on such obligations shall be payable from the General Fund.
149 Bonds and interest thereon issued under the authority of this section shall, notwithstanding any
150 other provisions of this act, be general obligations of the commonwealth.

151 SECTION 6. Notwithstanding any general or special law to the contrary, bonds or notes
152 issued under section 4 shall not be included in the computation of outstanding bonds for
153 purposes of the limit imposed by the second paragraph of section 60A of chapter 29 of the
154 General Laws, nor shall debt service with respect to these bonds and notes be included in the
155 computation of the limit imposed by section 60B of said chapter 29.