

**SENATE . . . . . No. 2500**

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**The Commonwealth of Massachusetts**

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

An Act setting next-generation climate policy.

*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. Section 1 of chapter 21N of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by striking out the definition of “Market-based compliance  
3 mechanism” and inserting in place thereof the following 2 definitions:-

4           “Market-based compliance mechanism”, a pricing or compliance mechanism or system,  
5 imposed on sources or categories of sources of greenhouse gas-emitting substances or on the  
6 distribution or sale of greenhouse gas-emitting substances, designed to reduce emissions as  
7 required by this chapter, including, but not limited to, any mechanism or system of: (i) market-  
8 based declining annual aggregate emissions limitations for sources or categories of sources that  
9 emit greenhouse gases; (ii) greenhouse gas emissions exchanges, banking, credits and other  
10 transactions governed by rules and protocols established by the secretary, a regional program or  
11 other interested states that results in the same greenhouse gas emissions reductions, over the  
12 same time period, as direct compliance with a greenhouse gas emissions limit or emissions  
13 reduction measure adopted pursuant to this chapter; or (iii) charges or exactions imposed to  
14 reduce statewide greenhouse gas emissions in whole or in part.

15 “Natural and working lands”, lands that: (i) are actively used by an agricultural owner or  
16 operator for an agricultural operation that includes, but is not limited to, active engagement in  
17 farming or ranching; (ii) produce forest products; (iii) consist of forests, grasslands, freshwater  
18 and riparian systems, wetlands, coastal and estuarine areas, watersheds, wildlands or wildlife  
19 habitats; and (iv) are used for recreational purposes, including parks, urban and community  
20 forests, trails and other similar open space land.

21 SECTION 2. Subsection (a) of section 2 of said chapter 21N, as so appearing, is hereby  
22 amended by striking out the first sentence and inserting in place thereof the following sentence:-  
23 The department shall monitor and regulate emissions of greenhouse gases with the goal of  
24 reducing emissions in order to achieve the greenhouse gas emissions limits adopted pursuant to  
25 this chapter.

26 SECTION 3. Section 3 of said chapter 21N, as so appearing, is hereby amended by  
27 striking out subsection (b) and inserting in place thereof the following subsection:-

28 (b) To maximize the ability of the commonwealth to realize the 2050 emissions limit, the  
29 secretary shall, in consultation with the department and the department of energy resources,  
30 adopt the following statewide greenhouse gas emissions limits: (i) a 2020 statewide greenhouse  
31 gas emissions limit; (ii) a 2025 statewide greenhouse gas emissions limit; (iii) a 2030 statewide  
32 greenhouse gas emissions limit; (iv) a 2035 statewide greenhouse gas emissions limit; (v) a 2040  
33 statewide greenhouse gas emissions limit; (vi) a 2045 statewide greenhouse gas emissions limit;  
34 and (vii) a 2050 statewide greenhouse gas emissions limit of not more than net-zero emissions.  
35 Each limit shall be accompanied by a comprehensive, clear and specific plan to realize the  
36 adopted limit.

37 SECTION 4. Said chapter 21N is hereby amended by inserting after section 3 the  
38 following 2 sections:-

39 Section 3A. (a) The secretary shall, in consultation with the secretary of housing and  
40 economic development and the secretary of transportation, adopt sector-based statewide  
41 greenhouse gas emissions sublimits as components of each statewide greenhouse gas emissions  
42 limit adopted pursuant to subsection (b) of section 3. Each source or category of sources of  
43 emissions shall be subject to statewide emissions sublimits, including, but not limited to, electric  
44 power, transportation, commercial and industrial heating and cooling, residential heating and  
45 cooling, industrial processes, solid waste, agriculture and natural gas distribution and service.

46 (b) Sector-based statewide greenhouse gas emissions sublimits for a given year shall not,  
47 in the aggregate, exceed the statewide greenhouse gas emissions limit for the year and shall be  
48 designed to allow the commonwealth to realize the 2050 statewide greenhouse gas emissions  
49 limit.

50 Section 3B. Not later than February 1 of every third year, the secretary shall, for each  
51 plan approved under section 21 of chapter 25, set a goal, expressed in tons of carbon dioxide  
52 equivalent, for the succeeding plan's necessary contribution to meeting each statewide  
53 greenhouse gas emissions limit and sublimit adopted pursuant to this chapter.

54 SECTION 5. Subsection (a) of section 4 of said chapter 21N, as appearing in the 2018  
55 Official Edition, is hereby amended by inserting after the first sentence the following 2  
56 sentences:- The 2030 statewide greenhouse gas emissions limit adopted pursuant to clause (iii) of  
57 said subsection (b) of said section 3 shall be not less than 50 per cent below the 1990 emissions

58 level. The 2040 statewide greenhouse gas emissions limit adopted pursuant to clause (v) of said  
59 subsection (b) of said section 3 shall be not less than 75 per cent below the 1990 emissions level.

60 SECTION 6. Said subsection (a) of said section 4 of said chapter 21N, as so appearing, is  
61 hereby further amended by striking out the last sentence and inserting in place thereof the  
62 following sentence:- The 2020, 2025, 2030, 2035, 2040, 2045 and 2050 statewide greenhouse  
63 gas emissions limits and the accompanying plans for realizing the limits shall comply with the  
64 requirements of this section and section 5.

65 SECTION 7. Subsection (b) of said section 4 of said chapter 21N, as so appearing, is  
66 hereby amended by striking out, in line 17, the words "limit established in subsection (a)" and  
67 inserting in place thereof the following words:- limits adopted pursuant to subsection (b) of  
68 section 3.

69 SECTION 8. Subsection (g) of said section 4 of said chapter 21N, as so appearing, is  
70 hereby amended by striking out, in line 42, the words "emission limit and implementing plan"  
71 and inserting in place thereof the following words:- 2025, 2030, 2035, 2040, 2045 and 2050  
72 statewide greenhouse gas emissions limits and the accompanying plans for realizing the limits.

73 SECTION 9. Said section 4 of said chapter 21N, as so appearing, is hereby further  
74 amended by striking out subsection (h) and inserting in place thereof the following subsection:-

75 (h) Not more than 18 months after the last day of 2020, 2025, 2030, 2035, 2040, 2045,  
76 2050 and any other calendar year for which a statewide greenhouse gas emissions limit is  
77 adopted pursuant to statute or regulation, the secretary shall file a formal certificate of  
78 compliance with the climate policy commission established under chapter 21Q, the clerks of the  
79 house of representatives and the senate, the house and senate committees on ways and means, the

80 joint committee on telecommunications, utilities and energy and the joint committee on the  
81 environment, natural resources and agriculture. The certificate shall certify, drawing upon the  
82 best available data and measurements, the commonwealth's compliance with, or failure to  
83 comply with, the statewide greenhouse gas emissions limit. The certificate shall include a  
84 quantification of the extent to which emissions exceed or do not exceed the limit and an analysis  
85 of the lessons learned from the success or failure to comply with the limit. If emissions exceeded  
86 the limit, the certificate shall include comprehensive, clear and specific remedial steps to offset  
87 the excess emissions and ensure compliance with the next upcoming limit adopted pursuant to  
88 statute or regulation.

89 SECTION 10. Said chapter 21N is hereby further amended by striking out sections 5 to 7,  
90 inclusive, as so appearing, and inserting in place thereof the following 3 sections:-

91 Section 5. (a) The secretary shall monitor the implementation of plans and regulations  
92 relative to climate change. To the extent practicable, the plans required by subsection (b) of  
93 section 3 for 2025, 2030, 2035, 2040 and 2045 shall be consistent with each other, cumulative in  
94 effect and constructed to realize the 2050 statewide greenhouse gas emissions limit imposed by  
95 said subsection (b) of said section 3. Each plan, including the 2050 plan, shall: (i) address each  
96 sector subject to a statewide greenhouse gas emissions sublimit imposed by section 3A of this  
97 chapter; (ii) indicate for each sector how, to what extent and when the commonwealth will act to  
98 reduce its emissions in order to realize the 2050 statewide greenhouse gas emissions limit; (iii)  
99 quantify the emissions reductions to be realized due to the electric and gas energy efficiency  
100 programs established under sections 19 and 21 of chapter 25; (iv) set numerical benchmarks and  
101 track adoption within the commonwealth of emissions reduction products, solutions and  
102 improvements used to achieve the statewide greenhouse gas emissions limits and sublimits,

103 including, but not limited to, electric vehicles, electric vehicle charging stations, solar  
104 photovoltaic and solar thermal technologies, carbon sequestration from natural and working  
105 lands, energy storage capacity, air-source and ground-source heat pumps and anaerobic  
106 digestion; (v) consider whether activities undertaken to comply with statewide greenhouse gas  
107 emissions limits and sublimits disproportionately impact low-income and moderate-income  
108 communities and recommend actions that provide benefits or cost savings to such communities  
109 or otherwise eliminate any such impacts; (vi) consider overall societal benefits, including  
110 reductions of other air pollutants, conservation, engagement and management of natural and  
111 working lands, diversification of energy sources and other benefits to the economy, environment  
112 and public health; (vii) consider whether activities undertaken to comply with statewide  
113 greenhouse gas emissions limits and sublimits minimize costs and administrative burdens and  
114 maximize total benefits to the commonwealth; (viii) consider whether activities undertaken to  
115 comply with statewide greenhouse gas emissions limits and sublimits minimize leakage; (ix)  
116 ensure that greenhouse gas emissions reductions are real, permanent, quantifiable, verifiable and  
117 enforceable; (x) contain a statewide baseline quantification of the carbon sequestered in natural  
118 and working lands, accompanied by goals to increase and enhance the sequestration, and  
119 recommendations including, but not limited to, the conservation, enhancement and management  
120 of natural and working lands; and (xi) make recommendations for future policy action.

121 Section 6. The secretary shall promulgate all regulations necessary to achieve the limits  
122 imposed by subsection (b) of section 3 and sublimits imposed by section 3A. The regulations  
123 shall be designed to ensure that the commonwealth achieves the required emissions reductions  
124 equitably and in a manner that mitigates the effects of increased energy and transportation costs

125 on low-income and moderate-income households, improves their economic condition, where  
126 feasible, and creates additional employment and economic development in the commonwealth.

127         Section 7. (a) The secretary shall promulgate regulations establishing market-based  
128 compliance mechanisms for: (i) the transportation sector; provided, however, that the regulations  
129 shall, at a minimum, be designed to reduce emissions from passenger vehicles and light duty  
130 trucks; (ii) the commercial, industrial and institutional sectors, including, but not limited to,  
131 buildings and industrial, manufacturing and other business processes; and (iii) the residential  
132 building sector.

133         (b) Market-based compliance mechanisms established pursuant to this section shall be  
134 designed to: (i) maximize the ability of the commonwealth to achieve the statewide greenhouse  
135 gas emissions limits established pursuant to this chapter; (ii) ensure that the commonwealth  
136 achieves the required emissions reductions equitably and in a manner that protects and, where  
137 feasible, improves the condition of low-income and moderate-income persons; (iii) prevent  
138 increases in the emissions of toxic air contaminants and criteria air pollutants, including, but not  
139 limited to, emissions of nitrous oxide, sulfur dioxide and mercury; (iv) identify manufacturing  
140 sectors, economic sectors, economic subsectors or individual employers at risk of adverse  
141 impacts due to such mechanisms and mitigate the impacts; (v) address the distinguishing  
142 characteristics and vulnerabilities of rural, suburban and urban households; and (vi) maximize  
143 additional environmental and economic benefits for the commonwealth.

144         (c) The executive office and the department may work with the participating regional  
145 greenhouse gas initiative states, other interested states and Canadian provinces to develop a plan  
146 to expand market-based compliance mechanisms such as the regional greenhouse gas initiative to

147 other sources and sectors necessary or desirable to facilitate the achievement of the statewide  
148 greenhouse gas emissions limits.

149 (d) The secretary may adopt regulations governing the use of market-based compliance  
150 mechanisms by regulated entities subject to the statewide greenhouse gas emissions limits and  
151 mandatory emissions reporting requirements to achieve compliance with such limits.

152 (e) The executive office shall monitor compliance with this chapter and enforce any rule,  
153 regulation, order, emissions limit, emissions reduction measure or market-based compliance  
154 mechanism adopted by the secretary or department under this chapter. The department may  
155 impose a civil administrative penalty pursuant to section 16 of chapter 21A for a violation of any  
156 rule, regulation, order, emissions limit, emissions reduction measure or other measure adopted by  
157 the secretary pursuant to this chapter.

158 SECTION 11. The General Laws are hereby amended by inserting after chapter 21O the  
159 following chapter:-

160 Chapter 21Q.

161 Climate Policy Commission.

162 Section 1. As used in this chapter, the following terms shall have the following meanings  
163 unless the context clearly requires otherwise:

164 “Commission”, the climate policy commission established pursuant to section 2.

165 “Greenhouse gas emissions”, emission of a greenhouse gas as defined in section 1 of  
166 chapter 21N.



167 “State agency”, a state agency as defined in section 1 of chapter 29.

168 Section 2. (a) There shall be established a state agency known as the climate policy  
169 commission. The commission shall be an independent public entity not subject to the supervision  
170 and control of any other executive office, department, commission, board, bureau, agency or  
171 political subdivision of the commonwealth.

172 (b) There shall be a board, with duties and powers established pursuant to this chapter,  
173 that shall govern the commission and that shall consist of: the secretary of energy and  
174 environmental affairs, who shall serve ex officio; 2 members appointed by the attorney general  
175 who shall have expertise in energy economics, public health, climate science or statistics, 1 of  
176 whom shall be selected from a list of not less than 3 individuals nominated by the energy  
177 efficiency advisory council under section 22 of chapter 25; and 6 members appointed by the  
178 governor, 4 of whom shall be selected from a list comprised of 1 individual nominated by each  
179 president or chancellor of an institution of higher education in the commonwealth classified by  
180 the Carnegie Classification System as a doctorate-granting university with very high research  
181 activity, 1 of whom shall have expertise in energy economics, public health, climate science or  
182 statistics and 1 of whom shall be selected from a list of not less than 3 individuals nominated by  
183 the greenhouse gas emissions reduction measures advisory committee established under section  
184 8 of chapter 21N. All persons appointed to the commission shall be selected without regard to  
185 political affiliation and solely on the basis of the qualifications and experience that the  
186 appointing authorities determine are necessary to fulfilling the mission of the commission.

187 A vacancy occurring on the commission shall be filled within 90 days by the original  
188 appointing authority. A person appointed to fill a vacancy shall serve initially only for the

189 unexpired term. Members of the commission shall be eligible for reappointment. The  
190 commission shall annually elect 1 of its members to serve as chair and 1 member to serve as  
191 vice-chair.

192         Members shall serve without pay, but shall be reimbursed for actual expenses necessarily  
193 incurred in the performance of their duties. No appointed member shall hold full or part-time  
194 employment in the executive or legislative branch of state government. Each member of the  
195 commission shall be a resident of the commonwealth.

196         (c) Any action of the commission may take effect immediately and need not be published  
197 or posted unless otherwise provided by law. Meetings of the commission shall be subject to  
198 sections 18 to 25, inclusive, of chapter 30A; provided, however, that said sections 18 to 25,  
199 inclusive, of said chapter 30A shall not apply to any meeting of members of the commission  
200 serving ex officio in the exercise of their duties as officers of the commonwealth if no matters  
201 relating to the official business of the commission are discussed and decided at the meeting. The  
202 commission shall be subject to all other provisions of said chapter 30A and records pertaining to  
203 the administration of the commission shall be subject to section 42 of chapter 30 and section 10  
204 of chapter 66. All moneys of the commission shall be considered to be public funds for purposes  
205 of chapter 12A. Except as otherwise provided in this section, the operations of the commission  
206 shall be subject to chapter 268A and chapter 268B.

207         The commission shall not be required to obtain the approval of any officer or employee  
208 of any executive agency in connection with the collection or analysis of any information. The  
209 commission shall not be required to obtain the approval of any officer or employee of any

210 executive agency with respect to the substance of any reports that the commission has prepared  
211 under this chapter before publication.

212 (d) The commission shall appoint an executive director by a majority vote. The executive  
213 director shall be selected without regard to political affiliation and solely on the basis of the  
214 qualifications and experience that the commission determines necessary to fulfill the mission of  
215 the commission. The executive director shall supervise the administrative affairs and general  
216 management and operations of the commission and also serve as secretary of the commission, ex  
217 officio. The executive director shall receive a salary commensurate with the duties of the office.  
218 The executive director may, with the approval of the commission, appoint other officers and  
219 employees of the commission necessary to the functioning of the commission.

220 The executive director shall not be required to obtain the approval of any other executive  
221 agency in connection with appointment of employees. Sections 9A, 45, 46 and 46C of chapter  
222 30, chapter 31 and chapter 150E shall not apply to the executive director of the commission.  
223 Sections 45, 46 and 46C of chapter 30 shall not apply to any employee of the commission. The  
224 executive director may establish personnel regulations for the officers and employees of the  
225 commission.

226 Annually, not later than the first Wednesday in February, the executive director shall file  
227 a personnel and operations report with the clerks of the senate and house of representatives and  
228 the senate and house committees on ways and means. The report shall contain the job  
229 classifications, duties and salary of each officer and employee within the commission, personnel  
230 regulations applicable to the officers and employees and the revenue and expenditures of the  
231 commission. The executive director shall file amendments to the report with the clerks of the

232 senate and house of representatives and the senate and house committees on ways and means  
233 when any such amendment becomes effective.

234 If the position of executive director is vacant, a successor shall be appointed in the same  
235 manner as the original appointment for the unexpired term. The executive director shall serve for  
236 a term of 5 years. No person shall be appointed as the executive director for more than 2  
237 consecutive 5-year terms.

238 The commission may remove the executive director from office, for cause, by a majority  
239 vote. The reasons for removal of the executive director shall be stated in writing and shall  
240 include the basis for such removal.

241 The executive director shall, with the approval of the commission: (i) plan, direct,  
242 coordinate and execute administrative functions in conformity with the policies and directives of  
243 the commission; (ii) employ professional and clerical staff as necessary; (iii) report to the  
244 commission on all operations under their control and supervision; (iv) prepare an annual budget  
245 and manage the administrative expenses of the commission; and (v) undertake any other  
246 activities necessary to implement the powers and duties under this chapter.

247 The commission may approve the use of funds from receipt of up to 2 per cent, not to  
248 exceed \$5,000,000, of any monies collected by the commonwealth from market-based  
249 compliance mechanisms used to address greenhouse gas emissions, including, but not limited to,  
250 the regional greenhouse gas initiative established under section 22 of chapter 21A, to support the  
251 annual budget of the commission, in addition to funds from any other source and any funds  
252 appropriated therefor by the general court. The commission shall not be required to obtain the

253 approval of another executive agency in connection with the development and administration of  
254 its annual budget.

255 The commission shall adopt and amend rules and regulations for the administration of its  
256 duties and powers and to effectuate this chapter pursuant to chapter 30A.

257 Section 3. The commission shall be responsible for tracking and assessing public and  
258 private sector progress, or lack thereof, towards meeting any and all limits, sublimits, goals and  
259 milestones set by statute or regulation with respect to greenhouse gas emissions and reductions  
260 thereto and facilitating such progress.

261 The focus of the commission shall be comprehensive and economy-wide, including, but  
262 not limited to, the specific sectors of electric power, transportation, commercial and industrial  
263 heating and cooling, residential heating and cooling, industrial processes, solid waste, agriculture  
264 and natural gas transmission, distribution and service.

265 The commission shall:

266 (i) assess, comment and issue recommendations on the content, design, management and  
267 likely effectiveness of specific policies, programs and initiatives proposed or undertaken to  
268 reduce or avoid greenhouse gas emissions or substitute non-emitting energy sources;

269 (ii) assess, comment and issue recommendations on any roadmap, plan, policy, program,  
270 initiative, regulation, law or certification issued, proposed, prepared, noticed, undertaken or  
271 completed by the commonwealth or any of its political subdivisions with respect to matters  
272 within the purview of the commission, including the implications for, and risks to, underserved  
273 communities and communities with a high percentage of low-income households, populations

274 and regions of the commonwealth, together with a summary and review of past actions taken to  
275 protect, mitigate and, where feasible, improve the condition of low-income and moderate-income  
276 persons;

277 (iii) monitor the adoption of the best available technology and the best standards and  
278 practices for reducing greenhouse gas emissions or substituting non-emitting energy sources;

279 (iv) conduct hearings and undertake inquiries;

280 (v) make recommendations to state agencies with respect to changes in an agency's data  
281 collection practices or scope;

282 (vi) review all certificates of compliance issued by the secretary of energy and  
283 environmental affairs under section 4 of chapter 21N or by the department of public utilities  
284 under section 21 of chapter 25;

285 (vii) meet at least annually with the advisory council established under section 7;

286 (viii) review the comprehensive reports prepared under section 18 of chapter 25A and  
287 recommend actions to reduce energy consumption and greenhouse gas emissions in buildings  
288 subject to said section; and

289 (ix) gather, serve as a central repository for and disseminate data and analysis to the  
290 public and policymakers from any and all sources that the commission deems relevant to  
291 carrying out its charge.

292 Section 4. (a) The commission shall hold not less than 3 public hearings in  
293 geographically diverse locations on each certification filed under section 4 of chapter 21N, not

294 less than 2 of which shall be held in underserved communities and communities with a high  
295 percentage of low-income households.

296 (b) Not later than 60 days after the department of public utilities issues a certificate of  
297 compliance under section 21 of chapter 25, the commission shall hold a public hearing  
298 examining the degree to which the activities undertaken pursuant to each plan contributed to  
299 meeting statewide greenhouse gas emission limits imposed by statute or regulation.

300 For each public hearing, the commission may require witnesses and testimony from  
301 stakeholders, as deemed appropriate by the commission.

302 Section 5. The commission shall periodically report to the governor, the senate president,  
303 the speaker of the house of representatives, the senate and house committees on ways and means,  
304 the senate and house committees on global warming and climate change, the joint committee on  
305 telecommunications, utilities and energy and the joint committee on environment, natural  
306 resources and agriculture on the matters within its purview, including, but not limited to, the  
307 commonwealth's progress towards meeting any and all limits, sublimits, goals and milestones set  
308 by statute or regulation with respect to greenhouse gas emissions and the reduction of  
309 greenhouse gas emissions; provided, however, that the commission shall report not less than  
310 twice a year. The reports shall be public and shall be posted on the commission's website.

311 Section 6. The commission shall have the authority to examine, retain and publish all  
312 documents and data produced, collected or kept by any state agency that the commission deems  
313 relevant to carrying out its charge; provided, however, that a document that a state agency deems  
314 not to be a public record under section 3 of chapter 66 shall remain not a public record under the  
315 control of the commission.

316 Section 7. There shall be an advisory council to the commission. The advisory council  
317 shall provide advice and input on the overall operation and policy of the commission. The  
318 council shall be appointed by the governor and comprised of members representing: (i)  
319 environmental protection; (ii) low-income and moderate-income population advocacy; (iii)  
320 persons of less than 18 years of age; (iv) persons from communities disproportionately impacted  
321 by climate change; (v) employees of small business in the green energy sector; (vi) electric  
322 power generation and distribution; (vii) transportation; (viii) the distinguishing characteristics  
323 and vulnerabilities of rural, suburban and urban households; (ix) farming; (x) consumer  
324 protection; (xi) housing; (xii) commercial development; (xiii) industrial and manufacturing; (xiv)  
325 sectors that may displace workers through emission reductions efforts and advancements in  
326 green technology; (xv) transportation; (xvi) land use; and (xvii) local government.

327 SECTION 12. Section 9 of chapter 23J of the General Laws, as appearing in the 2018  
328 Official Edition, is hereby amended by striking out, in line 33, the words “and (iii) by” and  
329 inserting in place thereof the following words:- (iii) funding research, design and evaluation of  
330 pilots to promote energy innovation; and (iv).

331 SECTION 13. Said section 9 of said chapter 23J, as so appearing, is hereby further  
332 amended by inserting after the word “facilities”, in line 45, the following words:- and with the  
333 distribution and consumption of fossil fuels, including, but not limited to, oil and gases that  
334 contain methane and other hydrocarbon fuels.

335 SECTION 14. Said chapter 23J is hereby further amended by adding the following  
336 section:-



337           Section 13. (a) There shall be within the center a Clean Energy Workforce Development  
338 and Training Program. The center shall operate the program in collaboration with the  
339 Commonwealth Corporation. The purpose of the program shall be to ensure that workers  
340 displaced due to emission reductions efforts and advancements in green technology will have  
341 access to advanced training and employment opportunities. The program shall promote training,  
342 education and other related prerequisites for employment opportunities that provide meaningful,  
343 stable employment, taking into consideration factors including, but not limited to, working  
344 conditions, benefits, wages, employee safety, engagement and job security.

345           (b) The department shall develop a workforce transition plan to help implement and  
346 inform the Clean Energy Workforce Development and Training Program. The transition plan  
347 shall include, but not be limited to, an analysis of: (i) education, training and support available  
348 for workers displaced or looking to transition from a job from which they are likely to be  
349 displaced due to emission reduction efforts and advancements in green technology; (ii) estimates  
350 of the total number of workers working at carbon-intensive emitting facilities in the energy and  
351 related construction and utility sectors; and (iii) average wage and benefits packages at such  
352 facilities. The center shall make the plan publicly available on its website and update it as  
353 necessary. Annually, the center shall submit the plan to the clerks of the senate and house of  
354 representatives.

355           SECTION 15. Chapter 25 of the General Laws is hereby amended by inserting after  
356 section 1 the following section:-

357           Section 1A. In discharging its responsibilities under this chapter and chapter 164, the  
358 department shall, with respect to itself and the entities it regulates, prioritize safety, security,

359 reliability of service, affordability, equity and reductions in greenhouse gas emissions to meet  
360 statewide greenhouse gas emission limits established pursuant to section 3 of chapter 21N.

361 SECTION 16. Section 19 of said chapter 25, as appearing in the 2018 Official Edition, is  
362 hereby amended by inserting after the word “practicable”, in line 29, the following words:- ;  
363 provided, however, that when determining cost-effectiveness, the calculation of program benefits  
364 shall include calculations of the social value of greenhouse gas emissions reductions.

365 SECTION 17. Said section 19 of said chapter 25, as so appearing, is hereby further  
366 amended by inserting after the word “practicable”, in line 41, the following words:- ; provided,  
367 however, that when determining cost-effectiveness, the calculation of program benefits shall  
368 include calculations of the social value of greenhouse gas emissions reductions.

369 SECTION 18. Said section 19 of said chapter 25, as so appearing, is hereby further  
370 amended by inserting after the word “program”, in line 58, the following words:- ; provided,  
371 however, that when determining cost-effectiveness, the calculation of benefits shall include  
372 calculations of the social value of greenhouse gas emissions reductions.

373 SECTION 19. Section 21 of said chapter 25, as so appearing, is hereby amended by  
374 inserting after the word “supply”, in line 5, the following words:- ; provided, however, that when  
375 determining cost-effectiveness, the calculation of benefits shall include calculations of the social  
376 value of greenhouse gas emissions reductions.

377 SECTION 20. Said section 21 of said chapter 25, as so appearing, is hereby further  
378 amended by inserting after the figure “22”, in line 17, the following words:- ; provided, however,  
379 that when determining cost-effectiveness, the calculation of benefits shall include calculations of  
380 the social value of greenhouse gas emissions reductions.

381 SECTION 21. Said section 21 of said chapter 25, as so appearing, is hereby further  
382 amended by inserting after the word “bodies”, in lines 20 and 21, the following words:- ;  
383 provided, however, that when determining cost-effectiveness, the calculation of benefits shall  
384 include calculations of the social value of greenhouse gas emissions reductions.

385 SECTION 22. Said section 21 of said chapter 25, as so appearing, is hereby further  
386 amended by inserting after the word “supply”, in line 25, the following words:- ; provided,  
387 however, that when determining cost-effectiveness, the calculation of benefits shall include  
388 calculations of the social value of greenhouse gas emissions reductions.

389 SECTION 23. Said section 21 of said chapter 25, as so appearing, is hereby further  
390 amended by striking out, in line 69, the words “and (ix)”, and inserting in place thereof the  
391 following words:- (ix) an estimate of the social value of greenhouse gas emissions reductions  
392 that will result from the plan, including a numerical value of the plan’s contribution to meeting  
393 each statewide greenhouse gas emissions limit and sublimit set by statute or regulation, together  
394 with provisions for giving each value prominent display in communications and plan documents;  
395 and (x).

396 SECTION 24. Said section 21 of said chapter 25, as so appearing, is hereby further  
397 amended by striking out, in line 73, the word “reducing”, the second time it appears, and  
398 inserting in place thereof the following words:- greenhouse gas emissions or.

399 SECTION 25. Said section 21 of said chapter 25, as so appearing, is hereby further  
400 amended by inserting after the word “program”, in line 81, the first time it appears, the following  
401 words:- ; provided, however, that when determining cost-effectiveness, the calculation of

402 program benefits shall include calculations of the social value of greenhouse gas emissions  
403 reductions.

404 SECTION 26. Said section 21 of said chapter 25, as so appearing, is hereby further  
405 amended by inserting after the word “accordingly”, in line 113, the following words:- ; provided,  
406 however, that when determining cost-effectiveness, the calculation of program benefits shall  
407 include calculations of the social value of greenhouse gas emissions reductions.

408 SECTION 27. Subsection (d) of said section 21 of said chapter 25, as so appearing, is  
409 hereby amended by adding the following 2 paragraphs:-

410 (4) The plans shall be constructed to meet or exceed the goal set by the secretary pursuant  
411 to section 3B of chapter 21N.

412 (5) Not later than 15 months after the conclusion of the final year of each plan, the  
413 department shall issue a formal certificate of compliance, drawing upon the most accurate and  
414 most complete data and measurements available, that certifies and quantifies the degree to which  
415 the activities undertaken pursuant to each plan contributed to meeting greenhouse gas emission  
416 limits imposed by statute or regulation.

417 SECTION 28. Section 22 of said chapter 25, as so appearing, is hereby amended by  
418 inserting after the word “date”, in line 63, the following words:- , a quantification of the degree  
419 to which the activities undertaken pursuant to each plan contribute to meeting any and all  
420 greenhouse gas emission limits imposed by statute or regulation.

421 SECTION 29. Said section 22 of said chapter 25, as so appearing, is hereby further  
422 amended by inserting after the word “year”, in line 69, the following words:- and a quantification

423 of the degree to which the activities undertaken pursuant to each plan contribute to meeting any  
424 and all greenhouse gas emission limits imposed by statute or regulation.

425 SECTION 30. Section 6 of chapter 25A of the General Laws, as so appearing, is hereby  
426 amended by striking out clauses (12) and (13) and inserting in place thereof the following 3  
427 clauses:-

428 (12) intervene and advocate on behalf of small commercial and industrial users before  
429 the department of public utilities in any dispute between such businesses and generation or  
430 distribution companies, as defined pursuant to section 1 of chapter 164;

431 (13) plan, develop, oversee and operate the commercial sustainable energy program, with  
432 the Massachusetts Development Finance Agency, in accordance with the provisions of chapter  
433 23M. In accordance with this section, the department shall approve each commercial PACE  
434 project prior to the issuance of a PACE bond under chapter 23M and in so doing shall consider  
435 whether the energy cost savings of the commercial energy improvements over the useful life of  
436 such improvements exceed the costs of such improvements; and

437 (14) develop and adopt, as an appendix to the state building code, in consultation with the  
438 board of building regulations and standards, a municipal opt-in specialized stretch energy code  
439 that includes, but is not limited to, a definition of net-zero building.

440 SECTION 31. Subsection (c) of section 10 of said chapter 25A, as so appearing, is  
441 hereby amended by striking out, in line 38, the words “and (6)” and inserting in place thereof the  
442 following words:- (6) opt-in to the specialized stretch energy code promulgated pursuant to  
443 clause (14) of section 6; and (7).

444 SECTION 32. Said section 10 of said chapter 25A, as so appearing, is hereby further  
445 amended by striking subsection (b) and inserting in place thereof the following subsection:-

446 (b) The division shall establish a green communities program to provide technical and  
447 financial assistance, in the form of grants and loans, to municipalities and other local  
448 governmental bodies that qualify as green communities under this section. These loans and  
449 grants shall be used to finance all or a portion of the costs of studying, designing, constructing  
450 and implementing energy efficiency activities, including, but not limited to: (i) energy  
451 conservation measures and projects; (ii) procurement of energy management services; (iii)  
452 installation of energy management systems; (iv) adoption of demand side reduction initiatives;  
453 (v) deployment of energy storage, microgrids or district energy systems connected to renewable  
454 energy generation; (vi) installation of zero-emissions vehicles, charging equipment,  
455 infrastructure or related technologies; (vii) coordination of residential or small business clean  
456 energy outreach, technical assistance or financing programs; and (viii) the adoption of energy  
457 efficiency policies. The loans and grants shall also be used to finance the siting and construction  
458 of renewable and alternative energy projects on municipally-owned land.

459 SECTION 33. Said chapter 25A is hereby further amended by inserting after section 17  
460 the following section:-

461 Section 18. (a) For the purposes of this section, the following words shall have the  
462 following meanings unless the context clearly requires otherwise:-

463 “Energy”, electricity, natural gas, steam, hot or chilled water, heating oil, propane or  
464 other product designated by the department used for heating, cooling, lighting, water heating or  
465 for powering or fueling other end uses.

466 “Energy use benchmarking tool”, the ENERGY STAR Portfolio Manager, an online  
467 energy use benchmarking tool used by the United States Environmental Protection Agency for  
468 reporting and managing the energy performance, water efficiency and greenhouse gas emissions  
469 of building, or a tool capable of: (i) performing all the functions relevant to compliance with this  
470 section; (ii) allowing for reporting by third parties, including, but not limited to, gas distribution  
471 and electric distribution companies; and (iii) exchanging information and data with the ENERGY  
472 STAR Portfolio Manager.

473 “Gross floor area”, the total number of square feet measured between the principal  
474 exterior surfaces of enclosing fixed walls.

475 “Nonresidential building”, a building or multiple buildings on a parcel of which not less  
476 than 50 per cent of the gross floor area, including hallways or other common space, but  
477 excluding parking, is used for commercial, retail, office, professional, educational or other  
478 nonresidential purposes or any grouping of nonresidential buildings designated by the  
479 department as an appropriate reporting unit for the purposes of this chapter; provided, however,  
480 that “nonresidential building” shall not include a state-owned building.

481 “Owner,” the owner of record of a building, or a designated agent thereof, including, but  
482 not limited to, the association or organization of unit owners responsible for management in the  
483 case of a condominium, the board of directors in the case of a cooperative apartment corporation,  
484 and the net lessee in the case of a building subject to a net lease with a term of not less than 49  
485 years, inclusive of all renewal options.

486 “Residential building”, a building or multiple buildings on a parcel comprised of 35 or  
487 more individual dwelling units of which not less than 50 per cent of the gross floor area,

488 including hallways and other common space serving residents, but excluding parking, is used for  
489 dwelling purposes or any grouping of residential buildings designated by the department or a  
490 municipality as an appropriate reporting unit for the purposes of this chapter; provided, however,  
491 that “residential building” shall not include a state-owned building.

492 “State-owned building”, a building: (i) owned by the commonwealth or an agency or  
493 political subdivision thereof; or (ii) for which the commonwealth or an agency or political  
494 subdivision thereof regularly pays all annual energy bills.

495 “Tenant”, any tenant, tenant-stockholder of a cooperative apartment corporation or  
496 condominium unit owner.

497 (b) For any building identified in subsection (c), the department shall undertake energy  
498 use benchmarking to determine whether the building utilizes more or less energy, and emits  
499 more or less greenhouse gas, than buildings of comparable size, occupancies and uses. To  
500 conduct the benchmarking, the department shall create, procure or designate an energy use  
501 benchmarking tool and shall provide technical support and assistance on the use of the  
502 benchmarking tool to the owners of buildings subject to this section.

503 (c)(1) Not later than May 1 of each year, the owner of each residential building, each  
504 nonresidential building consisting of not less than 35,000 square feet of gross floor area and each  
505 state-owned building consisting of not less than 35,000 square feet of gross floor area shall  
506 utilize the energy use benchmarking tool to accurately report to the department, or cause to be  
507 accurately reported to the department, the building’s energy use for the previous calendar year  
508 and any other building characteristics determined by the department to be necessary to establish  
509 the absolute and relative energy use of the building. The owner of a building subject to this



510 subsection may authorize a gas or electric distribution company or other third party to report  
511 building-specific data to the department and the gas or electric distribution company shall report  
512 building-specific data to the department upon such authorization; provided, however, that such  
513 authorization shall not relieve an owner from compliance with this section. The department shall  
514 establish a deadline extension or hardship waiver process for owners who, in the judgment of the  
515 department, demonstrate cause for a deadline extension or hardship waiver. To administer this  
516 section, the department may establish building types, including, but not limited to, classifications  
517 by region, status within a historic district established under chapter 40C and historic district  
518 commissions in the commonwealth established by a special act of the legislature, size and  
519 occupancy and use, including whether tenant-occupied units or spaces are separately metered,  
520 and may establish varying reporting requirements for each type.

521 (2) Annually, an owner of a building with separately-metered and tenant-occupied units  
522 or spaces shall request from each tenant of the building all information necessary to comply with  
523 the requirements of paragraph (1) and each tenant shall report the required information to the  
524 owner. Between January 1 and March 31, an owner shall, in a manner approved by the  
525 department, request information relative to a tenant's energy use in the previous calendar year.  
526 Upon receipt of an informational request pursuant to this subsection, a tenant of a building shall  
527 report to the owner the required information not later than May 31. If a separately-metered tenant  
528 has occupied all or a portion of a building subject to the reporting requirements of this section  
529 and has vacated the space before reporting energy use to the owner, the owner may immediately  
530 request such information for any period of occupancy relevant to the owner's obligation to report  
531 and the tenant shall respond within 30 days. The department shall develop values or formulas  
532 that an owner may use to estimate whole-building energy use where the owner has made good-

533 faith efforts to obtain required energy use information from a current or former tenant and has  
534 been unsuccessful. Failure of a tenant to report energy use information shall not relieve an owner  
535 from complying with this section. Failure of an owner to report energy use information to the  
536 department shall not impose liability on a tenant. If ownership of a building covered by this  
537 paragraph is transferred, the seller shall make reasonable efforts to provide the buyer with  
538 information necessary for the buyer to timely report benchmarking data for the entire calendar  
539 year, if practicable.

540 (3) The department shall allow a city or town to collect the energy use information  
541 required under paragraph (1) in lieu of collection by the department and to require owners of  
542 appropriate buildings within its borders to report the information to the city or town if the  
543 municipality: (i) notifies the department by October 31 that it will assume the reporting  
544 responsibilities required under this section; and (ii) utilizes an energy use benchmarking tool.  
545 Annually, not later than April 1, a city or town that collects energy use information under this  
546 paragraph shall collect and forward to the department, on a building-by-building basis, the  
547 required energy use information from the previous calendar year. The department may designate  
548 standardized units of measure and standardized formats to be utilized by a city or town in the  
549 reporting and collection of building energy use information. The department shall make  
550 reasonable efforts to streamline reporting requirements in a city or town that collects energy use  
551 information under this paragraph.

552 (4) If an occupied building subject to the requirements of this section is transferred, the  
553 buyer shall make reasonable efforts to report energy use information for the building for the  
554 entire calendar year, if practicable.

555 (d) Annually, not later than October 1, the department shall make available on its website  
556 energy use information and data for the preceding calendar year for each building subject to this  
557 section. For each building, the information made available shall include, but not be limited to: (i)  
558 the municipality in which the building is located; (ii) the building's total energy use in MMBTU,  
559 total greenhouse gas emissions in pounds of carbon dioxide equivalent, total square footage,  
560 energy intensity in kBtu per square foot and greenhouse gas emissions per square foot in  
561 pounds of carbon dioxide equivalent per square foot; (iii) the breakdown of the building's energy  
562 use by electricity, gas, steam and other sources; and (iv) an energy performance rating or  
563 assessment score, where available, as determined by the energy use benchmarking tool. The  
564 department shall maintain a privacy and quality assurance process to improve the accuracy and  
565 completeness of the available information, including, but not limited to, an opportunity for the  
566 owner to review and comment on the information. The department shall provide owners with the  
567 opportunity to submit contextual information related to energy use in their buildings and shall  
568 disclose such information upon request by the owner. The department shall annually publish  
569 summary statistics at the zip code or census tract level on its website.

570 (e) The department shall prepare an annual comprehensive report on the energy  
571 performance of buildings utilizing the information and data collected pursuant to this section.  
572 The report shall be protective of privacy information and include, but not be limited to, an  
573 analysis of energy performance and greenhouse gas emissions by building size, occupancy, use,  
574 energy source, region and, when available, energy performance and greenhouse gas emissions  
575 over time. The department shall make available to a regional planning agency, municipality or  
576 other public agency requesting such information any data set forth in this section, utilizing such  
577 practices as are necessary to prevent the public disclosure of personal information regarding

578 owners and tenants. The report shall be posted on the department's website and filed with the  
579 house and senate committees on ways and means and the joint committee on telecommunication,  
580 utilities and energy not later than December 31.

581 (f) On the basis of the comprehensive reports prepared by the department pursuant to  
582 subsection (e) and other information and data as deemed necessary by the secretary of energy  
583 and environmental affairs, the secretary shall conduct annual reviews of improvements or the  
584 lack thereof in the energy performance of buildings specified in subsection (c). If the reviews  
585 indicate a lack of substantial improvement from year to year in the energy performance of a  
586 building subject to this section, the secretary may recommend energy actions, assessments,  
587 audits and performance standards to improve the energy performance of the building.

588 (g) The department shall ensure that electric distribution companies and municipal  
589 aggregators provide to owners subject to this section up-to-date information regarding energy  
590 efficiency opportunities or actions available to increase energy efficiency, including incentives in  
591 utility-administered or other energy efficiency programs and changes in energy assessment  
592 technology. The department shall prioritize those buildings that have not displayed improvement  
593 year-to-year in reducing energy usage.

594 (g) Nothing in this section shall preempt a city or town from maintaining an energy use  
595 benchmarking program or from setting and enforcing energy performance standards for  
596 buildings.

597 SECTION 34. Chapter 29 of the General Laws is hereby amended by inserting after  
598 section 2GGGGG the following section:-

599 Section 2HHHHH. There is hereby established and set up on the books of the  
600 commonwealth an expendable trust to be known as the Low-Income Support Service Solar  
601 Program. The secretary of energy and environmental affairs shall establish a grant program to  
602 provide solar energy technology to nonprofit organizations offering support services related to  
603 food security, homelessness and emergency shelter. The amounts credited to the trust shall be  
604 available for expenditure, subject to appropriation, not to exceed \$500,000 in a fiscal year for the  
605 costs associated with purchasing and installing solar energy generating equipment for nonprofit  
606 organizations that meet criteria set forth by the secretary.

607 SECTION 35. Section 93 of chapter 143 of the General Laws, as appearing in the 2018  
608 Official Edition, is hereby amended by striking out, in line 6, the word “eleven” and inserting in  
609 place thereof the following figure:- 15.

610 SECTION 36. Said section 93 of said chapter 143, as so appearing, is hereby further  
611 amended by striking out, in line 8, the word “both” and inserting in place thereof the following  
612 words:- 1 of whom shall be the commissioner of energy resources or a designee and all 3.

613 SECTION 37. Said section 93 of said chapter 143, as so appearing, is hereby further  
614 amended by striking out, in line 9, the word “nine” and inserting in place thereof the following  
615 figure:- 12.

616 SECTION 38. Said section 93 of said chapter 143, as so appearing, is hereby further  
617 amended by inserting after the word “department”, in line 17, the following words:- , 1 of whom  
618 shall be an expert in commercial building energy efficiency, 1 of whom shall be an expert in  
619 residential building energy efficiency, 1 of whom shall be an expert in advanced building  
620 technology.

621 SECTION 39. The second paragraph of said section 93 of said chapter 143, as so  
622 appearing, is hereby further amended by adding the following sentence:- The board shall keep  
623 detailed and accurate minutes of its meetings and shall publish such minutes within 30 days of  
624 each meeting.

625 SECTION 40. Said section 93 of said chapter 143, as so appearing, is hereby further  
626 amended by inserting after the word “designee”, in line 46, the following words:- , in  
627 consultation with the commissioner of energy resources,

628 SECTION 41. Section 94 of said chapter 143, as so appearing, is hereby amended by  
629 striking out, in lines 110 to 113, inclusive, the words “as part of the state building code, together  
630 with any more stringent energy-efficiency provisions that the board, in consultation with the  
631 department of energy resources, concludes are warranted” and inserting in place thereof the  
632 following words:- and any amendments thereto as part of the state building code, in consultation  
633 with the department of energy resources.

634 SECTION 42. Section 96 of said chapter 143, as so appearing, is hereby amended by  
635 inserting, in line 7, after the word “to” the following words:- , the specialized stretch energy code  
636 developed and adopted by the department of energy resources.

637 SECTION 43. Section 97 of said chapter 143, as so appearing, is hereby amended by  
638 striking out, in line 22, the words “a reasonable time” and inserting in place thereof the following  
639 words:- 45 days.

640 SECTION 44. Section 94 of chapter 164 of the General Laws, as so appearing, is hereby  
641 amended by inserting after the word “charge”, in line 54, the following words:- or the impact of  
642 said rate, price or charge on statewide greenhouse gas emissions and on the ability of the

643 commonwealth to achieve greenhouse gas emission limits and sublimits imposed by statute or  
644 regulation.

645 SECTION 45. Said section 94 of said chapter 164, as so appearing, is hereby further  
646 amended by inserting after the word “contract”, in line 71, the following words:- , or the  
647 emissions impacts of such contract,

648 SECTION 46. Section 94A of said chapter 164, as so appearing, is hereby amended by  
649 inserting after the word “review”, in line 17, the following words:- , taking into account the  
650 impact of the contract on statewide greenhouse gas emissions and on the ability of the  
651 commonwealth to achieve greenhouse gas emission limits and sublimits imposed by statute or  
652 regulation.

653 SECTION 47. The second paragraph of subsection (b) of section 134 of said chapter 164,  
654 as so appearing, is hereby amended by striking out the first sentence and inserting in place  
655 thereof the following 3 sentences:-

656 Notwithstanding any other general or special law to the contrary, a municipality or group  
657 of municipalities with a certified energy plan shall not be prohibited from proposing an energy  
658 plan that contains enhancements that are more specific, detailed or comprehensive or that cover  
659 additional subject areas than those contained in a jointly prepared energy plan submitted in  
660 accordance with section 21 of chapter 25. Enhancements may be funded by any funding source  
661 authorized by subsection (a) of section 19 of said chapter 25. The department shall not withhold  
662 approval of an energy plan submitted under this subsection due to considerations of cost  
663 efficiency or ratepayer impact if such enhancements are cost effective in accordance with the  
664 department’s cost effectiveness screening.

665 SECTION 48. Section 138 of said chapter 164, as so appearing, is hereby amended by  
666 inserting after the word “less”, in line 37, the following words:- ; provided, however, that a  
667 “Class I net metering facility” of a municipality or other governmental entity may have a  
668 generating capacity of less than or equal to 60 kilowatts per unit.

669 SECTION 49. Said section 138 of said chapter 164, as so appearing, is hereby further  
670 amended by striking out, in line 120, the figure “II” and inserting in place thereof the following  
671 figures:- I, II.

672 SECTION 50. Section 16 of chapter 298 of the acts of 2008 is hereby amended by  
673 striking out the words “, and shall expire on December 31, 2020”.

674 SECTION 51. Section 11 of chapter 75 of the acts of 2016 is hereby amended by adding  
675 the following 2 subsections:-

676 (d) For any solar incentive program developed pursuant to this section, the department of  
677 energy resources shall set aside a portion of each capacity block to be allocated to solar tariff  
678 generation units that primarily serve low-income customers, including, but not limited to, low-  
679 income solar tariff generation units, low-income property solar tariff generation units and low-  
680 income community solar tariff generation units, as defined by the department, respectively. In  
681 implementing the set-aside required by this section, the department shall also maintain solar  
682 incentives that benefit solar tariff generation units primarily serving low-income customers.

683 (e) In implementing the set-aside required by subsection (d), the department of energy  
684 resources shall hold not less than 3 public hearings in communities with a high proportion of  
685 low-income customers, as defined by the department. The department shall develop and execute  
686 an outreach program to educate and inform low-income customers and residents of low-income



687 and moderate-income housing about the benefits and savings associated with participation in the  
688 solar incentive programs established pursuant to this section. The department shall ensure that  
689 the outreach program is readily accessible, transparent and user-friendly to all users and potential  
690 users, including residents of communities whose primary language is not English. In developing  
691 an outreach program pursuant to this section, the department shall engage and consult with low-  
692 income residents and underserved customers and communities.

693 SECTION 52. The department of public utilities may, upon application of a gas company  
694 as defined in section 1 of chapter 164 of the General Laws, authorize 1 or more pilot projects for  
695 the development of utility-scale renewable thermal energy. Such application shall be filed with  
696 the department on or before Jan. 1, 2023. The department may, under a pilot, approve recovery  
697 of costs for projects situated in the commonwealth that demonstrate the costs and benefits of: (i)  
698 utility-scale renewable thermal energy sources, systems or technologies capable of substituting  
699 for fossil-based natural gas; or (ii) utility-scale renewable thermal energy replacements for, or  
700 alternative uses of, infrastructure constructed originally to generate, transmit or distribute fossil-  
701 based natural gas; provided, however, that such substitute renewable thermal energy sources,  
702 systems or technologies, and such replacements or alternative uses, have a reasonable likelihood  
703 of facilitating substantial reductions in greenhouse gas emissions that satisfy the mandates of  
704 greenhouse gas reductions set forth in chapter 21N of the General Laws; and provided further,  
705 that the pilots shall not include the blending of other fuels with fossil-based natural gas. The  
706 department may, within such a pilot, permit a gas company to bill for thermal energy. The  
707 department shall ensure transparency and validity of the outcomes of the pilot projects through a  
708 third-party evaluation and report by the department of energy resources. In determining whether  
709 to approve a pilot project, the department shall consider the reasonableness of the size, scope and

710 scale of the pilot project and related budget and whether the benefits of the proposed pilot justify  
711 the proposed cost to both participating and non-participating customers; provided, however, that  
712 the calculation of benefits shall include calculations of the social value of greenhouse gas  
713 emissions reductions. The department may promulgate rules or regulations to implement this  
714 section.

715 SECTION 53. The Massachusetts clean energy technology center shall administer a heat  
716 pump market development program to fund and offer training, which shall include, but not be  
717 limited to, heating oil dealers, for the purpose of expanding markets for space and water heating  
718 using efficient heat pump technology. The Massachusetts clean energy technology center may  
719 draw upon the Massachusetts Renewable Energy Trust Fund for such purpose if sufficient funds  
720 are available. The Massachusetts clean energy technology center may stop offering such program  
721 after January 1, 2026.

722 SECTION 54. To develop the specialized stretch energy code required by section 6 of  
723 chapter 25A of the General Laws, the department of energy resources shall: (i) hold not less than  
724 5 public hearings in geographically diverse locations throughout the commonwealth that shall  
725 represent the distinguishing characteristics of rural, suburban and urban households, 1 of which  
726 shall be held in an underserved community or community with a high percentage of low-income  
727 households; and (ii) consider the development of a tiered implementation plan for the adoption of  
728 the stretch energy code including, but not limited to, phasing in requirements based on building  
729 type or uses. The specialized stretch energy code required by said section 6 of said chapter 25A  
730 shall be developed, adopted and incorporated as an appendix to the state building code not later  
731 than 1 year after the passage of this act.

732 SECTION 55. If the commonwealth participates in a market based mechanism adopted  
733 pursuant to chapter 21N of the General Laws, the commonwealth may continue to comply with  
734 the terms of the market based mechanism notwithstanding any change in membership of the  
735 market based mechanism.

736 SECTION 56. The secretary of energy and environmental affairs shall set the first goal  
737 required by section 3B of chapter 21N of the General Laws not later than February 1, 2021.

738 SECTION 57. The 2025 and 2030 statewide greenhouse gas emission limits required by  
739 subsection (b) of section 3 of chapter 21N of the General Laws, the 2025 and 2030 sector-based  
740 emissions sublimits required by section 3A of said chapter 21N and the 2030 emissions reduction  
741 plan required by said section 3 of said chapter 21N to realize the 2025 and 2030 limit and  
742 sublimits shall be adopted and published not later than January 1, 2022.

743 SECTION 58. The 2035 statewide greenhouse gas emissions limit required by subsection  
744 (b) of section 3 of chapter 21N of the General Laws, the 2035 sector-based emissions sublimits  
745 required by section 3A of said chapter 21N and the emissions reduction plan required by said  
746 section 3 of said chapter 21N to realize the 2035 limit and sublimits shall be adopted and  
747 published not later than January 1, 2028.

748 SECTION 59. The 2040 statewide greenhouse gas emissions limit required by subsection  
749 (b) of section 3 of chapter 21N of the General Laws, the 2040 sector-based emissions sublimits  
750 required by section 3A of said chapter 21N and the emissions reduction plan required by said  
751 section 3 of said chapter 21N to realize the 2040 limit and sublimits shall be adopted and  
752 published not later than January 1, 2033.

753 SECTION 60. The 2045 statewide greenhouse gas emissions limit required by subsection  
754 (b) of section 3 of chapter 21N of the General Laws, the 2045 sector-based emissions sublimits  
755 required by section 3A of said chapter 21N and the emissions reduction plan required by said  
756 section 3 of said chapter 21N to realize the 2045 limit and sublimits shall be adopted and  
757 published not later than January 1, 2038.

758 SECTION 61. The 2050 sector-based emissions sublimits required by section 3A of  
759 chapter 21N of the General Laws and the emissions reduction plan required by subsection (b) of  
760 section 3 of said chapter 21N to realize the 2050 limit and sublimits shall be adopted and  
761 published not later than January 1, 2023; provided, however, that the sublimits and plan shall be  
762 subject to revision and improvement by emissions reduction sublimits and plans adopted and  
763 published for 2030, 2035, 2040 and 2045.

764 SECTION 62. The regulations required pursuant to clause (i) of subsection (a) of section  
765 7 of chapter 21N of the General Laws shall be promulgated and in effect not later than January 1,  
766 2022.

767 SECTION 63. The regulations required pursuant to clause (ii) of subsection (a) of section  
768 7 of chapter 21N of the General Laws shall be promulgated and in effect not later than January 1,  
769 2025.

770 SECTION 64. The regulations required pursuant to clause (iii) of subsection (a) of  
771 section 7 of chapter 21N of the General Laws shall be promulgated and in effect not later than  
772 January 1, 2030.

773 SECTION 65. Not later than June 30, 2021, the department of energy resources shall: (i)  
774 create, procure or designate the energy use benchmarking tool required by subsection (b) of

775 section 18 of chapter 25A of the General Laws; and (ii) commence providing technical assistance  
776 and support to owners of buildings covered by said subsection (b) of said section 18 of said  
777 chapter 25A.

778 SECTION 66. The first year of energy use reporting required by subsection (c) of section  
779 18 of chapter 25A of the General Laws shall be for the calendar year beginning on January 1,  
780 2022. In said reporting year, the department of energy resources may make available on its  
781 website limited energy use information, including, but not limited to, whether the information  
782 provided for a given building is accurate and complete.

783 SECTION 67. Notwithstanding section 2 of chapter 21Q of the General Laws, 3  
784 members of the climate policy commission shall be initially appointed for terms of 1 year, 3  
785 members shall be appointed for terms of 3 years and 3 members shall be appointed for terms of 5  
786 years, with the length of each term to be determined by the elected chair.

787 SECTION 68. Not later than December 31, 2025, the secretary of energy and  
788 environmental affairs shall publish a comprehensive energy plan, as required under Executive  
789 Order 569. The plan may be prepared in accordance with other requirements of this act, shall be  
790 based upon reasonable projections and shall include: (i) the commonwealth's energy demands  
791 for electricity, transportation and thermal conditioning; and (ii) strategies for meeting these  
792 demands in a regional context. The plan shall prioritize meeting energy demand through  
793 conservation, energy efficiency and other demand-reduction resources in a manner that  
794 contributes to the commonwealth meeting the limits and sublimits established pursuant to  
795 chapter 21N of the General Laws.

796 SECTION 69. Section 45 shall only apply to contracts entered into on or after the  
797 effective date of this act.

798 SECTION 70. The department of energy resources shall implement the requirements of  
799 subsection (d) of section 11 of chapter 75 of the acts of 2016 for the capacity block immediately  
800 succeeding the capacity block available on the effective date of this act.

801 SECTION 71. Sections 11, 37 and 38 shall take effect 90 days after the effective date of  
802 this act.

803 SECTION 72. Section 31 shall take effect on January 1, 2028.