

**HOUSE . . . . . No. 3264**

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The Commonwealth of Massachusetts

PRESENTED BY:

*Natalie M. Blais*

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 transportation and environmental justice.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/19/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/25/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/25/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/25/2021</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/25/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/26/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/26/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/26/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/26/2021</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/26/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/6/2021</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>3/3/2021</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>3/4/2021</i>
<i>Liz Miranda</i>	<i>5th Suffolk</i>	<i>3/8/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/8/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/11/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>3/11/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/15/2021</i>

<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>3/19/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>3/19/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>4/19/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>5/14/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>5/16/2021</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>5/21/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>7/1/2021</i>
<i>Frank A. Moran</i>	<i>17th Essex</i>	<i>7/21/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>7/21/2021</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>7/22/2021</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>7/22/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>8/4/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>12/6/2021</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>1/6/2022</i>

**HOUSE . . . . . No. 3264**

By Ms. Blais of Sunderland, a petition (accompanied by bill, House, No. 3264) of Natalie M. Blais and others for legislation to established a transportation climate initiative trust fund and to reduce greenhouse gas emissions in the transportation sector. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court  
(2021-2022)

An Act relative to transportation and environmental justice.

*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. Chapter 29 of the General Laws is hereby amended by adding the  
2 following new section at the end thereof:-

3 Section 2DDDDD: Transportation Climate Initiative

4 (a) As used in this section, the following words shall have the following meanings, unless  
5 the context clearly requires otherwise:

6 "Allowance", an authorization to emit a fixed amount of carbon dioxide.

7 "Department", department of transportation

8 "Environmental justice population", a neighborhood that meets 1 or more of the  
9 following criteria: (i) the annual median household income is not more than 65 per cent of the  
10 statewide annual median household income; (ii) minorities comprise 40 per cent or more of the

11 population; (iii) 25 per cent or more of households lack English language proficiency; or (iv)  
12 minorities comprise 25 per cent or more of the population and the annual median household  
13 income of the municipality in which the neighborhood is located does not exceed 150 per cent of  
14 the statewide annual median household income; provided, however, that for a neighborhood that  
15 does not meet said criteria, but a geographic portion of that neighborhood meets at least 1  
16 criterion, the secretary may designate that geographic portion as an environmental justice  
17 population upon the petition of at least 10 residents of the geographic portion of that  
18 neighborhood meeting any such criteria; provided further, that the secretary may determine that a  
19 neighborhood, including any geographic portion thereof, shall not be designated an  
20 environmental justice population upon finding that: (A) the annual median household income of  
21 that neighborhood is greater than 125 per cent of the statewide median household income; (B) a  
22 majority of persons age 25 and older in that neighborhood have a college education; (C) the  
23 neighborhood does not bear an unfair burden of environmental pollution; and (D) the  
24 neighborhood has more than limited access to natural resources, including open spaces and water  
25 resources, playgrounds and other constructed outdoor recreational facilities and venues.

26 “Equity Advisory Body”, a stake holder group that shall be comprised of the following  
27 members: The secretary of transportation ex officio; the secretary of Energy and Environmental  
28 Affairs ex officio; the secretary of health and human ex officio; 1 representative of the  
29 Massachusetts Association of Regional Planning Agencies; 1 representative of the Metropolitan  
30 Mayors Association; 1 representative of the Mayor of the City of Boston; 1 representative of  
31 Green Roots; 1 representative of each Massachusetts Executive Office of Health and Human  
32 Services regions, specifically, 1 representative of a community-based group located within  
33 Region 1 - Western; 1 representative of a community-based group located within Region 2 -

34 Central; 1 representative of a community-based group located within Region 3 - Northeast; 1  
35 representative of a community-based group located within Region 4 - Metro West; 1  
36 representative of a community-based group located within Region 5 - Southeast; 1 representative  
37 of a community-based group located within Region 6 - Boston; and 1 representative of the Rural  
38 Policy Advisory Commission. A majority of members not serving in an ex officio capacity shall  
39 be residents of a community with an environmental justice population.

40 “TCP” or “Transportation Climate Initiative”, the Memorandum of Understanding dated  
41 December 21, 2020 and any amendments thereto that establishes a transportation based cap-and-  
42 invest program within the northeast region of the United States and other regions to the extent  
43 that the Memorandum of Understanding is amended.

44 (b) There shall be established the Transportation Climate Initiative Trust Fund that shall  
45 be administered by the Department of Transportation in consultation of the Executive office of  
46 Energy and Environmental Affairs. All funds from the auction of allowances from the multi-  
47 state Transportation Climate Initiative shall be deposited in said fund.

48 (c) A minimum of 70 percent of the annual proceeds shall be used to benefit under  
49 overburden and underserved communities with an environmental justice population. A  
50 minimum of 50 percent of all remaining proceeds shall be deposited in the Commonwealth  
51 transportation Fund established under section 2ZZZ of Chapter 29.

52 (d) The proceeds shall be used, without further appropriation, to reduce greenhouse gas  
53 emissions in the transportation sector and to otherwise achieve the goals of TCI. Funds deposited  
54 in this account shall be used to promote projects and programs that support clean transportation  
55 and promote mobility, including but not limited:

56 (1) The expansion and modernization of the Commonwealth's public transportation  
57 infrastructure and fleets.

58 (2) The electrification of the Commonwealth's public transportation infrastructure and  
59 fleets.

60 (3) The expansion of electric vehicle charging infrastructure within the Commonwealth's  
61 municipalities

62 (4) Support of expanding multimodal infrastructure for alternative transportation methods  
63 including, complete streets, dedicated bus lanes, bike paths, micro-mobility and pedestrian  
64 walkways.

65 (5) Minimizing transportation costs for low and moderate income individuals and  
66 families.

67 (6) Ensuring first- and last-mile connection to public transit.

68 (e) Monies in this fund shall only be used to support the programs and activities  
69 authorized pursuant to this section and shall not be available to meet the general obligations of  
70 the Commonwealth. Balances in this fund shall be carried forward and remain in the fund at the  
71 end of each fiscal year and interest earned shall remain in the fund.

72 (f) Annually, not later than January 1 of each year, the department shall present the  
73 Equity Advisory Body with a report for review and recommendation. The report shall detail: (i)  
74 the total amount of allowances sold in the previous fiscal year; (ii) the total amount of monies  
75 deposited within the trust fund; (iii) itemized distributions made from the fund; (iv) the status of  
76 any project or program receiving monies from the fund; (v) the location of any project or

77 program receiving monies from the fund; (vi) planned allocation of monies for the upcoming  
78 fiscal year.

79 (g) The Equity Advisory Body shall meet within four months of the enactment of this  
80 legislation.

81 (h) The Equity Advisory Body shall meet at least four times each year.

82 (i) The members of the Equity Advisory Body shall be eligible but not required to accept  
83 reimbursement to cover time and reasonable expenses incurred while serving on the Equity  
84 Advisory Body, not to exceed \$6,000 annually per member.

85 (j) The Equity Advisory Body shall make recommendations to the secretary of Energy  
86 and Environmental Affairs, secretary of Transportation, and commissioner of the Department of  
87 Environmental Protection on any regulations necessary to implement or update TCI-P so that the  
88 program benefits environmental justice communities. The secretary shall consider the  
89 recommendations of the Equity Advisory Body.