

HOUSE No. 3318

The Commonwealth of Massachusetts

PRESENTED BY:

Patricia A. Haddad

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing enhanced environmental protections with regard to the Commonwealth's electrical energy infrastructure.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Patricia A. Haddad</i>	<i>5th Bristol</i>	<i>2/18/2021</i>

HOUSE No. 3318

By Mrs. Haddad of Somerset, a petition (accompanied by bill, House, No. 3318) of Patricia A. Haddad relative to environmental protections for electrical energy infrastructure. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act establishing enhanced environmental protections with regard to the Commonwealth's electrical energy infrastructure.

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 3 of chapter 40A of the general laws is hereby amended in the
2 second paragraph by inserting at the end of the second sentence thereof the following:

3 "; and, provided, further, in making its determination the department shall evaluate and
4 make findings that the proposed use of the land and structures by such public service corporation
5 shall (i) have a minimal negative impact on the environment; (ii) require a minimal usage of land
6 that otherwise could be utilized for other public purposes; (iii) have a minimal impact on the
7 health and safety of individuals living in the surrounding area, especially if the land or structures
8 are located in an area with an Environmental justice population as defined in G.L c.30 § 62; (iv)
9 allow for a minimal disruption of roads and other public property; and (v) function to improve
10 the overall resiliency of the electric grid."

11 SECTION 2. Section 1 of chapter 164 of the general laws is hereby amended by inserting
12 after the definition of "Residual value" the following:

13 "Resiliency" means the ability to prepare for and adapt to changing conditions caused by
14 climate change and to withstand and recover rapidly from disruptions; including the ability to
15 withstand and recover from deliberate attacks, accidents, or naturally occurring threats or
16 incidents.

17 SECTION 3. Section 691 of chapter 164 of the general laws is hereby amended by
18 inserting prior to the first paragraph thereof the following:

19 "When approving any facility or generating facility under this section, the department
20 shall evaluate and make findings that the facility would (i) have a minimal negative impact on
21 the environment; (ii) require a minimal usage of land that otherwise could be utilized for other
22 public purposes; (iii) have a minimal impact on the health and safety of individuals living in the
23 surrounding area, especially if the Facility or Generating facility is located in an area with an
24 Environmental justice population as defined in G.L. c.30 § 62; (iv) allow for a minimal
25 disruption of roads and other public property; and (v) function to improve the overall resiliency
26 of the electric grid."

27

28 SECTION 4. Section 69J ¼ of chapter 164 of the general laws is hereby amended by
29 inserting at the end of the first paragraph the following:

30 "In approving any petitions for construction of a generating facility under this section, the
31 board shall evaluate and make findings that the facility will (i) require a minimal usage of land

32 that otherwise could be utilized for other public purposes ; (ii) have a minimal impact on the
33 health and safety of individuals living in the surrounding area, especially if the generating
34 facility is located in an area with an Environmental justice population as defined in G.L c.30 §
35 62; (iii) allow for a minimal disruption of roads and other public property; and (iv) function to
36 improve the overall resiliency of the electric grid."

37 SECTION 5. Section 94 of chapter 164 of the general laws is hereby amended by
38 inserting at the end thereof the following:

39 "In issuing any order setting forth recovery by an electric company for the cost of any
40 Facility or Generating facility as defined in section 69G, the department shall evaluate and make
41 findings that the Facility or Generating facility will (i) have a minimal negative impact on the
42 environment; (ii) require a minimal usage of land that otherwise could be utilized for other
43 public purposes; (iii) have a minimal impact on the health and safety of individuals living in the
44 surrounding area, especially if the Facility or Generating facility are located in an area with an
45 Environmental justice population as defined in G.L c.30 § 62; (iv) allow for a minimal disruption
46 of roads and other public property; and (v) function to improve the overall resiliency of the
47 electric grid."