HOUSE DOCKET, NO. 2583 FILED ON: 1/19/2023

HOUSE . . . . . No. 3171

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Higgins and Michael P. Kushmerek

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

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

An Act establishing the gateway cities renewable, efficient, and electrified neighborhoods initiative.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Natalie M. Higgins	*4th Worcester*	*1/19/2023*
Michael P. Kushmerek	*3rd Worcester*	*1/19/2023*
Ryan M. Hamilton	*15th Essex*	*1/31/2023*
Kate Lipper-Garabedian	*32nd Middlesex*	*2/23/2023*
James B. Eldridge	*Middlesex and Worcester*	*3/12/2023*
James K. Hawkins	*2nd Bristol*	*12/1/2023*
Steven Ultrino	*33rd Middlesex*	*12/4/2023*
Carmine Lawrence Gentile	*13th Middlesex*	*1/8/2024*

HOUSE DOCKET, NO. 2583 FILED ON: 1/19/2023

HOUSE . . . . . No. 3171

By Representatives Higgins of Leominster and Kushmerek of Fitchburg, a petition (accompanied by bill, House, No. 3171) of Natalie M. Higgins, Michael P. Kushmerek and others relative to establishing the gateway cities renewable, efficient, and electrified neighborhoods initiative. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act establishing the gateway cities renewable, efficient, and electrified neighborhoods initiative.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 25A of the General Laws is hereby amended by adding the following section:-

Section 18. GREEN Act.

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

"Clean cooking technology," a non-combustion technology used to prepare food without emitting greenhouse gasses or other harmful pollutants in normal operation, such as induction or radiant electric stoves.

"Clean heating technology," a non-combustion technology used to provide space heating and cooling or water heating and cooling without emitting greenhouse gasses or other harmful

pollutants in normal operation, such as air-source heat pumps, ground-source heat pumps, and solar hot water systems.

"Department," the department of energy resources.

"Gateway municipality," as defined in section 3A of chapter 23A.

"Highly energy efficient," using efficient appliances and lighting and plumbing fixtures, with a building envelope that meets passive house standards or as close to passive house standards as practicable given the constraints of the building.

"Initiative," the Gateway Cities Renewable, Efficient, and Electrified Neighborhoods Initiative, known as the GREEN Initiative.

"Low income," earning below 50 per cent of area median income.

"Moderate income," earning between 50 to 80 per cent of area median income.

"Passive house standards," standards for the construction of highly energy efficient buildings, including but not limited to: (a) continuous insulation throughout the entire building envelope without any thermal bridging; (b) an extremely airtight building envelope, preventing infiltration of outside air and loss of conditioned air; (c) high-performance windows and doors that exploit the sun's energy for heating purposes in the heating season and minimize overheating during the cooling season; (d) balanced heat- and moisture-recovery ventilation; and (e) a minimal space conditioning system.

"Qualifying municipality," a gateway municipality or smaller qualifying municipality.

"Renewable electricity," electricity produced by a renewable energy generating source.

"Renewable energy generating source," as defined in section 11F of chapter 25A.

"Smaller qualifying municipality," a municipality that meets all of the criteria to be a gateway municipality except that its population is 35,000 or less.

"Tenant-owner weatherization agreements" enforceable agreements between residential tenants and a building owner clearly stating that, for a reasonable period of time after a retrofit has been completed, the tenants (including households paying for their energy through their rent) will not be subjected to rent increases unless those increases are demonstrably related to matters other than the weatherization work performed.

(b) There shall be a Gateway Cities Renewable, Efficient, and Electrified Neighborhoods Initiative, known as the GREEN Initiative, within the department. The department may contract with the Massachusetts Clean Energy Center to administer all or part of the GREEN Initiative. The purpose of the GREEN Initiative is to retrofit existing low income and moderate income housing in qualifying municipalities to be highly energy efficient, use only clean heating technologies and clean cooking technologies, and where possible be powered by electricity from on-site renewable energy generating sources. The initiative shall collect data and identify best practices for retrofitting Massachusetts' existing low income and moderate income housing stock.

(c) There shall be established a GREEN Initiative Account within the department. Each year, electric and gas distribution companies and municipal aggregators with certified clean energy plans shall transfer a sum of money into the GREEN Initiative Account sufficient to administer the initiative, collect and analyze data, and provide incentives, rebates, or other financial assistance necessary to complete the retrofits beyond the financial assistance already

available from ratepayer-funded energy efficiency programs or other utility, state or federal programs; provided, that the sum of money transferred to the department in any year shall not exceed $30 million. The department of public utilities may adjust the charges assessed to electric and gas utility customers under sections 19 and 21 of chapter 25 to ensure that there are sufficient resources to meet the objectives of the energy efficiency investment plan and natural gas efficiency investment plan. The department may accept funds into the GREEN Initiative Account from other sources, including grants from foundations, individual donors, and state and federal agencies, without annual limits.

(d) Municipal governments, nonprofit organizations, or other entities, known as sponsor organizations, shall apply to the department to carry out a project in one or more qualifying municipalities. Each project shall retrofit low income or moderate income housing units, in one or more buildings, to be highly energy efficient, use only clean heating technologies and clean cooking technologies, and where possible be powered by electricity from on-site renewable energy generating sources. If a residential building includes commercial space, the project may also retrofit the commercial space within the building. Each project may include housing owned by a municipality or other government entity, subsidized affordable housing owned by a nonprofit or for-profit corporation, or non-subsidized housing that is typically occupied by low income or moderate income individuals.

(e) In administering this program, the department shall prioritize retrofits of buildings with 6 or fewer housing units, including buildings occupied by owners and buildings occupied by tenants.

(f) The department shall assist sponsor organizations in assessing technology options and identifying qualified contractors to carry out the retrofits. The department shall work with the department of public utilities and other state agencies to provide a single application process for sponsor organizations, building owners, and tenants to qualify for all applicable energy efficiency, clean heating, clean cooking, and renewable electricity financial assistance programs offered by the commonwealth, electric and gas distribution companies, and municipal aggregators with certified clean energy plans, and for additional incentives offered by the department through the initiative. The department shall develop incentive structures that encourage property owners to maintain their properties as low income or moderate income housing for several years after retrofits are completed. Such incentives may include tenant-owner weatherization agreements.

(g) The department shall set goals for the participation of contractors that are minority business enterprises and women business enterprises in projects funded by the initiative.

(h) The department may cover the costs of pre-weatherization, electrical service upgrades, or other improvements necessary before energy efficiency, clean heating, clean cooking, and renewable electricity upgrades can be completed.

(i) Each sponsor organization shall hold at least one event open to the general public to share the results of the project, and shall make an effort to publicize the results of the project to local news outlets and on social media. Each sponsor organization shall make information about the project available online in the predominant languages spoken in the community, and shall provide interpretation services at the event for non-English speakers. The department shall

provide financial assistance for sponsor organizations to pay for interpretation and translation services.

(j) The department shall collect quantitative and qualitative data on the results of the initiative, and publish evaluations no later than 1 year after the end of the second year and every two years thereafter. The evaluations shall consider data on energy savings, utility bill savings, improvements in indoor and outdoor air quality, reductions in greenhouse gas emissions and other pollutants, and improvements in comfort and safety for residents, and identify the most effective retrofit approaches for each housing type. The department shall use appropriate practices to prevent the public disclosure of personally identifying information regarding owners and tenants. The evaluations shall also include data on the participation of contractors that are minority business enterprises and women business enterprises in projects funded by the initiative.

(k) The department shall convene a task force to advise the department on the implementation of this section, including individuals representing the executive office of energy and environmental affairs, department of energy resources, department of public utilities, department of environmental protection, Massachusetts Clean Energy Center, department of housing and community development, executive office of labor and workforce development, and department of public health. The task force shall also include at least 2 low income or moderate income residents of qualifying municipalities, and at least 2 representatives of nonprofit organizations headquartered in or with a significant presence in qualifying municipalities. The task force shall hold at least 4 public hearings in qualifying municipalities in the first year after the effective date of this section, and at least 2 public hearings in qualifying municipalities in each subsequent year.