

# HOUSE . . . . . No. 5049



OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE · BOSTON, MA 02133  
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**MAURA T. HEALEY**  
GOVERNOR

**KIMBERLEY DRISCOLL**  
LIEUTENANT GOVERNOR

*September 11, 2024*

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled An Act Making Appropriations for Fiscal Year 2024 (FY24) to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.

The proposal filed today would allocate \$714.1 million gross / \$149.1 million net toward FY24 deficiencies and critical needs and enable the Commonwealth to close the books on the fiscal year that ended on July 1.

Our administration is also proposing here ways to rebuild our reserves through the replenishment of the Transitional Escrow Fund and continued deposits in the Stabilization Account that will ensure Massachusetts remains on solid financial footing and has the resources on hand to manage through the current fiscal year and beyond.

In total, this legislation proposes to appropriate \$679 million toward deficiencies incurred over the course of the prior fiscal, the largest of which can be found in our MassHealth program where caseload exceeded initial expectations. This budget recommends \$565.4 million gross for MassHealth at a net new cost of zero dollars to the state thanks to the availability of federal reimbursement to cover payments for services already provided over the course of Fiscal Year 2024.

This budget would also allocate:

- \$46 million for a reserve to cover costs accrued by sheriffs
- \$14 million to support treatment for substance and alcohol use disorder

- \$8.7 million for Universal School Meals
- \$7.3 million for Residential Assistance to Families in Transition (RAFT)
- \$5.1 million for support to public health hospitals
- \$1.3 million for Department of Unemployment Assistance caseload
- \$690,000 for the Chief Medical Examiner
- \$622,000 for the Massachusetts Emergency Management Agency for state match to flood victims
- \$200,000 for National Guard death gratuity benefits and support for military suicide prevention programming

Our administration is also recommending \$33.9 million in new spending to advance key priorities and cover critical needs for our state, including the seeding of the new Disaster Relief and Resiliency Fund and additional funding for mosquito spraying to address the rise in detected Eastern Equine Encephalitis. This bill would put \$11 million toward the Disaster Relief and Resiliency Fund to immediately make resources available in the event they should be needed to support communities before the end of the fiscal year. This would complement the \$14 million in consolidated net surplus earmarked for the fund, but unavailable until the end of fiscal year 2025.

We are also recommending:

- \$11 million to municipalities to increase FY25 tax abatement reimbursements
- \$10 million for the Massachusetts Clean Energy Center to keep funding level in FY25 at \$30 million and on track for a \$300 million investment over the next 10 years to keep pace with our climate and job creation goals
- \$10 million for the Massachusetts Life Sciences Center
- \$2.5 million for iLottery start-up and implementation costs over two years
- \$400,000 for aerial and mobile mosquito spraying to address Eastern Equine Encephalitis

As we know, FY24 presented some budgetary challenges that required a mid-year revision to our revenue estimates and emergency budget reductions to ensure that we would be able to balance our budget at the end of the year without undoing the hard work that has gone into building up our Stabilization Fund.

In total, FY24 revenue came in at \$40.8 billion, \$967 million above revised benchmarks. This was primarily due to the performance of surtax collections, which at \$2.199 billion

exceeded the \$1 billion in budgeted surtax revenue by \$1.2 billion. After adjusting for surtax, FY24 revenues were \$233 million below the FY24 revised benchmark, and \$322 million below FY23 collections.

In order to balance the FY24 budget and prepare for the continuation of economic headwinds in Fiscal Year 2025, our administration is proposing several solutions in this legislation that will allow us to continue to build our reserves and invest in our shared priorities.

First, we are proposing to use \$225 million in surplus surtax collections to support spending currently funded through the General Fund and Commonwealth Transportation Fund. The use of this money would align with the approach already taken by our administration and the Legislature in the FY25 budget and go toward programs such as Commonwealth Cares for Children (C3) grants through the replenishment of the EEC Affordability Fund, universal school meals, Early Education and Care provider rates and MassDOT operations. It would also leave a substantial surplus of unappropriated funds that we look forward in the coming session to working with the Legislature to allocate in the most efficient and impactful way.

The Transitional Escrow Fund has also proven to be a valuable tool for the state to manage spending throughout the fiscal year, which is why we are proposing to transfer \$265 million in excess capital gains collections to the fund to begin to rebuild that balance. This would still allow for a separate deposit of \$265 million to the Stabilization Fund to continue to grow both these reserve accounts. Additionally, I've already made clear my intention to use the forthcoming tobacco settlement funds secured by the Attorney General to further build back the balance of the Transitional Escrow Fund. We view these steps to be critical to managing available resources for FY25 and beyond.

An additional \$366.4 million in prior unspent authorizations from Fiscal Year 2024 would be carried over into Fiscal Year 2025 through this legislation. These represent critical funds that, in some cases, must be managed across fiscal years and give us flexibility moving into FY25 to maintain services and programs authorized as part of the FY25 General Appropriations Act. These include \$117.6 million for the MBTA Workforce and Safety Reserve, \$22.8 million for projected expenses at the Department of Correction, and \$12 million for a teacher diversity initiative. Of this total, \$69 million in unspent FY24 surtax appropriations is being made available going into the new fiscal year.

We are also filing several not-yet-ratified collective bargaining agreements and the necessary language to establish the FY25 collective bargaining reserve, which our administration and the Legislature all accounted for in the recently signed FY25 GAA. This will ensure that our union workers have timely access to the raises negotiated in good faith with our administration.

Furthermore, I am filing a number of outside sections that provide for some technical corrections and deadline extensions necessary for the effective implementation of policy enacted in recent legislation. These include sections amending the HERO Act to allow veterans to

receive specialty license plates without paying an additional fee, as intended, and granting eligibility to tribes in Massachusetts for the Municipal Vulnerability Preparedness program.

I want to reiterate my support for legislation previously submitted by our administration and encourage senators and representatives to continue to work on reaching a compromise on the MassLeads Act, our bill authorizing funds to be used for federal matching commitments to maximize our ability to compete for and win federal grants, and the mid-year supplemental budget first filed in March. These bills are critical to our economic competitiveness and future growth and we are confident that together we can get these done before the end of the legislative session in December.

In that spirit, I am also submitting for your consideration several essential and timely provisions related to clean energy siting, permitting and procurement that were the subject of debate in the Legislature as part of a climate bill at the close of formal sessions in July. While a final bill has not yet reached my desk, these issues remain before a conference committee and I respectfully ask that you consider advancing these items in the coming weeks so that we can capitalize on the potential to grow our clean energy sector and advance our climate goals.

Sufficient revenues are available to finance the appropriations and other measures proposed in this bill. I urge you to enact this legislation promptly to facilitate the closing of the books for Fiscal Year 2024 and address the other urgent and time sensitive matters described above.

Respectfully submitted,

Maura T. Healey,  
*Governor*

**The Commonwealth of Massachusetts**

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

An Act making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to make supplemental appropriations for fiscal year 2024 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2024, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund unless specifically designated otherwise in this act or in  
4 those appropriation acts, for the several purposes and subject to the conditions specified in this  
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public  
6 funds for the fiscal year ending June 30, 2024. These sums shall be in addition to any amounts  
7 previously appropriated and made available for the purposes of those items. These sums shall be  
8 made available through the fiscal year ending June 30, 2025.

9           SECTION 2.

10                           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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*Department of Revenue*

1233-2000 Tax Abatements for Veterans, Widows, Blind Persons and the  
Elderly.....\$11,077,209

*Reserves*

1599-0026 Municipal Regionalization and Efficiencies Incentive Reserve..... \$12,673,961

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

*Office of the Secretary of Energy and Environmental Affairs*

1595-6232 Transfer to MassCEC..... \$10,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Office of the Secretary of Health and Human Services*

4000-0300 EOHHS and Medicaid Administration..... \$7,563,044

4000-0700 MassHealth Fee for Service Payments..... \$565,417,349

*Department of Public Health*

4590-0915 Public Health Hospitals..... \$5,055,887

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

*Office of the Secretary of Labor and Workforce Development*

7003-0101 Labor and Workforce Development Shared Services.....\$1,310,000

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

29 *Office of the Secretary of Housing and Livable Communities*  
30 7004-9316 Residential Assistance for Families in Transition..... \$7,325,156

31 EXECUTIVE OFFICE OF EDUCATION

32 *Department of Elementary and Secondary Education*

33 7053-1925 School Breakfast Program..... \$8,700,000

34 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

35 *Office of the Chief Medical Examiner*

36 8000-0105 Office of the Chief Medical Examiner..... \$689,902

37 *Military Division*

38 8700-0001 Military Division..... \$200,000

39 *Massachusetts Emergency Management Agency*

40 8800-0001 Massachusetts Emergency Management Agency..... \$622,624

41 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
42 provide for an alteration of purpose for current appropriations, and to meet certain requirements  
43 of law, the sums set forth in this section are hereby appropriated from the General Fund unless  
44 specifically designated otherwise in this section, for the several purposes and subject to the  
45 conditions specified in this section, and subject to the laws regulating the disbursement of public  
46 funds for the fiscal year ending June 30, 2024. Except as otherwise stated, these sums shall be  
47 made available through the fiscal year ending June 30, 2025.

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EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Reserves*

- 1599-1214 For a reserve for expansion, upgrades or enhancements to staffing, operations or infrastructure for new and existing facilities that treat men with an alcohol or substance use disorder under sections 1 and 35 of chapter 123 of the General Laws; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws.....\$14,000,000
- 1599-8910 For a reserve to support costs associated with the 14 county sheriffs’ offices; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws..... \$46,000,000
- 1599-0640 For start-up costs associated with implementation of online lottery; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws; and provided further, that funds in this item shall be made available until June 30, 2026..... \$2,500,000
- 1599-6263 For a reserve to support efforts that eradicate and prevent mosquito-borne diseases, including but not limited to eastern equine encephalitis; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws.....\$400,000

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

*Office of the Secretary of Economic Development*



68 7002-0024 For a transfer to the Massachusetts Life Sciences Center established by section 3  
69 of chapter 23I of the General Laws.....\$10,000,000

70 SECTION 2B. To provide for supplementing certain intragovernmental chargeback  
71 authorizations in the general appropriation act and other appropriation acts for fiscal year 2024,  
72 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for  
73 an alteration of purpose for current intragovernmental chargeback authorizations and to meet  
74 certain requirements of law, the sum set forth in this section is hereby authorized from the  
75 Intragovernmental Service Fund for the several purposes specified in this section or in the  
76 appropriation acts and subject to the provisions of law regulating the disbursement of public  
77 funds for the fiscal year ending June 30, 2024. This sum shall be in addition to any amounts  
78 previously authorized and made available for the purposes of this item.

79 EXECUTIVE OFFICE OF VETERANS’ SERVICES

80 *Office of the Secretary of Veterans’ Services*

81 1410-0110 Central Services Chargeback.....\$1,698,000

82 EXECUTIVE OFFICE OF EDUCATION

83 *Office of the Secretary of Education*

84 7009-1701 Chargeback for Education Information Technology Costs.....\$486,352

85 SECTION 2C.I. For the purpose of making available in fiscal year 2025 balances of  
86 appropriations which otherwise would revert on June 30, 2024, the unexpended balances of the  
87 appropriations listed below, not to exceed the amount specified below for each item, are hereby  
88 re-appropriated for the purposes of and subject to the conditions stated for the corresponding

89 item in section 2 or 2F of chapter 28 of the acts of 2023. However, for items which do not appear  
 90 in section 2 or 2F of the general appropriation act, the amounts in this section are re-appropriated  
 91 for the purposes of and subject to the conditions stated for the corresponding item in section 2 or  
 92 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the  
 93 fund or funds designated for the corresponding item in section 2 or 2F of said chapter 28;  
 94 provided, however, that for items which do not appear in section 2 or 2F of said chapter 28, the  
 95 amounts in this section are re-appropriated from the fund or funds designated for the  
 96 corresponding item in section 2 through 2F of this act or in prior appropriation acts. The  
 97 unexpended balance of each appropriation in the Massachusetts management accounting and  
 98 reporting system with a secretariat code of 01 or 17 is hereby re-appropriated for the purposes of  
 99 and subject to the conditions stated for the corresponding item in said section 2 of said chapter  
 100 28. The sums reappropriated in this section shall be in addition to any amounts available for said  
 101 purposes.

102 JUDICIARY

103 *Supreme Judicial Court*

104 0320-0003 Supreme Judicial Court.....\$150,000

105 *Board of Bar Examiners*

106 0321-0100 Board of Bar Examiners..... \$100,000

107 TREASURER AND RECEIVER-GENERAL

108 *Treasurer and Receiver-General*

109 0610-2000 Welcome Home Bill Bonus Payments.....\$800,000

110		<i>State Lottery Commission</i>	
111	0640-0000	State Lottery Commission.....	\$104,000
112		STATE ETHICS COMMISSION	
113	0900-0100	State Ethics Commission.....	\$66,500
114		CANNABIS CONTROL COMMISSION	
115	1070-0840	Cannabis Control Commission.....	\$200,000
116		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
117		<i>Health Policy Commission</i>	
118	1450-1200	Health Policy Commission.....	\$350,000
119		<i>Reserves</i>	
120	1599-0054	Hinton Lab Reserve.....	\$56,000
121	1599-1971	MBTA Workforce and Safety Reserve.....	\$117,582,748
122	1599-4448	Collective Bargaining Reserve.....	\$59,000,000
123		<i>Bureau of the State House</i>	
124	1102-3331	Office of the State House Superintendent.....	\$400,000
125		EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY	
126	1790-1700	Core Technology Services and Security.....	\$317,262

127 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

128 *Department of Public Utilities*

129 2100-0013 Transportation Oversight Division..... \$256,000

130 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

131 *Office of the Secretary of Health and Human Services*

132 1599-6903 Chapter 257 and Human Service Reserve..... \$28,465,994

133 *Department of Public Health*

134 4512-0200 Bureau of Substance Addiction Services..... \$7,000,000

135 4512-2020 DPH Public Safety Reform Matching Grants.....\$3,146,536

136 *Department of Mental Health*

137 5011-0100 Department of Mental Health Administration and Operations.....\$105,000

138 *Department of Youth Services*

139 4200-0300 Department of Youth Services Residential Services..... \$8,000,000

140 *Massachusetts Commission for the Blind*

141 4110-2000 Turning 22 Program and Services..... \$350,000

142 *Massachusetts Rehabilitation Commission*

143 4120-2000 Vocational Rehabilitation for People with Disabilities..... \$100,000

144 4120-6000 Head Injury Treatment Services..... \$34,496

145 EXECUTIVE OFFICE OF VETERANS' SERVICES

146 *Office of the Secretary of Veterans' Services*

147 1410-1700 Department of Veterans' Services IT..... \$300,000

148 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

149 Department of Transportation

150 1596-2401 Federal Matching Funds..... \$24,500,000

151 1596-2406 Regional Transit Grants and Equity..... \$23,800,000

152 EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

153 *Office of Consumer Affairs and Business Regulation*

154 7006-0000 Office of Consumer Affairs and Business Regulation.....\$73,000

155 *Division of Banks*

156 7006-0010 Division of Banks..... \$1,900,000

157 *Division of Insurance*

158 7006-0020 Division of Insurance.....\$1,950,000

159 *Division of Occupational Licensure*

160 7006-0040 Division of Occupational Licensure..... \$250,000

161 7006-0142 Office of Public Safety and Inspections.....\$334,000

162 *Division of Standards*

163 7006-0060 Division of Standards .....\$223,000

164 *Department of Telecommunications and Cable*

165 7006-0071 Department of Telecommunications and Cable.....\$175,000

166 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

167 *Office of the Secretary of Housing and Livable Communities*

168 7004-0102 Homeless Individual Shelters..... \$4,627,529

169 EXECUTIVE OFFICE OF EDUCATION

170 *Department of Early Education and Care*

171 3000-4060 Income-Eligible Child Care..... \$13,619,274

172 3000-7000 Children's Trust Fund .....\$350,000

173 *Department of Elementary and Secondary Education*

174 7061-9805 Teacher Diversity Initiative.....\$12,000,000

175 *Department of Higher Education*

176 1596-2425 DHE Endowment Match.....\$1,900,000

177 1596-2432 Scholarships for Nursing Students at Community Colleges..... \$9,700,000

178 1596-2433 Capacity Building for Free Community College..... \$9,100,000

179 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

180 *Office of the Secretary of Public Safety and Security*

181 8000-0601 Project Safe Neighborhood Initiative..... \$1,000,000

182 8000-0605 Human Trafficking Prevention..... \$431,000

183 *Massachusetts State Police*

184 8100-0515 New State Police Class..... \$5,974,741

185 *Department of Fire Services*

186 8324-0000 Department of Fire Services Administration..... \$133,489

187 *Department of Corrections*

188 8900-0001 Department of Corrections Facility Operations..... \$22,771,552

189 8900-1100 Re-Entry Programs..... \$827,819

190 *Parole Board*

191 8950-0001 Parole Board..... \$500,000

192 SECTION 2C.II. For the purpose of making available in fiscal year 2025 balances of  
193 retained revenue and intragovernmental chargeback authorizations which otherwise would revert  
194 on June 30, 2024, the unexpended balances of the authorizations listed below, not to exceed the  
195 amount specified below for each item, are hereby re-authorized for the purposes of and subject to

196 the conditions stated for the corresponding item in sections 2 through 2F of chapter 28 of the acts  
197 of 2023. However, for items which do not appear in sections 2 through 2F of said chapter 28, the  
198 amounts in this section are re-authorized for the purposes of and subject to the conditions stated  
199 for the corresponding item in sections 2 through 2F of this act or in prior appropriation acts.  
200 Amounts in this section are re-authorized from the fund or funds designated for the  
201 corresponding item in sections 2 through 2F of the general appropriation act; however, for items  
202 which do not appear in sections 2 through 2F of the general appropriation act, the amounts in this  
203 section are re-authorized from the fund or funds designated for the corresponding item in  
204 sections 2 through 2F of this act or in prior appropriation acts. The sums re-authorized in this  
205 section shall be in addition to any amounts available for those purposes.

206 MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

207 0940-0103 Equal Employment Opportunity Commission Retained Revenue....\$2,200,000

208 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

209 *Operational Services Division*

210 1775-0800 Chargeback for Purchase Operation and Repair of State Vehicles...\$400,000

211 SECTION 3. Chapter 21A of the General Laws is hereby amended by adding the  
212 following 2 sections:-

213 Section 29. There shall be an office of environmental justice and equity within the  
214 executive office of energy and environmental affairs, which shall be administered by an  
215 undersecretary of environmental justice and equity who shall be appointed and may be removed  
216 by the secretary. The office shall be responsible for implementing environmental justice



217 principles, as defined in section 62 of chapter 30, in the operation of each office and agency  
218 under the executive office. The office shall develop standards and guidelines governing the  
219 potential use and applicability of: (i) community benefit plans and agreements; and (ii)  
220 cumulative impact analyses in developing energy infrastructure with input from representatives  
221 from utilities, the renewable energy industry, local government, environmental justice  
222 community organizations, environmental sectors and other representatives as deemed appropriate  
223 by the office.

224           Section 30. The executive office of energy and environmental affairs shall establish and  
225 periodically update a methodology for determining the suitability of sites for clean energy  
226 generation facilities, clean energy storage facilities and clean transmission and distribution  
227 infrastructure facilities in newly established public rights of way. The methodology shall include  
228 multiple geospatial screening criteria to evaluate sites for: (i) development potential; (ii) climate  
229 change resilience; (iii) carbon storage and sequestration; (iv) biodiversity; and (v) social and  
230 environmental benefits and burdens. The executive office shall require facility development  
231 project proponents to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate  
232 siting impacts and environmental and land use concerns. The executive office shall develop and  
233 periodically update guidance to inform state, regional and local regulations, ordinances, by-laws  
234 and permitting processes on ways to avoid, minimize or mitigate impacts on the environment and  
235 people to the greatest extent practicable.

236           SECTION 4. Subsection (c) of section 18 of chapter 23N of the General Laws, as  
237 appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 22 to 24, the  
238 words “and (iv) provide English language learning programs to promote access to the  
239 workforce” and inserting in place thereof the following words:- (iv) provide English language

240 learning programs to promote access to the workforce; or (v) facilitate work permits,  
241 professional credentialing, or other workforce opportunities for non-citizens permanently  
242 residing under color of law or otherwise lawfully present in the commonwealth

243 SECTION 5. Chapter 25 of the General Laws is hereby amended by striking out section  
244 12N as appearing in the 2022 Official Edition and inserting in place thereof the following  
245 section:-

246 Section 12N. There is hereby established within the department, and under the general  
247 supervision and control of the commission, a facility siting division, which shall be under the  
248 charge of a director appointed by the commission. The facility siting division, hereinafter  
249 referred to as the division, shall perform such functions as the commission deems necessary for  
250 the administration, implementation and enforcement of sections 69G to 69W, inclusive, of  
251 chapter 164 imposed upon the department and the energy facilities siting board by said sections.

252 The division shall maintain a real-time, online clean energy infrastructure dashboard. The  
253 division shall, in cooperation with the executive office of energy and environmental affairs and  
254 its affiliated departments and offices, create, maintain and update the dashboard by collecting,  
255 facilitating the collection of, and reporting comprehensive data and information related to: (i)  
256 accelerating the responsible deployment of clean energy infrastructure through siting and  
257 permitting reform in a manner consistent with applicable legal requirements, including, but not  
258 limited to, greenhouse gas emissions limits and sublimits set under chapter 21N; (ii) facilitating  
259 community input into the siting and permitting of clean energy infrastructure; and (iii) ensuring  
260 that the benefits of clean energy deployment are shared equitably among all residents of the  
261 commonwealth; provided, however, that the dashboard shall, at a minimum, report for the most

262 recent reporting period and in the aggregate the number of facility applications filed, decided or  
263 pending information, including, but not limited to: (a) the number of applications deemed  
264 incomplete and the number of applications constructively approved; (b) the average duration of  
265 application review; and (c) average staffing levels delineated by job classification. The  
266 dashboard shall make use of bar charts, line charts and other visual representations to facilitate  
267 public understanding of both recent performance and long-term and cumulative trends and  
268 outcomes of clean energy deployment. The division shall convene a stakeholder process for the  
269 purpose of developing and informing the design and content of the dashboard; provided,  
270 however, that said comprehensive data and information shall be made publicly available in a  
271 machine-readable format.

272 SECTION 6. The first paragraph of section 12Q of said chapter 25, as so appearing, is  
273 hereby amended by striking out the second sentence and inserting in place thereof the following  
274 sentence:- The department shall credit to the fund: (i) appropriations or other money authorized  
275 or transferred by the general court and specifically designated to be credited to the fund; (ii) a  
276 portion of assessments collected pursuant to section 18, as determined by the department; (iii) a  
277 portion of application fees, as determined by the department, collected pursuant to section 69J1/2  
278 of chapter 164; and (iv) income derived from the investment of amounts credited to the fund.

279 SECTION 7. Said chapter 25 is hereby further amended by inserting after section 12R, as  
280 so appearing, the following 2 sections:-

281 Section 12S. There shall be a Department of Public Utilities and Energy Facilities Siting  
282 Board Intervenor Support Fund. The department shall credit to the fund: (i) appropriations or  
283 other money authorized or transferred by the general court and specifically designated to be

284 credited to the fund; (ii) a portion of assessments collected pursuant to section 18, as determined  
285 by the department; (iii) a portion of application fees, as determined by the department, collected  
286 pursuant to sections 69J1/2, 69T, 69U, 69V and 69W of chapter 164; (iv) any non-ratepayer  
287 funded sources obtained through gifts, grants, contributions and bequests of funds from any  
288 department, agency or subdivision of federal, state or municipal government or any individual,  
289 foundation, corporation, association or public authority; and (v) income derived from the  
290 investment of amounts credited to the fund. All amounts credited to the fund shall be held in trust  
291 and shall be expended solely, without further appropriation, for the purposes set forth in section  
292 149 of chapter 164, consistent with the requirements set forth in said section 149 of said chapter  
293 164 and any regulations promulgated thereunder. Any unexpended balance in the fund at the  
294 close of a fiscal year shall remain in the fund and shall not revert and shall be available for  
295 expenditure in subsequent fiscal years.

296       Section 12T. There shall be a division of public participation within the department and  
297 under the general supervision and control of the commission, which shall be under the charge of  
298 a director appointed by the commission. The division of public participation, hereinafter referred  
299 to as the division, shall perform such functions as the commission may determine and shall be  
300 responsible for assisting individuals, local governments, community organizations and other  
301 entities before the department or the energy facilities siting board. With respect to matters before  
302 the department, the division shall assist such parties with navigating filing requirements,  
303 opportunities to provide comment and intervene and facilitating dialogue among parties to  
304 proceedings. With respect to siting and permitting matters under the jurisdiction of the energy  
305 facilities siting board, the division shall assist individuals, local governments, community  
306 organizations, project applicants and other entities with navigating pre-filing consultation and

307 engagement requirements, clarifying filing requirements, identifying opportunities to intervene  
308 and facilitating dialogue among stakeholders involved in the permitting process and shall assist  
309 with coordinating with other state, regional and local officials, including the office of  
310 environmental justice and equity established by section 29 of chapter 21A, involved in the pre-  
311 filing consultation process, pre-filing engagement process and the permitting process generally.  
312 The director and staff of the division shall not participate as adjudicatory staff in matters before  
313 the department or in reviewing applications submitted to the energy facilities siting board, nor  
314 shall they serve as legal counsel to or otherwise represent any party before the department or the  
315 energy facilities siting board. The director shall be responsible for making final determinations  
316 with respect to intervenor funding support requests made pursuant to section 149 of chapter 164  
317 and administering all aspects of the intervenor support grant program established pursuant to said  
318 section 149 of said chapter 164.

319 SECTION 8. Section 18 of said chapter 25, as so appearing, is hereby amended by  
320 inserting after the third paragraph the following 2 paragraphs:-

321 The commission may make an assessment against each electric company under the  
322 jurisdictional control of the department, based upon the intrastate operating revenues subject to  
323 the jurisdiction of the department of each such company derived from sales within the  
324 commonwealth of electric service, as shown in the annual report of each such company to the  
325 department. The assessments shall be made at a rate not exceeding 0.1 per cent of such intrastate  
326 operating revenues, as shall be determined and certified annually by the commission as sufficient  
327 to reimburse the commonwealth for: (i) funds appropriated by the general court for the operation  
328 and general administration of the energy facilities siting board, exclusive of the cost of fringe  
329 benefits established by the comptroller pursuant to section 5D of chapter 29, including group life

330 and health insurance, retirement benefits, paid vacations, holidays and sick leave; and (ii) funds  
331 for a clean energy infrastructure dashboard, as required to be maintained by the facility siting  
332 division pursuant to section 12N. The funds may be used by the energy facilities siting board to  
333 compensate consultants in hearings on petitions filed by companies subject to assessment under  
334 this section. Assessments made under this section may be credited to the normal operating cost  
335 of each company. Each company shall pay the amount assessed against it not later than 30 days  
336 after the date of the notice of assessment from the department. The department shall collect such  
337 assessments and credit a portion of said assessments to the department of public utilities energy  
338 facilities siting board trust fund established by section 12Q and the Department of Public  
339 Utilities and Energy Facilities Siting Board Intervenor Support Fund established by section 12S.  
340 Any funds unexpended in any fiscal year for the purposes for which such assessments were made  
341 shall be credited against the assessment to be made in the following fiscal year and the  
342 assessment in the following fiscal year shall be reduced by any such unexpended amount.

343 For the purpose of providing the department with funds to be used to provide support to  
344 intervenors in the department or energy facilities siting board proceedings consistent with section  
345 149 of chapter 164, the commission may make a separate assessment proportionally against each  
346 electric and gas company under the jurisdictional control of the department, based upon the  
347 intrastate operating revenues subject to the jurisdiction of the department of each of such  
348 companies derived from sales within the commonwealth of electric and gas service, as shown in  
349 the annual report of each of such companies to the department. Such assessments shall be made  
350 at a rate as shall be determined and certified annually by the commission as sufficient to produce  
351 an annual amount of not more than \$3,500,000. The amount of the assessment may be increased  
352 by the commission annually by a rate not to exceed the most recent annual consumer price index

353 as calculated for the northeast region for all urban consumers; provided, however, that the  
354 assessment may be increased by the commission by a rate exceeding such index upon a finding  
355 that additional funding is necessary to meet the demand for grant funding from prospective  
356 grantees. Assessments made under this section may be credited to the normal operating cost of  
357 each company. Each company shall pay the amount assessed against it not later than 30 days  
358 after the date of the notice of assessment from the department. Such assessments shall be  
359 collected by the department and credited to the department of public utilities and energy facilities  
360 siting board intervenor support trust fund established by section 12S. Any funds unexpended in  
361 any fiscal year and remaining in the fund shall be credited against the assessment to be made in  
362 the following fiscal year and the assessment in the following fiscal year shall be reduced by any  
363 such unexpended amount.

364 SECTION 9. Section 2 of chapter 25A of the General Laws, as appearing in the 2022  
365 Official Edition, is hereby amended by striking out the second paragraph and inserting in place  
366 thereof the following paragraph:-

367 There shall be within the department 4 divisions: (i) a division of energy efficiency,  
368 which shall work with the department of public utilities regarding energy efficiency programs;  
369 (ii) a division of renewable and alternative energy development, which shall oversee and  
370 coordinate activities that seek to maximize the installation of renewable and alternative energy  
371 generating sources that will provide benefits to ratepayers, advance the production and use of  
372 biofuels and other alternative fuels as the division may define by regulation and administer the  
373 renewable portfolio standard and the alternative portfolio standard; (iii) a division of green  
374 communities, which shall serve as the principal point of contact for local governments and other  
375 governmental bodies concerning all matters under the jurisdiction of the department of energy

376 resources, with the exception of matters involving the siting and permitting of small clean energy  
377 infrastructure facilities; and (iv) a division of clean energy siting and permitting, which shall  
378 establish standard conditions, criteria and requirements for the siting and permitting of small  
379 clean energy infrastructure facilities by local governments and provide technical support and  
380 assistance to local governments, small clean energy infrastructure facility project proponents and  
381 other stakeholders impacted by the siting and permitting of small clean energy infrastructure  
382 facilities at the local government level. Each division shall be headed by a director appointed by  
383 the commissioner and who shall be a person of skill and experience in the field of energy  
384 efficiency, renewable energy or alternative energy, energy regulation or policy and land use and  
385 planning, respectively. The directors shall be the executive and administrative heads of their  
386 respective divisions and shall be responsible for administering and enforcing the law relative to  
387 their division and to each administrative unit thereof under the supervision, direction and control  
388 of the commissioner. The directors shall serve at the pleasure of the commissioner, shall receive  
389 such salary as may be determined by law and shall devote full time during regular business hours  
390 to the duties of the office. In the case of an absence or vacancy in the office of any director, or in  
391 the case of disability as determined by the commissioner, the commissioner may designate an  
392 acting director to serve as director until the vacancy is filled or the absence or disability ceases.  
393 The acting director shall have all the powers and duties of the director and shall have similar  
394 qualifications as the director.

395 SECTION 10. Section 6 of said chapter 25A, as so appearing, is hereby amended by  
396 striking out, in line 56, the word “and”.



397 SECTION 11. Said section 6 of said chapter 25A, as so appearing, is hereby further  
398 amended by striking out, in line 63, the words “chapter 21N.” and inserting in place thereof the  
399 following words:- chapter 21N; and

400 (15) develop and promulgate, regulations, criteria, guidelines, and standard conditions,  
401 criteria, and requirements that establish parameters for the siting, zoning, review and permitting  
402 of small clean energy infrastructure facilities by local government pursuant to section 21.

403 SECTION 12. Said chapter 25A is hereby further amended by adding the following  
404 section:-

405 Section 21. (a) As used in this section, the following words shall, unless the context  
406 clearly requires otherwise, have the following meanings:

407 “Anaerobic digestion facility”, a facility that: (i) generates electricity from a biogas  
408 produced by the accelerated biodegradation of organic materials under controlled anaerobic  
409 conditions; and (ii) has been determined by the department, in coordination with the department  
410 of environmental protection, to qualify under department of energy resources regulations as a  
411 Class I renewable energy generating source under section 11F.

412 “Local government”, a municipality or regional agency, inclusive of the Cape Cod  
413 Commission, established by chapter 716 of the acts of 1989, and the Martha’s Vineyard  
414 Commission, established by chapter 831 of the acts of 1977, that has permitting authority over  
415 small clean energy infrastructure facilities.

416 “Small clean energy generation facility”, energy generation infrastructure with a  
417 nameplate capacity of less than 25 megawatts that is an anaerobic digestion facility, solar facility

418 or wind facility, including any ancillary structure that is an integral part of the operation of the  
419 small clean energy generation facility or, following a rulemaking by the department in  
420 consultation with the energy facilities siting board in which the facility type is added to the  
421 regulatory definition of a small clean energy generation facility, any other type of generation  
422 facility that produces no greenhouse gas emissions or other pollutant emissions known to have  
423 negative health impacts; provided, however, that the nameplate capacity for solar facilities shall  
424 be calculated in direct current.

425 “Small clean energy infrastructure facility”, a small clean energy generation facility,  
426 small clean energy storage facility or small clean transmission and distribution infrastructure  
427 facility.

428 “Small clean energy storage facility”, an energy storage system as defined in section 1 of  
429 chapter 164 with a rated capacity of less than 100 megawatt hours, including any ancillary  
430 structure that is an integral part of the operation of the small clean energy storage facility.

431 “Small clean transmission and distribution infrastructure facility”, electric transmission  
432 and distribution infrastructure and related ancillary infrastructure, including: (i) electric  
433 transmission line reconductoring or rebuilding projects; (ii) new or substantially altered electric  
434 transmission lines located in an existing transmission corridor that are not more than 10 miles  
435 long, including any ancillary structure that is an integral part of the operation of the transmission  
436 line; (iii) new or substantially altered electric transmission lines located in a new transmission  
437 corridor that are not more than 1 mile long, including any ancillary structure that is an integral  
438 part of the operation of the transmission line; (iv) any other electric transmission infrastructure,  
439 including standalone transmission substations and upgrades and any ancillary structure that is an

440 integral part of the operation of the transmission line and that does not require zoning  
441 exemptions; and (v) electric distribution-level projects that meet a certain threshold, as  
442 determined by the department; provided, however, that the “small clean transmission and  
443 distribution infrastructure facility” shall be: (A) designed, fully or in part, to directly interconnect  
444 or otherwise facilitate the interconnection of clean energy infrastructure to the electric grid; (B)  
445 designed to ensure electric grid reliability and stability; or (C) designed to help facilitate the  
446 electrification of the building and transportation sectors; and provided further, that a “small clean  
447 transmission and distribution infrastructure facility” shall not include new transmission and  
448 distribution infrastructure facilities that solely interconnect new or existing generation powered  
449 by fossil fuels to the electric grid on or after January 1, 2026.

450 “Solar facility”, a ground mounted facility that uses sunlight to generate electricity.

451 “Wind facility”, an onshore or offshore facility that uses wind to generate electricity.

452 (b) The department shall establish standards, requirements and procedures governing the  
453 siting and permitting of small clean energy infrastructure facilities by local governments that  
454 shall include: (i) uniform sets of public health, safety, environmental and other standards,  
455 including zoning criteria, that local governments shall require for the issuance of permits for  
456 small clean energy infrastructure facilities; (ii) a common standard application for small clean  
457 energy infrastructure facility project applicants submitting a permit application to local  
458 governments; (iii) uniform pre-filing requirements for small clean energy infrastructure facilities,  
459 which shall include specific requirements for public meetings and other forms of outreach that  
460 must occur in advance of an applicant submitting an application; (iv) standards for applying site  
461 suitability guidance developed by the executive office of energy and environmental affairs

462 pursuant to section 30 of chapter 21A to evaluate the social and environmental impacts of  
463 proposed small clean energy generation facilities, small clean energy storage facilities and small  
464 clean transmission and distribution infrastructure facilities in new rights of way, which shall  
465 include a mitigation hierarchy to be applied during the permitting process to avoid or minimize  
466 or, if impacts cannot be avoided or minimized, mitigate negative impacts of siting on the  
467 environment, people and the commonwealth's goals and objectives for climate mitigation,  
468 resilience, biodiversity and protection of natural and working lands, to the extent practicable; (v)  
469 common conditions and requirements for a single permit consolidating all necessary local  
470 approvals to be issued for different types of small clean energy infrastructure facilities in the  
471 event that constructive approval is triggered through the non-issuance of a final decision by a  
472 local government pursuant to subsection (d); (vi) guidance for procedures and potential  
473 extensions of time should an applicant fail to respond to a request for information within a  
474 specified timeframe or proposes a significant revision to a proposed project; provided, however,  
475 that the department shall solicit public input in the development of such guidance; and (vii)  
476 responsible parties subject to enforcement actions, including in the event of sale of small clean  
477 energy infrastructure facilities after permitting. The department may promulgate rules and  
478 regulations allowing local governments to set fees for compensatory environmental mitigation  
479 for the restoration, establishment, enhancement or preservation of comparable environmental  
480 resources through funds paid to the local government or to a non-profit entity to be used at the  
481 election of an applicant to satisfy the standard of mitigation to the maximum extent practicable.  
482 Local governments acting in accordance with the standards established by the department for  
483 small clean energy generation facilities and small clean energy storage facilities pursuant to this  
484 subsection shall be considered to have acted consistent with the limitations on solar facility and

485 small clean energy storage facility zoning under section 3 of chapter 40A. The department shall  
486 establish a transition or concurrency period for the effective date of any standards that it  
487 establishes.

488 (c) The proponent of a small clean energy infrastructure facility may submit a  
489 consolidated small clean energy infrastructure facility permit application seeking a single permit  
490 consolidating all necessary local permits and approvals. To initiate the permitting of a small  
491 clean energy infrastructure facility, an applicant may elect to submit an application, with  
492 supporting information in the form developed by the department pursuant to subsection (b), for  
493 the local government to conduct a consolidated review pursuant to the criteria and standards set  
494 forth in subsection (b) and using the process set forth in subsection (d). Local governments shall  
495 determine whether such consolidated small clean energy infrastructure facility permit application  
496 is complete not later than 30 days of receipt. If an application is deemed incomplete, the  
497 applicant shall have 30 days, and any additional time as determined by the local government, to  
498 cure any deficiencies before the application is rejected. In the event of a rejection of the  
499 application, the local government shall provide a detailed reasoning for the rejection.

500 (d)(1) Local governments shall issue a single, final decision on a consolidated small clean  
501 energy infrastructure facility permit application submitted pursuant to subsection (c), including  
502 all decisions necessary for a project to proceed with construction within 12 months of the receipt  
503 of a complete permit application; provided, however, that the permit shall not include any state  
504 permits that may be required to proceed with construction and operation of said facility. All local  
505 government authorities, boards, commissions, offices or other entities that may be required to  
506 issue a decision on 1 or more permits in response to the application for the small clean energy

507 infrastructure facility may conduct reviews separately and concurrently. Such permits shall  
508 adhere to any requirements established by the department pursuant to subsection (b).

509 (2) If a final decision is not issued within 12 months of the receipt of a complete permit  
510 application, a constructive approval permit shall be issued by the local government that includes  
511 the common conditions and requirements established by the department for the type of small  
512 clean energy infrastructure facility under review.

513 (e) Individual decisions of local government authorities, boards, commissions, offices or  
514 other entities that would otherwise be required to issue 1 or more permits to the small clean  
515 energy infrastructure facility may not be appealed or reviewed independently. The only decision  
516 of a local government that is subject to further review is the single, final decision issued by the  
517 local government that is inclusive of all individual decisions necessary for a project to proceed  
518 with construction, exclusive of any state permits that may be required, which shall be reviewable  
519 via a de novo adjudication of the permit application by the director of the energy facilities siting  
520 division of the department of public utilities, as provided in subsection (f).

521 (f) Within 30 days of the single, final decision on a consolidated permit application by a  
522 local government described in subsections (d) and (e), project proponents and other individuals  
523 or entities substantially and specifically affected by a proposed small clean energy infrastructure  
524 facility may file a petition to request in writing a de novo adjudication of the permit application  
525 by the director of the facilities siting division pursuant to section 69W of chapter 164 following  
526 permit issuance, including constructive approval permits issued pursuant to subsection (d), or  
527 denials by a local government.

528 (g) If a local government lacks the resources, capacity or staffing to review a small clean  
529 energy infrastructure facility permit application within 12 months, it may, not later than 60 days  
530 after receipt of such application or at any time thereafter with the consent of the applicant,  
531 request in writing a de novo adjudication of such application by the director pursuant to section  
532 69W of chapter 164.

533 (h) The department shall promulgate regulations to implement this section in consultation  
534 with the Massachusetts Municipal Association, Inc., the department of public utilities, the  
535 department of environmental protection, the department of fish and game, the department of  
536 conservation and recreation, the department of agricultural resources, an office within the  
537 executive office of environmental affairs designated by the secretary for review of compliance  
538 with the Massachusetts environmental policy act, the office of environmental justice and equity,  
539 the executive office of health and human services, the executive office of housing and livable  
540 communities and the executive office of public safety and security.

541 (i) Nothing in subsections (c) to (g), inclusive, shall apply to a comprehensive permit  
542 pursuant to sections 20 to 23, inclusive, of chapter 40B. For the purpose of this section, the  
543 procedures and standards for filing and review of an application for a comprehensive permit that  
544 includes a small clean energy infrastructure facility shall be in accordance with said sections 20  
545 to 23, inclusive, of said chapter 40B.

546 SECTION 13. The second paragraph of section 62A of chapter 30 of the General Laws,  
547 as appearing in the 2022 Official Edition, is hereby amended by striking out the last sentence and  
548 inserting in place thereof the following sentence:- This section and sections 62B to 62L,  
549 inclusive, shall not apply to the energy facilities siting board established under section 69H of

550 chapter 164 or to any proponent or owner of a large clean energy infrastructure facility, as  
551 defined in section 69G of chapter 164, or small clean energy infrastructure facility, as defined in  
552 section 21 of chapter 25A, in relation to an application for a consolidated permit or petition for a  
553 de novo adjudication filed under sections 69T to 69W, inclusive, of chapter 164.

554 SECTION 14. Chapter 40 of the General Laws is hereby amended by adding the  
555 following section:-

556 Section 70. (a) a city or town may enter into an agreement with a housing developer or  
557 residential development owner to provide a preference for affordable housing to low- or  
558 moderate-income veterans, as defined in clause Forty-third of section 7 of chapter 4 if the  
559 residential development is subject to any of the following: (i) inclusionary zoning, (ii) incentive  
560 zoning, or (iii) a density bonus ordinance or by-law . The preference shall be for up to 10 per  
561 cent of the affordable units in a particular development.

562 (b) The preference under this section shall be established in the applicant selection  
563 process for available affordable units. Applicants who are veterans and who apply within 90 days  
564 of the initial marketing period of the development shall receive preference for the rental of up to  
565 10 per cent of the affordable units. After the first 90 days of the initial marketing period, if any of  
566 the units subject to the preference remain available, applicants from the general public shall be  
567 considered for occupancy. Following the initial marketing period, qualified applicants who are  
568 veterans shall be placed on a waiting list for the preference-occupied units for veterans and on  
569 any general waiting list. The veterans on the preference-occupied waiting list shall be given  
570 preference for affordable units, as the units become available, whenever the percentage of  
571 preference-occupied units falls below 10 per cent.



572 (c) Any agreement to provide affordable housing preferences for veterans pursuant to this  
573 section shall not affect a municipality’s ability to receive credit for the unit for affordable  
574 housing pursuant to chapter 40B; provided, that such unit or development meets all other  
575 eligibility criteria for inclusion on the subsidized housing inventory, pursuant to 706 CMR 56.00  
576 and any applicable federal or state subsidy program requirements. The agreement may be  
577 monitored by a third party assigned by the municipality.

578 (d) This section shall not require an increase in the existing amount of affordable units set  
579 by the city or town.

580 (e) The city or town may require proof of veteran status and income eligibility as the city  
581 or town deems necessary.

582 SECTION 15. Section 1A of chapter 40A of the General Laws, as appearing in the 2022  
583 Official Edition, is hereby amended by inserting after the definition of “Permit granting  
584 authority” the following definition:-

585 “Public service corporation”, (i) a corporation or other entity duly qualified to conduct  
586 business in the commonwealth that owns or operates or proposes to own or operate assets or  
587 facilities to provide electricity, gas, telecommunications, cable, water or other similar services of  
588 public need or convenience to the public directly or indirectly, including, but not limited to, an  
589 entity that owns or operates or proposes to own or operate electricity generation, storage,  
590 transmission or distribution facilities, or natural gas facilities including pipelines, manufacturing,  
591 and storage facilities; (ii) any transportation company that owns or operates or proposes to own  
592 or operate railways and related common carrier facilities; (iii) any communications company,  
593 including a wireless communications company or cable company that owns or operates or

594 proposes to own or operate communications or cable facilities; and (iv) any water company that  
595 owns or operates or proposes to own or operate facilities necessary for its operations.

596 SECTION 16. Section 3 of said chapter 40A, as so appearing, is hereby amended by  
597 striking out, in line 65, and lines 74 and 82, the words “department of public utilities”, each time  
598 they appear, and inserting in place thereof, in each instance, the following words:- energy  
599 facilities siting board.

600 SECTION 17. Section 1 of chapter 40V of the General Laws, as most recently amended  
601 by chapter 7 of the acts of 2023, is hereby amended by inserting after the word “residential” the  
602 following words:- new construction or.

603 SECTION 18. Section 4 of said chapter 40V, as appearing in the 2022 Official Edition, is  
604 hereby amended by inserting, in line 9, after the word “the”, the following words:- new  
605 construction or.

606 SECTION 19. Subsection (q) of section 6 of chapter 62 of the General Laws, as most  
607 recently amended by section 19 chapter 50 of the acts of 2023, is hereby amended by striking  
608 out, in paragraph (5), the words “awarded by EOHLC in a calendar year shall not be applied to  
609 awards in a subsequent year” and inserting in place thereof the following words:- authorized by  
610 EOHLC during a calendar year shall be added to the amount EOHLC may authorize in  
611 subsequent years.

612 SECTION 20. Paragraph (xii) of subsection (d) of section 2A of chapter 63 of the  
613 General Laws, as most recently amended by section 28 of chapter 50 of the acts of 2023, is  
614 hereby further amended by striking out the words “and paragraph (xii).”

615 SECTION 21. Section 38 of chapter 63 of the General Laws, as most recently amended  
616 by section 31 of chapter 50 of the acts of 2023, is hereby further amended by striking out  
617 subsection (g) and inserting in place thereof the following subsection:-

618 (g) If the sales factor is inapplicable, the corporation's taxable net income shall be  
619 apportioned to the commonwealth based on the corporation's property and payroll in the  
620 commonwealth. The sales factor shall not be applicable if: (i) both its numerator and  
621 denominator are zero; (ii) the denominator is less than 10 per cent of one third of the taxable net  
622 income; or (iii) it is otherwise determined by the commissioner to be insignificant in producing  
623 income. The sales factor shall not be deemed to be inapplicable merely because the numerator is  
624 zero. The commissioner shall adopt regulations providing for such method of apportionment.

625 SECTION 22. Section 38BB of chapter 63 of the General Laws, as most recently  
626 amended by section 33 of chapter 50 of the acts of 2023, is hereby further amended by striking  
627 out, in subdivision (5), the words "awarded by EOHLC in a calendar year shall not be applied to  
628 awards in a subsequent year" and inserting in place thereof the following words:- authorized by  
629 EOHLC during a calendar year shall be added to the amount EOHLC may authorize in  
630 subsequent years.

631 SECTION 23. Subsection (b) of section 2A of chapter 71B of the General Laws, as  
632 appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:-  
633 Notwithstanding chapter 66A, section 2A of chapter 71B, section 2A and any special or general  
634 law to the contrary, the department of elementary and secondary education and the bureau of  
635 special education appeals may share with each other personal data regarding students and other

636 individuals for- the purposes of carrying out their respective responsibilities under state and  
637 federal laws and regulations.

638 SECTION 24. Section 11A of said chapter 71B, as so appearing, is hereby amended by  
639 adding the following sentence:- Notwithstanding chapter 66A, or any special or general law to  
640 the contrary, the department of elementary and secondary education and each of the county  
641 houses of correction may share with each other, school districts, and educational service  
642 providers, personal data of individuals incarcerated in county houses of correction, for the  
643 purposes of facilitating prompt access to special education services for individuals incarcerated  
644 in county houses of correction.

645 SECTION 25. Section 2 of chapter 90 of the General Laws, as appearing in the 2022  
646 Official Edition, is hereby amended by striking out, in lines 172 to 186, inclusive, as so  
647 appearing, the words “pleasure passenger vehicles owned by veterans who, according to the  
648 records of the United States Veterans’ Administration, has been determined to have a service-  
649 connected disability rating of 60 per cent or greater and by reason of service in the armed forces  
650 of the United States have suffered loss or permanent loss of use of one or both feet; or loss or  
651 permanent loss of use of one or both hands; or permanent impairment of vision of both eyes of  
652 the following status: central visual acuity of 20/200 or less in the better eye, with corrective  
653 glasses, or central visual acuity of more than 20/200 if there is a field defect in which the  
654 peripheral field has contracted to such an extent that the widest diameter of visual field subtends  
655 an angular distance no greater than twenty degrees in the better eye, or any other disability or  
656 handicap of such veterans which may be determined by the medical advisory board as  
657 established by section eight C, and”.

658 SECTION 26. The seventh paragraph of said section 2 of said chapter 90, as so  
659 appearing, is hereby amended by striking out the third and fourth sentences.

660 SECTION 27. Said section 2 of said chapter 90, as so appearing, is hereby further  
661 amended by striking out, in lines 246 to 258, inclusive, as so appearing, the words “and the  
662 words “Disabled Veteran” for a pleasure passenger vehicle or a pick-up truck owned or leased by  
663 and used by a veteran who, according to the records of the United States Veterans’  
664 Administration, by reason of service in the armed forces of the United States has suffered loss or  
665 permanent loss of use of one or both feet; or loss or permanent loss of use of one or both hands;  
666 or permanent impairment of vision of both eyes of the following status: central visual acuity of  
667 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than  
668 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that  
669 the widest diameter of visual field subtends an angular distance no greater than 20 degrees in the  
670 better eye, or any other disability or handicap”.

671 SECTION 28. Said section 2 of said chapter 90, as so appearing, is hereby further  
672 amended by striking out the twelfth paragraph, as so appearing.

673 SECTION 29. Said section 2 of said chapter 90, as so appearing, is hereby further  
674 amended by striking out the fifteenth through seventeenth paragraphs, inclusive, and nineteenth  
675 through twenty-second paragraphs, inclusive.

676 SECTION 30. Chapter 90 of the General Laws, as so appearing, is hereby further  
677 amended by inserting after section 2I the following section:-

678 Section 2J. (a) The registrar shall design and maintain a series of distinct and individual  
679 license plates recognizing those who have served in the military and for those who deserve  
680 special recognition relating to or deriving from military service.

681 (b) Any veteran meeting the definition of a veteran in clause forty-third of section 7 of  
682 chapter 4 or section 1 of chapter 115, or who is eligible for the annuity provided under section  
683 6C of chapter 115, shall be eligible and entitled to a veteran plate which shall carry the  
684 denotation "VETERAN", upon presentation of satisfactory evidence of such status as determined  
685 by the registrar.

686 (c) The series of distinct and individual license plates recognizing those who have served  
687 in the military and for those who deserve special recognition relating to or deriving from military  
688 service shall include the license plates described in the following paragraphs:

689 (1) Veterans ranked as at least 60 per cent disabled by the United States Department of  
690 Veterans Affairs, including those who have suffered the loss of a limb, permanent visual acuity  
691 loss of 20/200 in an eye, or are otherwise determined to be disabled or handicapped by the  
692 medical advisory board established in section 8C, shall be entitled to a distinctive disabled  
693 veteran plate.

694 (2) Veterans who have been captured and incarcerated by foreign forces in conflict or  
695 held as prisoners of war shall be entitled to a distinctive plate recognizing that status.

696 (3) Veterans who are members of the Legion of Valor of the United States of America,  
697 Incorporated shall be entitled to a distinctive plate recognizing that status.

698 (4) Veterans awarded the Congressional Medal of Honor shall be entitled to a distinctive  
699 plate recognizing that status, including, subject to availability, the use of the initials of the award  
700 recipient followed by CMH signifying their award.

701 (5) Veterans awarded the Order of the Purple Heart shall be entitled to a distinctive plate  
702 indicating that status which shall include the words "COMBAT WOUNDED."

703 (6) Survivors of the attack upon Pearl Harbor shall be entitled to a distinctive plate  
704 reflecting that status and bearing the word "VETERAN" thereupon.

705 (7) Residents of the commonwealth serving in any branch of the national guard shall be  
706 entitled to a distinctive plate reflecting that status.

707 (8) Residents of the commonwealth awarded the Medal of Liberty under section 67A of  
708 chapter 33 shall be entitled to a distinctive plate reflecting that status.

709 (9) The next of kin of a member of the armed forces, in possession of a Gold Star Lapel  
710 Button under the regulations of the United States Secretary of Defense, shall be entitled to a  
711 Gold Star Family distinctive plate. Said button shall not be an eligibility requirement for those  
712 who have presented other satisfactory evidence of their status, as determined by the registrar.

713 (d) A veteran who has served in the armed forces and is entitled to a veteran license plate  
714 shall also be entitled to the issuance of a decal or emblem denoting their branch of service.  
715 Residents of the commonwealth identifying as a woman veteran who served in any branch shall  
716 be entitled to a distinctive decal which the registry of motor vehicles shall design and issue.

717 (e) The following individuals shall be entitled to a distinctive plate, emblem or decal  
718 denoting their award status:

719 (1) Owners of private vehicles awarded 1 of the following decorations for valor or  
720 gallantry: the Silver Star, the Bronze Star, the Distinguished Flying Cross, the Distinguish  
721 Service Cross, the Navy Cross, the Air Force Cross, or any other similar award designated by the  
722 secretary of veterans' services.

723 (2) A resident of the commonwealth qualifying as a Gold Star parent, child, sibling,  
724 grandchild or spouse. A distinctive plate, under this paragraph, may not be used in conjunction  
725 with a motor vehicle that has promotional or advertising material thereupon.

726 (f) Veterans entitled to a distinctive plate shall be entitled to have a distinctive emblem or  
727 decal reflecting service in Operation Enduring Freedom or the receipt of the Iraqi Freedom  
728 Campaign Ribbon, an Afghanistan Campaign Ribbon, a Persian Gulf Campaign Ribbon, the  
729 Armed Forces Expeditionary Medal, the Southwest Asia Service Medal, the Inherent Resolve  
730 Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Vietnam Service  
731 Medal, the Kosovo Campaign Medal, or the Prisoner of War Medal.

732 (g) Under any special recognition or status recognized in this section, a widowed person  
733 shall not be compelled to surrender their distinctive plate, emblem or decal unless they remarry,  
734 cancel or fail to renew registration. If the deceased person was entitled to recognition under any  
735 portion of this section but did not apply for special status under this section, a widowed person  
736 may nonetheless apply in the stead of their deceased spouse.

737 (h) Any special status under this section shall entitle the bearer to only 1 special plate,  
738 emblem or decal; provided, however, that such person may, at their option, have the distinctive  
739 plate, emblem or decal issued in a form suitable for use on a motorcycle rather than a passenger  
740 car.



741 (i) Any plate to which an individual is entitled under this section shall be issued without  
742 fee other than the established registration fee for private passenger motor vehicles and  
743 motorcycles. The registrar may provide individuals the option of paying an additional fee. Any  
744 funds related to the additional fee generated under this section shall be distributed to the state  
745 operated veterans' homes on an equal basis, to their special account, up to \$500,000 for each  
746 home. Any excess fee over \$500,000 for each state-operated veterans' home shall be placed in  
747 the special trust fund subject to the control of the secretary of veterans' services.

748 SECTION 31. Section 69G of said chapter 164, as so appearing, is hereby amended by  
749 striking out, in line 1, the words "sixty-nine H to sixty-nine R" and inserting in place thereof the  
750 following words:- 69H to 69W.

751 SECTION 32. Said section 69G of said chapter 164, as so appearing, is hereby further  
752 amended by striking out the definition of "Applicant" and inserting in place thereof the following  
753 2 definitions:-

754 "Anaerobic digestion facility", a facility that: (i) generates electricity from a biogas  
755 produced by the accelerated biodegradation of organic materials under controlled anaerobic  
756 conditions; and (ii) has been determined by the department of energy resources, in coordination  
757 with the department of environmental protection, to qualify under the department of energy  
758 resources regulations as a Class I renewable energy generating source under section 11F of  
759 chapter 25A.

760 "Applicant", a person or group of persons who submits to the department or board a long-  
761 range plan, a petition to construct a facility, a petition for a consolidated permit for a large clean  
762 energy infrastructure facility or small clean energy infrastructure facility, a petition for a

763 certificate of environmental impact and public need, a notice of intent to construct an oil facility  
764 or any application, petition or matter referred by the chair of the department to the board  
765 pursuant to section 69H.

766 SECTION 33. Said section 69G of said chapter 164, as so appearing, is hereby further  
767 amended by inserting after the definition of “Certificate” the following definition:-

768 “Consolidated permit”, a permit issued by the board to a large clean energy infrastructure  
769 facility or a small clean energy infrastructure facility that includes all municipal, regional and  
770 state permits that the large or small clean energy infrastructure facility would otherwise need to  
771 obtain individually, with the exception of certain federal permits that are delegated to specific  
772 state agencies, as determined by the board.

773 SECTION 34. Said section 69G of said chapter 164, as so appearing, is hereby further  
774 amended by striking out the definition of “Department” and inserting in place thereof the  
775 following 3 definitions:-

776 “Cumulative impact analysis”, a written report produced by the applicant assessing  
777 impacts and burdens, including but not limited to any existing environmental burden and public  
778 health consequences impacting a specific geographical area in which a facility, large clean  
779 energy infrastructure facility or small clean energy infrastructure facility is proposed from any  
780 prior or current private, industrial, commercial, state or municipal operation or project; provided,  
781 that if the analysis indicates that such a geographical area is subject to an existing unfair or  
782 inequitable environmental burden or related health consequence, the analysis shall identify any:  
783 (i) environmental and public health impact from the proposed project that would likely result in a  
784 disproportionate adverse effect on such geographical area; (ii) potential impact or consequence

785 from the proposed project that would increase or reduce the effects of climate change on such  
786 geographical area; and (iii) proposed potential remedial actions to address any disproportionate  
787 adverse impacts to the environment, public health and climate resilience of such geographical  
788 area that may be attributable to the proposed project. Said cumulative impact analysis shall be  
789 developed in accordance with guidance established by the office of environmental justice and  
790 equity established pursuant to section 29 of chapter 21A and regulations promulgated by the  
791 board.

792 “Department”, the department of public utilities.

793 “Director”, the director of the facilities siting division appointed pursuant to section 12N  
794 of chapter 25, who shall serve as the director of the board; provided, however, that the director  
795 shall have authority to issue decisions on de novo adjudications of local permit applications  
796 pursuant to section 69W of chapter 164.

797 SECTION 35. Said section 69G of said chapter 164, as so appearing, is hereby further  
798 amended by inserting after the word “capacity”, in line 46, the following words:- ; provided,  
799 however, that “facility” shall not include a large clean energy infrastructure facility or small  
800 clean energy infrastructure facility.

801 SECTION 36. Said section 69G of said chapter 164, as so appearing, is hereby further  
802 amended by striking out, in line 48, the words “and liquified natural gas”, and inserting in place  
803 thereof the following words:- liquified natural gas, renewable natural gas and hydrogen.

804 SECTION 37. Said section 69G of said chapter 164, as so appearing, is hereby further  
805 amended by striking out, in line 61, the figure “100” and inserting in place thereof the following  
806 figure:- 25.

807 SECTION 38. Said section 69G of said chapter 164, as so appearing, is hereby further  
808 amended by inserting after the definition of “Generating facility” the following 4 definitions:-

809 “Large clean energy generation facility”, energy generation infrastructure with a  
810 nameplate capacity of not less than 25 megawatts that is an anaerobic digestion facility, solar  
811 facility or wind facility, including any ancillary structure that is an integral part of the operation  
812 of the large clean energy generation facility, or, following a rulemaking by the board in  
813 consultation with the department of energy resources that includes the facility within the  
814 regulatory definition of a large clean energy generation facility, any other type of generation  
815 facility that does not emit greenhouse gas; provided, however, that the nameplate capacity for  
816 solar facilities shall be calculated in direct current.

817 “Large clean energy infrastructure facility”, a large clean energy generation facility, large  
818 clean energy storage facility or large clean transmission and distribution infrastructure facility.

819 “Large clean energy storage facility”, an energy storage system as defined under section  
820 1 with a rated capacity of not less than 100 megawatt hours, including any ancillary structure that  
821 is an integral part of the operation of the large clean energy storage facility.

822 “Large clean transmission and distribution infrastructure facility”, electric transmission  
823 and distribution infrastructure and related ancillary infrastructure that is: (i) a new electric  
824 transmission line having a design rating of not less than 69 kilovolts and that is not less than 1  
825 mile in length on a new transmission corridor, including any ancillary structure that is an integral  
826 part of the operation of the transmission line; (ii) a new electric transmission line having a design  
827 rating of not less than 115 kilovolts that is not less than 10 miles in length on an existing  
828 transmission corridor except reconducted or rebuilt transmission lines at the same voltage,

829 including any ancillary structure that is an integral part of the operation of the transmission line;  
830 (iii) any other new electric transmission infrastructure requiring zoning exemptions, including  
831 standalone transmission substations and upgrades and any ancillary structure that is an integral  
832 part of the operation of the transmission line; and (iv) facilities needed to interconnect offshore  
833 wind to the grid; provided, however, that the large clean transmission and distribution facility:  
834 (A) is designed, fully or in part, to directly interconnect or otherwise facilitate the  
835 interconnection of clean energy infrastructure to the electric grid; (B) is approved by the regional  
836 transmission operator in relation to interconnecting clean energy infrastructure; (C) is proposed  
837 to ensure electric grid reliability and stability; or (D) will help facilitate the electrification of the  
838 building and transportation sectors; and provided further, that a “large clean transmission and  
839 distribution infrastructure facility” shall not include new transmission and distribution  
840 infrastructure that solely interconnects new and existing energy generation powered by fossil  
841 fuels on or after January 1, 2026.

842 SECTION 39. Said section 69G of said chapter 164, as so appearing, is hereby further  
843 amended by striking out the definition of “Significant portion of his income” and inserting in  
844 place thereof the following 6 definitions:-

845 “Significant portion of their income”, 10 per cent of gross personal income for a calendar  
846 year; provided, however, that it shall mean 50 per cent of gross personal income for a calendar  
847 year if the recipient is over 60 years of age and is receiving such portion pursuant to retirement,  
848 pension or similar arrangement. Income includes retirement benefits, consultants’ fees and stock  
849 dividends. Income shall not be received directly or indirectly from permit holders or applicants  
850 for a permit where it is derived from mutual fund payments or from other diversified investments  
851 over which the recipient does not know the identity of the primary sources of income.

852 “Small clean energy generation facility”, as defined in section 21 of chapter 25A.

853 “Small clean energy infrastructure facility”, as defined in section 21 of chapter 25A.

854 “Small clean energy storage facility”, as defined in section 21 of chapter 25A.

855 “Small clean transmission and distribution infrastructure facility”, as defined in section  
856 21 of chapter 25A.

857 “Solar facility”, a ground mounted facility that uses sunlight to generate electricity.

858 SECTION 40. Said section 69G of said chapter 164, as so appearing, is hereby further  
859 amended by adding the following definition:-

860 “Wind facility”, an onshore or offshore facility that uses wind to generate electricity.

861 SECTION 41. Section 69H of said chapter 164, as amended by section 292 of chapter 7  
862 of the acts of 2023, is hereby further amended by striking out the first 3 paragraphs and inserting  
863 in place thereof the following 4 paragraphs:-

864 There shall be an energy facilities siting board within the department, but not under the  
865 supervision or control of the department. The board shall implement the provisions contained in  
866 sections 69H to 69Q, inclusive, and sections 69S to 69W, inclusive, to: (i) provide a reliable,  
867 resilient and clean supply of energy consistent with the commonwealth’s climate change and  
868 greenhouse gas reduction policies and requirements; (ii) ensure that large clean energy  
869 infrastructure facilities, small clean energy infrastructure facilities, facilities and oil facilities  
870 avoid or minimize or, if impacts cannot be avoided or minimized, mitigate environmental  
871 impacts and negative health impacts to the extent practicable; (iii) ensure that large clean energy  
872 infrastructure facilities, small clean energy infrastructure facilities, facilities and oil facilities are,

873 to the extent practicable, in compliance with energy, environmental, land use, labor, economic  
874 justice, environmental justice and equity and public health and safety policies of the  
875 commonwealth, its subdivisions and its municipalities; and (iv) ensure large clean energy  
876 infrastructure facilities, small clean energy infrastructure facilities, facilities and oil facilities are  
877 constructed in a manner that avoids or minimizes costs. The board shall review: (A) the need for,  
878 cost of and environmental and public health impacts of transmission lines, natural gas pipelines,  
879 facilities for the manufacture and storage of gas, oil facilities, large clean transmission and  
880 distribution infrastructure facilities and small clean transmission and distribution infrastructure  
881 facilities; and (B) the environmental and public health impacts of generating facilities, large  
882 clean energy generation facilities, small clean energy generation facilities, large clean energy  
883 storage facilities and small clean energy storage facilities.

884 Any determination made by the board shall describe the environmental and public health  
885 impacts, if any, of the large clean energy infrastructure facility, small clean energy infrastructure  
886 facility, facility or oil facility and shall include findings, including, but not be limited to, findings  
887 that: (i) efforts have been made to avoid or minimize or, if impacts cannot be avoided or  
888 minimized, mitigate environmental impacts; (ii) due consideration has been given to the findings  
889 and recommendations of local governments; (iii) in the case of large clean transmission and  
890 distribution infrastructure facilities, small clean transmission and distribution infrastructure  
891 facilities and natural gas pipelines, due consideration has been given to advanced transmission  
892 technologies, grid enhancement technologies, non-wires or non-pipeline alternatives, the repair  
893 or retirement of pipelines and other alternatives in an effort to avoid or minimize costs; (iv) in  
894 the case of large clean transmission and distribution infrastructure facilities and small clean  
895 transmission and distribution infrastructure facilities, the infrastructure or project will increase

896 the capacity of the system to interconnect large electricity customers, electric vehicle supply  
897 equipment, clean energy generation, clean energy storage or other clean energy generation  
898 sources that qualify under any clean energy standard regulation established by the department of  
899 environmental protection pursuant to subsection (d) of section 3 of chapter 21N or will facilitate  
900 the electrification of the building and transportation sectors; and (v) due consideration has been  
901 given to any cumulative burdens on host communities and efforts that must be taken to avoid or  
902 minimize or, if impacts cannot be avoided or minimized, efforts to mitigate such burdens. In  
903 considering and issuing a decision, the board shall also consider reasonably foreseeable climate  
904 change impacts, including additional greenhouse gas or other pollutant emissions known to have  
905 negative health impacts, predicted sea level rise, flooding and any other disproportionate adverse  
906 effects on a specific geographical area. Such reviews shall be conducted consistent with section  
907 69J1/4 for generating facilities, section 69T for large clean energy infrastructure facilities,  
908 sections 69U to 69W, inclusive, for small clean energy infrastructure facilities and section 69J  
909 for all other types of facilities.

910 The board shall be composed of: the secretary of energy and environmental affairs or a  
911 designee, who shall serve as chair; the secretary of economic development or a designee; the  
912 commissioner of environmental protection or a designee; the commissioner of energy resources  
913 or a designee; the chair of the department of public utilities or a designee; the commissioner of  
914 fish and game or a designee; the commissioner of public health or a designee; and 4 public  
915 members to be appointed by the governor for a term coterminous with that of the governor, 1 of  
916 whom shall be a representative of the Massachusetts Association of Regional Planning Agencies,  
917 1 of whom shall be a representative of the Massachusetts Municipal Association, Inc. with  
918 expertise in municipal permitting matters, 1 of whom shall be experienced in environmental



919 justice issues or indigenous sovereignty and 1 of whom shall be experienced in labor issues;  
920 provided, however, that the public members shall not have received, within the 2 years  
921 immediately preceding appointment, a significant portion of their income directly or indirectly  
922 from the developer of an energy facility or an electric, gas or oil company. The public members  
923 shall serve on a part-time basis, receive \$100 per diem of board service and be reimbursed by the  
924 commonwealth for all reasonable expenses actually and necessarily incurred in the performance  
925 of official board duties. Upon the resignation of any public member, a successor shall be  
926 appointed in a like manner for the unexpired portion of the term. Appointees shall serve for not  
927 more than 2 consecutive full terms.

928           In the event of the absence, recusal or disqualification of the chair, the commissioner of  
929 energy resources shall appoint an acting chair from the remaining members of the board. The  
930 board shall meet at such time and place as the chair may designate or upon the request of 3  
931 members. The board shall render a final decision on an application by a majority vote of the  
932 members in attendance at a meeting and 6 members shall constitute a quorum.

933           SECTION 42. The fifth paragraph of said section 69H of said chapter 164, as appearing  
934 in the 2022 Official Edition, is hereby amended by striking out clause (1) and inserting in place  
935 thereof the following clause:-

936           (1) To adopt and publish rules and regulations consistent with the purposes of sections  
937 69H to 69S, inclusive, and to amend the same from time to time, including, but not limited to,  
938 rules and regulations for the conduct of the board's public hearings under sections 69H1/2, 69J,  
939 69J1/4, 69M and 69T to 69W, inclusive.

940 SECTION 43. Said section 69H of said chapter 164, as amended by section 292 of  
941 chapter 7 of the acts of 2023, is hereby further amended by adding the following 2 paragraphs:-

942 The board shall promulgate regulations, in consultation with the office of environmental  
943 justice and equity and the Massachusetts environmental policy act office, for cumulative impact  
944 analysis as part of its review of facilities, large clean energy infrastructure facilities and small  
945 clean energy infrastructure facilities which shall be informed by the cumulative impact analysis  
946 standards and guidelines developed pursuant to section 29 of chapter 21A.

947 The board and any proponent or owner of a large clean energy infrastructure facility or  
948 small clean energy infrastructure facility shall not be subject to any provisions of sections 61 to  
949 62L, inclusive, of chapter 30 in relation to an application or petition for a comprehensive permit  
950 or de novo adjudication filed under sections 69T to 69W, inclusive. This section shall apply to  
951 any state agency issuing, in relation to an application or petition under said sections 69T to 69V,  
952 inclusive, a federal permit that is delegated to that agency and determined by the board to be  
953 excluded from the definition of consolidated permit in section 69G.

954 SECTION 44. The third paragraph of section 69I of said chapter 164, as appearing in the  
955 2022 Official Edition, is hereby amended by striking out the last sentence and inserting in place  
956 thereof the following sentence:- Neither the board nor any other person, in taking any action  
957 pursuant to sections 69J to 69J1/4, inclusive, or sections 69T to 69W, inclusive, shall be subject  
958 to sections 61 to 62H, inclusive, of chapter 30.

959 SECTION 45. Section 69J of said chapter 164, as so appearing, is hereby amended by  
960 inserting after the words “a facility”, in lines 1 and 2, the following words:- that is not a large  
961 clean energy infrastructure facility or small clean energy infrastructure facility.

962 SECTION 46. Said section 69J of said chapter 164, as so appearing, is hereby further  
963 amended by striking out the second to fourth paragraphs, inclusive, and inserting in place thereof  
964 the following paragraph:-

965 A petition to construct a facility shall include, in such form and detail as the board shall  
966 from time to time prescribe: (i) a description of the facility, site and surrounding areas; (ii) an  
967 analysis of the need for the facility, either within or outside, or both within and outside the  
968 commonwealth, including a description of the energy benefits of the facility; (iii) a description of  
969 the alternatives to the facility, such as other methods of transmitting or storing energy, other site  
970 locations, other sources of electrical power or gas or a reduction of requirements through load  
971 management; (iv) a description of the environmental impacts of the facility, including both  
972 environmental benefits and burdens, that includes a description of efforts to avoid, minimize and  
973 mitigate burdens and efforts to enhance benefits, such as shared use, recreational paths or access  
974 to nature; (v) evidence that all pre-filing consultation and community engagement requirements  
975 established by the board have been satisfied and, if not, the applicant shall demonstrate good  
976 cause for a waiver of the requirements that could not be satisfied by the applicant; and (vi) a  
977 cumulative impact analysis. The board may issue and revise filing guidelines after public notice  
978 and a period for comment. Said filing guidelines shall require the applicant to provide minimum  
979 data for review related to climate change impact, land use impact, water resource impact, air  
980 quality impact, fire and other public safety risks, solid waste impact, radiation impact, noise  
981 impact and other public health impacts as determined by the board.

982 SECTION 47. Said section 69J of said chapter 164, as so appearing, is hereby further  
983 amended by striking out the last paragraph and inserting in place thereof the following  
984 paragraph:-

985           This section shall not apply to petitions submitted under sections 69U to 69W, inclusive,  
986 or petitions to construct a generating facility or a large clean energy infrastructure facility, which  
987 shall be subject to sections 69J 1/4 and 69T, respectively.

988           SECTION 48. Section 69J 1/4 of said chapter 164, as so appearing, is hereby amended by  
989 inserting after the word “facility”, in line 2, the following words:- that is not a large clean energy  
990 infrastructure facility or small clean energy infrastructure facility.

991           SECTION 49. Said section 69J 1/4 of said chapter 164, as so appearing, is hereby further  
992 amended by striking out the third paragraph and inserting in place thereof the following  
993 paragraph:-

994           A petition to construct a generating facility shall include, in such form and detail as the  
995 board shall from time to time prescribe, the following information: (i) a description of the  
996 proposed generating facility and any ancillary structures and related facilities, including a  
997 description of the energy benefits of the generating facility; (ii) a description of the  
998 environmental and public health impacts of the facility, including both environmental and public  
999 health benefits and burdens that includes a description of efforts to avoid or minimize or, if  
1000 impacts cannot be avoided or minimized, efforts to mitigate the burdens and enhance the  
1001 benefits, and the costs associated with the mitigation, control or reduction of the environmental  
1002 and public health impacts of the proposed generating facility; (iii) a description of the project  
1003 development and site selection process used in choosing the design and location of the proposed  
1004 generating facility; (iv) either: (A) evidence that the expected emissions from the facility meet  
1005 the technology performance standard in effect at the time of filing; or (B) a description of the  
1006 environmental impacts, costs and reliability of other fossil fuel generating technologies and an

1007 explanation of why the proposed technology was chosen; (v) evidence that all pre-filing  
1008 consultation and community engagement requirements established by the board have been  
1009 satisfied and, if not, the applicant shall demonstrate good cause for a waiver of the requirements  
1010 that could not be satisfied by the applicant; (vi) a cumulative impact analysis; and (vii) any other  
1011 information necessary to demonstrate that the generating facility meets the requirements for  
1012 approval specified in this section.

1013 SECTION 50. Said chapter 164 is hereby further amended by striking out section 69J 1/2,  
1014 as so appearing, and inserting in place thereof the following section:-

1015 Section 69J 1/2. Notwithstanding any general or special law to the contrary, the  
1016 department may charge a fee as specified by its regulations for each application to construct a  
1017 facility that generates electricity, a large clean energy generation facility, a small clean energy  
1018 generation facility, a large clean energy storage facility, a small clean energy storage facility, a  
1019 non-utility owned large clean transmission and distribution infrastructure facility or a small clean  
1020 transmission and distribution infrastructure facility. If the application to construct any such  
1021 facility is accompanied by an application to construct 1 additional facility that does not generate  
1022 electricity, the department may charge a fee as specified by its regulations for the combined  
1023 application. If an application to construct a facility that generates electricity is accompanied by  
1024 applications to construct 2 additional facilities that do not generate electricity, the department  
1025 may charge a fee as specified by its regulations for the combined application. If an application to  
1026 construct a facility that does not generate electricity is filed separately, the department may  
1027 charge a fee as specified by its regulations for each such application; provided, however, that, the  
1028 department may charge a lower fee for applications to construct facilities that do not generate

1029 electricity and that are below a size to be determined by the department. Said fees shall be  
1030 payable upon issuance of the notice of adjudication and public hearing.

1031 The department may retain said fees for the purpose of reviewing applications to  
1032 construct or consolidated permit applications for large clean energy infrastructure facilities, small  
1033 clean energy infrastructure facilities or other facilities subject to this section and for the purpose  
1034 of creating a clean energy infrastructure dashboard established under section 12N of chapter 25.

1035 Any remaining balance of fees at the end of a fiscal year shall not revert to the General  
1036 Fund but shall remain available to the department during the following fiscal year for the  
1037 purposes of this section or section 12S of chapter 25.

1038 The department shall issue an annual report summarizing the data and information  
1039 required by this section, including, but not limited to: (i) the number of applications filed for  
1040 facilities, large clean energy infrastructure facilities and small clean energy infrastructure  
1041 facilities, decided and pending; (ii) the average duration of review; and (iii) the average staffing  
1042 levels; provided, however, that the annual report shall make use of bar charts, line charts and  
1043 other visual representations in order to facilitate public understanding of events of the immediate  
1044 preceding year and of long-term and cumulative trends and outcomes. The board shall file the  
1045 report with the clerks of the house of representatives and the senate, the house and senate  
1046 committees on ways and means and the joint committee on telecommunications, utilities and  
1047 energy not later than January 31.

1048 Nothing contained in this section shall be interpreted as changing the statutory mandates  
1049 of the department or board or the type of facilities that may be constructed by applicants that are  
1050 not utilities. Nothing contained in this section shall be interpreted as changing the regulations or

1051 body of precedent of the department or board or interpreted as changing the rights of intervenors  
1052 before the department or board.

1053 SECTION 51. Section 69O of said chapter 164, as so appearing, is hereby amended by  
1054 striking out, in lines 7 and 8, the words “sixty-one to sixty-two H, inclusive, of chapter thirty”  
1055 and inserting in place thereof the following words:- 61 to 62L, inclusive, of chapter 30.

1056 SECTION 52. Said chapter 164 is hereby further amended by striking out section 69P, as  
1057 so appearing, and inserting in place thereof the following section:-

1058 Section 69P. Any party in interest aggrieved by a final decision of the board or the  
1059 director shall have a right to judicial review in the manner provided by section 5 of chapter 25.  
1060 The scope of such judicial review shall be limited to whether the decision of the board or the  
1061 director: (i) is in conformity with the constitution of the commonwealth and the constitution of  
1062 the United States; (ii) was made in accordance with the procedures established under sections  
1063 69H to 69O, inclusive, and sections 69T to 69W, inclusive, and the rules and regulations of the  
1064 board with respect to such sections; (iii) was supported by substantial evidence of record in the  
1065 board’s proceedings; and (iv) was arbitrary, capricious or an abuse of the board’s discretion  
1066 under said sections 69H to 69O, inclusive, and said sections 69T to 69W, inclusive.

1067 SECTION 53. Said chapter 164 is hereby further amended by striking out section 69R, as  
1068 so appearing, and inserting in place thereof the following section:-

1069 Section 69R. An electric or gas company, generation company or wholesale generation  
1070 company may petition the board for the right to exercise the power of eminent domain with  
1071 respect to a facility, large clean transmission and distribution infrastructure facility or small clean  
1072 transmission and distribution infrastructure facility, specified and contained in a petition or

1073 application submitted in accordance with sections 69J, 69T or 69U, or a bulk power supply  
1074 substation if such company is unable to reach an agreement with the owners of land for the  
1075 acquisition of any necessary estate or interest in land. The applicant shall forward, at the time of  
1076 filing such petition, a copy thereof to each city, town and property owner affected.

1077           The company shall file with such petition or have annexed thereto: (i) a statement of the  
1078 use for which such land is to be taken; (ii) a description of land to be taken sufficient for the  
1079 identification thereof; (iii) a statement of the estate or interest in the land to be taken for such  
1080 use; (iv) a plan showing the land to be taken; (v) a statement of the sum of money established by  
1081 such utility to be just compensation for the land to be taken; and (vi) such additional maps and  
1082 information as the board requires.

1083           The board, after such notice as it may direct, shall hold at least 1 public hearing in the  
1084 community in which the land to be taken is located. For facilities involving takings in several  
1085 communities, the hearing shall be held in communities in proximity to the land to be taken, as  
1086 determined by the board. The board may thereafter authorize the company to take by eminent  
1087 domain under chapter 79 such lands necessary for the construction of the facility as are required  
1088 in the public interest, convenience and necessity. The board shall transmit a certified copy of its  
1089 order to the company and to the clerk of each affected municipality.

1090           If the board dismisses the petition at any stage in the proceedings, no further action shall  
1091 be taken thereon and the company may file a new petition not less than 1 year after the date of  
1092 such dismissal.

1093           Following a taking under this section, the electric or gas company may forthwith proceed  
1094 to utilize such land. If the electric or gas company shall not utilize the lands so taken for the



1095 purpose or purposes authorized in the department's order within such time as the board shall  
1096 determine, its rights under such taking shall cease and terminate.

1097 No land, rights of way or other easements therein in any public way, public park,  
1098 reservation or other land subject to Article 97 of the Amendments to the Constitution of the  
1099 Commonwealth shall be taken by eminent domain under this section except in accordance with  
1100 said Article 97.

1101 This section shall not be construed as abrogating the board's jurisdiction described in  
1102 section 72 in respect to transmission lines or the board's jurisdiction described in sections 75B to  
1103 75G, inclusive, in respect to natural gas transmission lines.

1104 SECTION 54. The second paragraph of section 69S of said chapter 164, as so appearing,  
1105 is hereby amended by striking out the first sentence and inserting in place thereof the following  
1106 sentence:- The board, after such notice as it may direct, shall hold at least 1 public hearing in the  
1107 city or town in which the greater portion of said land in question is located.

1108 SECTION 55. Said chapter 164 is hereby further amended by inserting after section 69S  
1109 the following 4 sections:-

1110 Section 69T. (a) The energy facilities siting board may issue consolidated permits for  
1111 large clean energy infrastructure facilities. No applicant shall commence construction of a large  
1112 clean energy infrastructure facility at a site unless an application for a consolidated permit for  
1113 such facility pursuant to this section has been approved by the board and no state agency shall  
1114 issue a construction permit for any such facility unless the petition to construct such facility has  
1115 been approved by the board. For the purposes of this section, construction shall not include  
1116 contractual obligations to purchase facilities or equipment.

1117 (b) The board shall establish the following criteria governing the siting and permitting of  
1118 large clean energy infrastructure facilities: (i) a uniform set of baseline health, safety,  
1119 environmental and other standards that apply to the issuance of a consolidated permit; (ii) a  
1120 common standard application to be used when submitting an application to the board; (iii) pre-  
1121 filing requirements commensurate with the scope and scale of the proposed large clean energy  
1122 infrastructure facility, which shall include specific requirements for pre-filing consultations with  
1123 permitting agencies and the Massachusetts environmental policy act office, public meetings and  
1124 other forms of outreach that must occur in advance of an applicant submitting an application; (iv)  
1125 standards for applying site suitability criteria developed by the executive office of energy and  
1126 environmental affairs pursuant to section 30 of chapter 21A to evaluate the social and  
1127 environmental impacts of proposed large clean energy infrastructure project sites and which shall  
1128 include a mitigation hierarchy to be applied during the permitting process to avoid or minimize  
1129 or, if impacts cannot be avoided or minimized, mitigate impacts of siting on the environment,  
1130 people and goals and objectives of the commonwealth for climate mitigation, carbon storage and  
1131 sequestration, resilience, biodiversity and protection of natural and working lands to the extent  
1132 practicable; (v) standards for applying the cumulative impacts analysis standards and guidelines  
1133 developed by the office of environmental justice and equity pursuant to section 29 of chapter  
1134 21A to evaluate and minimize the impacts of large clean energy infrastructure facilities in the  
1135 context of existing infrastructure and conditions; (vi) standard permit conditions and  
1136 requirements for a single permit consolidating all necessary local, regional and state approvals to  
1137 be issued to different types of large clean energy infrastructure facilities in the event that  
1138 constructive approval is triggered through the non-issuance of a permit by the board pursuant to  
1139 subsection (i); and (vii) entities responsible for compliance and enforcement of permit

1140 conditions, including in the event of sale of large clean energy infrastructure facilities after  
1141 permitting.

1142 (c) An application for a consolidated permit for a large clean transmission and  
1143 distribution infrastructure facility shall include, in such form and detail as the board shall from  
1144 time to time prescribe: (i) a description of the large clean transmission and distribution  
1145 infrastructure facility, site and surrounding areas; (ii) an analysis of the need for the large clean  
1146 transmission and distribution infrastructure facility, either within or outside or both within and  
1147 outside the commonwealth, including a description of energy benefits; (iii) a description of the  
1148 alternatives to the large clean transmission and distribution infrastructure facility including siting  
1149 and project alternatives to avoid or minimize or, if impacts cannot be avoided or minimized,  
1150 mitigate impacts; (iv) a description of the environmental impacts of the large clean transmission  
1151 and distribution infrastructure facility, including both environmental benefits and burdens, such  
1152 as shared use, recreational paths or access to nature; (v) evidence that all pre-filing consultation  
1153 and community engagement requirements established by the board have been satisfied and, if  
1154 not, demonstrate good cause for a waiver of the requirements that could not be satisfied by the  
1155 applicant; and (vi) a cumulative impact analysis. The board may issue and revise filing  
1156 guidelines after public notice and a period for comment.

1157 (d) An application for a consolidated permit for a large clean energy generation facility or  
1158 large clean energy storage facility shall include, in such form and detail as the board shall from  
1159 time to time prescribe: (i) a description of the large clean energy generation facility's or large  
1160 clean energy storage facility's site and surrounding areas, including any ancillary structures and  
1161 related facilities and a description of the energy benefits of the large clean energy generation  
1162 facility or large clean energy storage facility; (ii) a description of the environmental impacts of

1163 the large clean energy generation facility or large clean energy storage facility, including both  
1164 environmental benefits and burdens; (iii) a description of the project site selection process and  
1165 alternatives analysis used in choosing the location of the proposed large clean energy generation  
1166 facility or large clean energy storage facility to avoid or minimize or, if impacts cannot be  
1167 avoided or minimized, mitigate impacts; (iv) evidence that all pre-filing consultation and  
1168 community requirements established by the board have been satisfied and, if not, demonstrate  
1169 good cause for a waiver of the requirements that could not be satisfied by the applicant; and (v) a  
1170 cumulative impact analysis. The board may issue and revise filing guidelines after public notice  
1171 and a period for comment.

1172 (e) Review by the board of the application shall be an adjudicatory proceeding under  
1173 chapter 30A. The authority of the board to conduct the adjudicatory proceeding under the  
1174 provisions of this section may be delegated in whole or in part to the employees of the  
1175 department. Pursuant to the rules of the board, such employees shall report back to the board  
1176 with recommended decisions for final action thereon.

1177 (f) The board shall determine whether a large clean energy infrastructure facility permit  
1178 application is complete within 30 days of receipt of the application. If an application is deemed  
1179 not complete, the applicant shall have 30 days to cure any deficiencies identified by the board  
1180 before the application is rejected. The board may provide extensions of time to cure deficiencies  
1181 if the applicant can demonstrate extenuating circumstances.

1182 (g) The board shall conduct a public hearing in at least 1 of the affected cities or towns in  
1183 which a large clean energy infrastructure facility would be located.

1184 (h) Following a determination by the board that an application for a large clean energy  
1185 infrastructure facility is complete, all municipal, regional and state agencies, authorities, boards,  
1186 commissions, offices or other entities that would otherwise be required to issue at least 1 permit  
1187 to the facility shall be deemed to be substantially and specifically affected by the proceeding and  
1188 upon notification to the board shall have intervenor status in the proceeding to review the  
1189 facility's application. All municipal, regional and state agencies, authorities, boards,  
1190 commissions, offices or other entities that would otherwise be required to issue at least 1 permit  
1191 to the facility shall be afforded an opportunity to submit statements of recommended permit  
1192 conditions to the board relative to the respective permits that each agency, authority, board,  
1193 commission, office or other entity would otherwise be responsible for issuing.

1194 (i) The board shall establish timeframes for reviewing different types of large clean  
1195 energy infrastructure facilities based on the complexity of the facility, the need for an exemption  
1196 from local zoning requirements and community impacts, but in no instance shall the board take  
1197 more than 15 months from the determination of application completeness to render a final  
1198 decision on an application. The board shall have the authority to approve, approve with  
1199 conditions or reject a consolidated permit application. If no final decision is issued within the  
1200 deadline established by the board for the type of large clean energy infrastructure facility, the  
1201 board shall issue a permit granting approval to construct that includes the common conditions  
1202 and requirements established by the board through regulations for the type of large clean energy  
1203 infrastructure facility under review, which shall be deemed a final decision of the board. A  
1204 consolidated permit, if issued, shall be in the form of a composite of all individual permits,  
1205 approvals or authorizations that would otherwise be necessary for the construction and operation  
1206 of the large clean energy infrastructure facility and that portion of the consolidated permit that

1207 relates to subject matters within the jurisdiction of a municipal, regional or state agency,  
1208 authority, board, commission, office or other entity shall be enforced by said agency, authority,  
1209 board, commission, office or other entity under other applicable laws of the commonwealth as if  
1210 the permit had been directly granted by the said agency, authority, board, commission, office or  
1211 other entity.

1212           Section 69U. (a) Upon request by an applicant and upon a showing of good cause, the  
1213 board may issue a consolidated permit for a small clean transmission and distribution  
1214 infrastructure facility that is not automatically subject to the jurisdiction of the board pursuant to  
1215 section 69G, if the applicant petitions the board to be granted a consolidated permit for such  
1216 facility. The board shall review such petition in accordance with subsections (b) and (c). The  
1217 board may issue such consolidated permit upon finding that the small clean transmission and  
1218 distribution infrastructure facility will serve the public convenience and is consistent with the  
1219 public interest. Upon application for a consolidated permit under this section, no applicant shall  
1220 commence construction of a small clean transmission and distribution infrastructure facility at a  
1221 site unless a consolidated permit for construction of that small clean transmission and  
1222 distribution infrastructure facility pursuant to this section has been approved by the board. For  
1223 purposes of this section, construction shall not include contractual obligations to purchase such  
1224 facilities or equipment.

1225           (b) The board shall establish the same criteria governing the siting and permitting of  
1226 small clean transmission and distribution infrastructure facilities eligible to submit an application  
1227 under this section as it is required to establish for large clean energy infrastructure facilities  
1228 pursuant to subsection (b) of section 69T. An application for a consolidated permit for a small  
1229 clean transmission and distribution infrastructure facility shall include the same elements as

1230 required for large clean transmission and distribution infrastructure facilities under subsection (c)  
1231 of section 69T. Subject to subsection (c), subsections (d) to (i), inclusive, of section 69T shall  
1232 apply to the process followed by the board regarding the issuance of a consolidated permit to any  
1233 small clean transmission and distribution infrastructure facility under this section.

1234 (c) The board shall establish timeframes and procedures for reviewing different types of  
1235 small clean transmission and distribution infrastructure facilities based on the complexity of the  
1236 facility and the need for an exemption from local zoning requirements, but in no instance shall  
1237 the board take more than 12 months from the determination of application completeness to  
1238 render a final decision on an application. The board shall have the authority to approve, approve  
1239 with conditions or reject a permit application. If no final decision is issued within the deadline  
1240 for the type of small clean transmission and distribution infrastructure facility established by the  
1241 board, the board shall issue a permit granting approval to construct that adopts the common  
1242 conditions and requirements established by the board in regulation for the type of small clean  
1243 transmission and distribution infrastructure facility under review, which shall be deemed a final  
1244 decision of the board. A consolidated permit, if issued, shall be in the form of a composite of all  
1245 individual permits, approvals or authorizations that would otherwise be necessary for the  
1246 construction and operation of the small clean transmission and distribution infrastructure facility  
1247 and the portion of the consolidated permit that relates to subject matters within the jurisdiction of  
1248 a municipal, regional or state agency, authority, board, commission, office or other entity shall  
1249 be enforced by said agency, authority, board, commission, office or other entity under the other  
1250 applicable laws of the commonwealth as if the permit had been directly granted by said agency,  
1251 authority, board, commission, office or other entity.

1252           Section 69V. (a) The board may issue a consolidated permit for a small clean energy  
1253 generation facility or a small clean energy storage facility. An owner or proponent of a small  
1254 clean energy generation facility or a small clean energy storage facility may submit an  
1255 application to the board to be granted a consolidated permit that shall include all state permits  
1256 necessary to construct the small clean energy generation facility or small clean energy storage  
1257 facility. All local government permits and approvals for a small clean energy generation facility  
1258 or a small clean energy storage facility shall be issued separately pursuant to section 21 of  
1259 chapter 25A.

1260           (b) The board shall establish the same criteria governing the siting and permitting of  
1261 small clean energy generation facilities and small clean energy storage facilities eligible to  
1262 submit an application under this section as it is required to establish for large clean energy  
1263 infrastructure facilities pursuant to subsection (b) of section 69T. An application for a  
1264 consolidated permit for a small clean energy generation facility or small clean energy storage  
1265 facility eligible to submit an application under this section shall include the same elements as  
1266 required for a large clean energy generation facility and a large clean energy storage facility  
1267 under subsection (d) of section 69T. Subsections (e) to (g), inclusive, of section 69T shall apply  
1268 to the issuance of a consolidated permit to any small clean energy generation facility or small  
1269 clean energy storage facility under this section.

1270           (c) The board shall not take more than 12 months from the determination of application  
1271 completeness to render a final decision on an application. The board shall have the authority to  
1272 approve, approve with conditions or reject a permit application. If no final decision is issued  
1273 within the deadline for the type of small clean energy generation facility or small clean energy  
1274 storage facility established by the board, the board shall issue a permit granting approval to



1275 construct that adopts the common conditions and requirements established by the board in  
1276 regulation for the type of small clean energy generation facility or small clean energy storage  
1277 facility under review, which shall be deemed a final decision of the board. A consolidated permit  
1278 shall be in the form of a composite of all individual permits, approvals or authorizations that  
1279 would otherwise be necessary for the construction and operation of the small clean energy  
1280 generation facility or small clean energy storage facility and that portion of the consolidated  
1281 permit that relates to subject matters within the jurisdiction of a municipal, regional or state  
1282 agency, authority, board, commission, office or other entity shall be enforced by said agency,  
1283 authority, board, commission, office or other entity under the other applicable laws of the  
1284 commonwealth as if the permit had been directly granted by said agency, authority, board,  
1285 commission, office or other entity.

1286           Section 69W. (a) An owner or proponent of a small clean energy infrastructure facility  
1287 that has received a final decision on, or a constructive approval of, a local consolidated permit  
1288 application from a local government, as defined in section 21 of chapter 25A, or other parties  
1289 substantially and specifically affected by the decision of the local government may submit a  
1290 request for a de novo adjudication of the local permit application by the director. Subject to  
1291 subsection (g) of section 21 of chapter 25A, a local government may also submit a request for a  
1292 de novo adjudication if their resources, capacity and staffing do not allow for review of a small  
1293 clean energy infrastructure facility's permit application within the required maximum 12-month  
1294 timeframe for local government review established in said section 21 of said chapter 25A.  
1295 Review by the director of the request for de novo adjudication shall be deemed an adjudicatory  
1296 proceeding under chapter 30A.

1297 (b) A request for a de novo adjudication by an owner or proponent of a small clean  
1298 energy infrastructure facility or other party substantially and specifically affected by a final  
1299 decision of a local government shall be filed within 30 days of such decision.

1300 (c) Upon determination that at least 1 party seeking a de novo adjudication is  
1301 substantially and specifically affected, the director of the board shall review the request and the  
1302 local government's final decision for consistency with the regulations adopting statewide  
1303 permitting standards for such facilities established by the department of energy resources  
1304 pursuant to section 21 of chapter 25A. The director shall render a decision on the request within  
1305 6 months of receipt of the application and such decision shall be final. If the local government's  
1306 decision is found to be inconsistent with the regulatory standards established by the department  
1307 of energy resources, the director may issue a final decision that supersedes the local  
1308 government's prior decision and imposes new local permit conditions that are consistent with the  
1309 laws of the commonwealth.

1310 (d) The board shall establish regulations governing the process the director shall follow to  
1311 conduct the review of requests for de novo adjudication under this section.

1312 SECTION 56. Said chapter 164 is hereby further amended by striking out sections 72 and  
1313 72A, as appearing in the 2022 Official Edition, and inserting in place thereof the following 2  
1314 sections:-

1315 Section 72. An electric company, distribution company, generation company,  
1316 transmission company or any other entity providing or seeking to provide transmission service  
1317 may petition the energy facilities siting board for authority to construct and use, or to continue to  
1318 use as constructed or with altered construction, a line for the transmission of electricity for

1319 distribution in some definite area or for supplying electricity to itself, another electric company  
1320 or a municipal lighting plant for distribution and sale or to a railroad, street railway or electric  
1321 railroad for the purpose of operating it and shall represent that such line will or does serve the  
1322 public convenience and is consistent with the public interest. The company shall forward at the  
1323 time of filing such petition a copy thereof to each municipality within such area. The company  
1324 shall file with such petition a general description of such transmission line and a map or plan  
1325 showing the municipalities through which the line will or does pass and its general location. The  
1326 company shall also furnish an estimate showing in reasonable detail the cost of the line and such  
1327 additional maps and information as the energy facilities siting board requires. The energy  
1328 facilities siting board, after notice and a public hearing in at least 1 of the municipalities affected,  
1329 may determine that said line is necessary for the purpose alleged, will serve the public  
1330 convenience and is consistent with the public interest. If the electric company, distribution  
1331 company, generation company or transmission company or any other entity providing or seeking  
1332 to provide transmission service shall file with the energy facilities siting board a map or plan of  
1333 the transmission line showing the municipalities through which it will or does pass, the public  
1334 ways, railroads, railways, navigable streams and tide waters in the municipality named in said  
1335 petition that it will cross and the extent to which it will be located upon private land or upon,  
1336 under or along public ways and places, the energy facilities siting board, after such notice as it  
1337 may direct, shall hold a public hearing in at least 1 of the municipalities through which the line  
1338 passes or is intended to pass. The energy facilities siting board may by order authorize an electric  
1339 company, distribution company, generation company, transmission company or any other entity  
1340 to take by eminent domain under chapter 79 such lands or such rights of way or widening thereof  
1341 or other easements therein necessary for the construction and use or continued use as constructed

1342 or with altered construction of such line along the route prescribed in the order of the energy  
1343 facilities siting board. The energy facilities siting board shall transmit a certified copy of its order  
1344 to the company and the clerk of each affected municipality. The company may at any time before  
1345 such hearing modify the whole or a part of the route of said line, either of its own motion or at  
1346 the insistence of the energy facilities siting board or otherwise and, in such case, shall file with  
1347 the energy facilities siting board maps, plans and estimates as aforesaid showing such changes. If  
1348 the energy facilities siting board dismisses the petition at any stage in said proceedings, no  
1349 further action shall be taken thereon and the company may file a new petition not less than 1 year  
1350 after the date of such dismissal. When a taking under this section is effected, the company may  
1351 forthwith, except as hereinafter provided, proceed to erect, maintain and operate thereon said  
1352 line. If the company does not enter upon and construct such line upon the land so taken within 1  
1353 year thereafter, its right under such taking shall cease and terminate. No lands or rights of way or  
1354 other easements therein shall be taken by eminent domain under the provisions of this section in  
1355 any public way, public place, park or reservation or within the location of any railroad, electric  
1356 railroad or street railway company except with the consent of such company and on such terms  
1357 and conditions as it may impose or except as otherwise provided in this chapter and no electricity  
1358 shall be transmitted over any land, right of way or other easement taken by eminent domain as  
1359 herein provided until the electric company, distribution company, generation company,  
1360 transmission company or any other entity shall have acquired from the select board, city council  
1361 or such other authority having jurisdiction all necessary rights in the public ways or public places  
1362 in the municipality or municipalities, or in any park or reservation, through which the line will or  
1363 does pass. No land, rights of way or other easements therein in any public way, public park,  
1364 reservation or other land subject to Article 97 of the Amendments to the Constitution of the

1365 Commonwealth shall be taken by eminent domain under this section except in accordance with  
1366 said Article 97. No entity shall be authorized under this section or section 69R or section 24 of  
1367 chapter 164A to take by eminent domain any lands or rights of way or other easements therein  
1368 held by an electric company or transmission company to support an existing or proposed  
1369 transmission line without the consent of the electric company or transmission company.

1370 No electric company, distribution company, generation company, transmission company  
1371 or any other entity providing or seeking to provide transmission services shall be required to  
1372 petition the energy facilities siting board under this section unless it is seeking authorization to  
1373 take lands, rights of way or other easements under chapter 79.

1374 Section 72A. The energy facilities siting board may upon petition authorize an electric  
1375 company to enter upon lands of any person or corporation for the purpose of making a survey  
1376 preliminary to eminent domain proceedings. The energy facilities siting board shall give notice  
1377 of the authorization granted, by registered mail, to the landowners involved not less than 5 days  
1378 prior to any entry by such electric company. The company entering upon any such lands shall be  
1379 subject to liability for any damages occasioned thereby to be recovered under chapter 79.

1380 SECTION 57. Said chapter 164 is hereby further amended by striking out section 75C  
1381 and inserting in place thereof the following section:-

1382 Section 75C. A natural gas pipeline company may petition the energy facilities siting  
1383 board for the right to exercise the power of eminent domain under chapter 79. The natural gas  
1384 pipeline company shall file with such petition a general description of such pipeline and a map or  
1385 plan thereof showing the rights of way, easements and other interests in land or other property  
1386 proposed to be taken for such use, the towns through which such pipeline will pass, the public

1387 ways, railroads, railways, navigable streams and tide waters in the town or towns named in the  
1388 petition that it will cross and the extent to which it will be located upon private land and upon,  
1389 under or along public ways, lands and places. Upon the filing of such petition, the energy  
1390 facilities siting board, after such notice as it may direct, shall hold a public hearing in at least 1 of  
1391 the towns through which the pipeline is intended to pass and may, by order, authorize the  
1392 company to take by eminent domain under said chapter 79 such lands or such rights of way,  
1393 easements or other interests in land or other property necessary for the construction, operation,  
1394 maintenance, alteration and removal of the pipeline, compressor stations, appliances,  
1395 appurtenances and other equipment along the route described in the order of the energy facilities  
1396 siting board. The energy facilities siting board shall: (i) provide notice to each municipality  
1397 through which the pipeline is intended to pass; and (ii) transmit a certified copy of its order to the  
1398 company and the town clerk of each affected town. The company may, at any time before such a  
1399 public hearing, modify the whole or a part of the route of said pipeline, either of its own motion  
1400 or at the insistence of the energy facilities siting board or otherwise, and, in such case, shall file  
1401 with the energy facilities siting board maps, plans and estimates showing such changes. If the  
1402 energy facilities siting board dismisses the petition at any stage in the proceedings, no further  
1403 action shall be taken thereon and the company may file a new petition not sooner than 1 year  
1404 after the date of such dismissal.

1405           When a taking under this section is effected, the company may forthwith, except as  
1406 hereinafter provided, proceed to construct, install, maintain and operate thereon said pipeline. If  
1407 the company does not enter upon and construct such line upon the land so taken within 1 year  
1408 thereafter, its right under such taking shall cease and terminate. No lands or rights of way or  
1409 easements therein shall be taken by eminent domain under the provisions of this section in any

1410 public way, public place, park or reservation or within the location of any railroad, electric  
1411 railroad or street railway company, except that such pipeline may be constructed under any  
1412 public way or any way dedicated to the public use; provided, however, that the rights granted  
1413 hereunder shall not affect the right or remedy to recover damages for an injury caused to persons  
1414 or property by the acts of such company; provided further, that such company shall put all such  
1415 streets, lanes and highways in as good repair as they were when opened by such company and  
1416 the method of such construction and the plans and specifications therefor have been approved  
1417 either generally or in any particular instance by the energy facilities siting board or, in the case of  
1418 state highways, by the department of highways; and provided further, that a natural gas pipeline  
1419 company may construct such lines under, over or across the location on private land of any  
1420 railroad, electric railroad or street railway corporation subject to the provisions of section 73.  
1421 Rights of way, buildings, structures or lands to be used in the construction of such pipelines over  
1422 or upon the lands referred to therein shall be governed by section 34A of chapter 132.

1423 SECTION 58. Said chapter 164 is hereby further amended by adding the following 3  
1424 sections:-

1425 Section 149. (a) For the purposes of this section, the following words shall, unless the  
1426 context clearly requires otherwise, have the following meanings:

1427 “Director”, the director of the division of public participation.

1428 “Division of public participation”, established in section 12T of chapter 25.

1429 “Fund”, the Department of Public Utilities and Energy Facilities Siting Board Intervenor  
1430 Support Fund established in section 12S of chapter 25.

1431 “Governmental body”, a city, town, district, regional school district, county or agency,  
1432 board, commission, authority, department or instrumentality of a city, town, district, regional  
1433 school district or county.

1434 “Grantee”, an organization, entity, governmental body, federally recognized tribe, state-  
1435 acknowledged tribe or state-recognized tribe that has received a grant award under this section.

1436 “Office of environmental justice and equity”, established in section 29 of chapter 21A.

1437 “Prospective grantee”, an organization, entity, governmental body, federally recognized  
1438 tribe, state-acknowledged tribe or state-recognized tribe that has applied or plans to apply for a  
1439 grant under this section.

1440 (b) The department may make available as grants funds deposited into the fund to parties  
1441 that have been granted intervenor status by the department or the board pursuant to clause (4) of  
1442 the second sentence of the first paragraph of section 10 of chapter 30A and corresponding  
1443 department and board regulations, and that are: (i) organizations and entities that advocate on  
1444 behalf of a relevant subset of residential customers defined geographically or based on specific  
1445 shared interests; (ii) organizations and entities that advocate on behalf of low-income or  
1446 moderate-income residential populations, residents of historically marginalized or overburdened  
1447 and underserved communities; or (iii) governmental bodies, federally recognized tribes, state-  
1448 acknowledged tribes or state-recognized tribes. Any grants awarded pursuant to this section may  
1449 be used only in proceedings before the department or the board, and not for any judicial appeal  
1450 of such agencies’ final decisions.

1451 (c) The director, in consultation with the office of environmental justice and equity, shall  
1452 establish criteria to determine whether, and to what extent, a prospective grantee shall be eligible



1453 to receive a grant award pursuant to this section. Such criteria shall include, but shall not be  
1454 limited to, whether the prospective grantee: (i) lacks the financial resources, supported by  
1455 reasonable documentation, that would enable it to intervene and participate in a department or  
1456 board proceeding absent a grant award pursuant to this section; and (ii) previously intervened in  
1457 department or board proceedings prior to the establishment of the intervenor support grant  
1458 program pursuant to this section; provided, however, that a municipality with a population of less  
1459 than 7,500 that is a prospective grantee for a proceeding pertaining to a facility, large clean  
1460 energy infrastructure facility or small clean energy infrastructure facility, as those terms are  
1461 defined in section 69G, within its boundaries shall not be required to meet the criteria pursuant to  
1462 this paragraph to receive a grant award.

1463 (d) A prospective grantee seeking funding under this section shall submit a grant  
1464 application as part of its petition to intervene in a form and manner developed by the director  
1465 demonstrating that the prospective grantee meets the criteria established by the director in  
1466 accordance with subsection (c). Such grant application shall include: (i) a statement outlining the  
1467 prospective grantee's anticipated participation in the department or board proceeding, to the  
1468 extent it is known at the time of grant application; (ii) a detailed estimate of costs and fees of  
1469 anticipated attorneys, consultants and experts, including community experts, and all other costs  
1470 related to the preparation for, and intervention and participation in, the department or board  
1471 proceeding; and (iii) background information on the attorneys, consultants and experts, including  
1472 community experts, that the prospective grantee plans to retain if awarded grant funding. The  
1473 director may, at their discretion, make conditional grant awards to grant applicants that have not  
1474 yet been granted intervenor status by the department or board; provided, however, that no grant  
1475 shall be awarded until such intervenor status is granted.

1476 (e) A grant awarded pursuant to this section shall not exceed \$150,000 for any single  
1477 department or board proceeding. The director shall, in the director's sole discretion, determine  
1478 the amount of financial support being granted, considering the demonstrated needs of the  
1479 intervenor and the complexity of the proceeding. The director may, in the director's sole  
1480 discretion: (i) upon the petition of a prospective grantee, award a grant exceeding \$150,000 only  
1481 upon a demonstration of good cause, including the complexity of the proceeding in which the  
1482 grantee is intervening; and (ii) upon the petition of a prospective grantee, provide grant funding  
1483 in addition to the funding initially requested under section (c) upon a showing that new, novel or  
1484 complex issues have arisen in the proceeding since the time the grant application was submitted  
1485 pursuant said subsection (c). The director shall consider the potential for intervenors to share  
1486 costs through collaborative efforts with other parties to a proceeding as part of determining the  
1487 amount of funding awarded to any prospective grantee and such intervenors shall be expected to  
1488 reduce duplicative costs to the extent possible in instances where the position or positions of  
1489 multiple intervenors align.

1490 (f) The aggregate grant funding for any individual department or board proceeding shall  
1491 not exceed \$500,000; provided, however, that where the aggregate amount of funding being  
1492 requested exceeds \$500,000, funding shall be allocated to prospective grantees based on their  
1493 relative financial hardship. The director may, at the director's discretion and upon a  
1494 determination of good cause, provide funding exceeding \$500,000 for any individual department  
1495 or board proceeding.

1496 (g) Ten per cent of grant funds awarded to a grantee, or a greater percentage as  
1497 determined by the director at the director's sole discretion, may be expended on non-legal, non-  
1498 expert and non-consultant administrative costs directly attributable to the intervention and

1499 participation in a proceeding before the department or board. All remaining grant funds may be  
1500 expended to retain qualified legal counsel, experts and consultants to assist in proceedings before  
1501 the department or board; provided, however, that such funds may be used to retain qualified  
1502 community experts, which shall include residential ratepayers and residents with lived  
1503 experience that can inform such proceedings. Such funding may be expended for administrative,  
1504 legal, consultant and expert costs associated with an intervention petition submitted pursuant to  
1505 clause (4) of the first paragraph of section 10 of chapter 30A or section 10A of said chapter 30A  
1506 and any department or board regulations, if applicable.

1507 (h) All grant payments to grantees shall be made from the fund. Such grant payments  
1508 shall be made only for reasonable costs incurred and upon submission of a grant payment request  
1509 by the grantee. Such grant payment requests shall be in a form and manner as prescribed by the  
1510 director and grant payments shall be made within 30 days of receipt of such grant payment  
1511 requests by the director to the grantee or to the entity designated by the grantee to receive grant  
1512 payments. The director, at the director's discretion or as provided for in regulations promulgated  
1513 pursuant to this section, may provide grant payments before such costs are incurred by the  
1514 grantee upon a showing of financial hardship by the grantee.

1515 (i) All decisions pertaining to the issuance of financial support shall be made solely by  
1516 the director. The director shall have sole discretion to deny funding to a prospective grantee that  
1517 demonstrates a pattern of repeatedly delaying or obstructing, or attempting to repeatedly delay or  
1518 obstruct, proceedings or otherwise misuses or has misused funds. The director shall have full  
1519 discretion as to whether to approve or deny a request for intervenor funding. Applicants shall  
1520 have no legal right or privilege to funding and shall not be entitled to any further review if denied  
1521 by the director.

1522 (j) In the department’s annual report required pursuant to section 2 of chapter 25, the  
1523 director shall include a report describing all activities of the fund, including, but not limited to:  
1524 (i) amounts credited to the fund, amounts expended from the fund and any unexpended balance;  
1525 (ii) a summary of the intervenor support grant fund application process; (iii) the number of grant  
1526 applications received, the number and amount of awards granted, and the number of grant  
1527 applications rejected; (iv) the number of intervenors who participated in proceedings with and  
1528 without support from the fund; (v) an itemization of costs incurred by and payments made to  
1529 grantees; (vi) an evaluation of the impact and contribution of grantees in department and board  
1530 proceedings; (vii) a summary of education and outreach activities conducted by the division of  
1531 public participation related to the intervenor support grant program; and (viii) any recommended  
1532 changes to the program.

1533 (k) The director shall develop: (i) accessible, multi-lingual and easily comprehensible  
1534 web-based educational materials, including forms and templates, to educate prospective grantees  
1535 and the public on the intervenor support grant program; and (ii) a robust virtual and in-person  
1536 outreach program to educate prospective grantees and the public about the intervenor support  
1537 grant program.

1538 (l) The department, in consultation with the board, shall promulgate regulations to  
1539 implement this section.

1540 SECTION 59. Chapter 166 of the General Laws is hereby amended by striking out  
1541 section 28, as appearing in the 2022 Official Edition, and inserting in place thereof the following  
1542 section:-

1543           Section 28. A company subject to this chapter, except a telegraph or telephone company,  
1544 desiring to construct a line for the transmission of electricity that will, of necessity, pass through  
1545 at least 1 city or town to connect the proposed termini of such line, whose petition for the  
1546 location necessary for such line has been refused or has not been granted within 3 months after  
1547 the filing thereof by the city council or the select board of the town through which the company  
1548 intends to construct such line, may apply to the energy facilities siting board for such location.  
1549 The energy facilities siting board shall hold a public hearing thereon after notice to the city  
1550 council or select board refusing or neglecting to grant such location and to all persons owning  
1551 real estate abutting upon any way in the city or town where such location is sought, as such  
1552 ownership is determined by the last assessment for taxation. The energy facilities siting board  
1553 shall, if requested by the city council or select board, hold the hearing in the city or town where  
1554 the location is sought. If it appears at the hearing that the company has already been granted, and  
1555 has accepted, a location for such line in 2 cities or in 2 towns or in a city and town adjoining the  
1556 city or town refusing or neglecting to grant a location or if it appears at the hearing that the  
1557 company has already been granted, and has accepted, locations for such line in a majority of the  
1558 cities or towns through which such line will pass and if the energy facilities siting board deems  
1559 the location necessary for public convenience and in the public interest, the board may by order  
1560 grant a location for such line in the city or town with respect to which the application is made  
1561 and shall have and exercise the powers and authority conferred by section 22 upon the city  
1562 council or select board and in addition to the provisions of law governing such company may  
1563 impose such other terms, limitations and restrictions as it deems the public interest may require.  
1564 The energy facilities siting board shall cause an attested copy of its order, with the certificate of  
1565 its clerk endorsed thereon that the order was adopted after due notice and a public hearing, to be

1566 forwarded to the city or town clerk, who shall record the same and furnish attested copies  
1567 thereof. The company in whose favor the order is made shall pay for such record and attested  
1568 copies the fees provided by clauses 31 and 32, respectively, of section 34 of chapter 262.

1569 SECTION 60. Subsection (b) of section 47XX of chapter 175 of the General laws, as  
1570 inserted by section 44 of chapter 186 of the acts of 2024, is hereby amended by striking out the  
1571 word “commission” and inserting in place thereof the following word:- carrier.

1572 SECTION 61. Subsection (b) of section 8YY of chapter 176A of the General Laws, as  
1573 inserted by section 45 chapter 186 of the acts of 2024, is hereby amended by striking out the  
1574 word “commission” and inserting in place thereof the following words:- non-profit hospital  
1575 service corporation.

1576 SECTION 62. Subsection (b) of section 4YY of chapter 176B of the General Laws, as  
1577 inserted by section 46 chapter 186 of the acts of 2024, is hereby amended by striking out the  
1578 word “commission” and inserting in place thereof the following words:- medical service  
1579 corporation.

1580 SECTION 63. Subsection (b) of section 4QQ of chapter 176G of the General Laws, as  
1581 inserted by section 47 of chapter 186 of the acts of 2024, is hereby amended by striking out the  
1582 word “commission” and inserting in place thereof the following words:- health maintenance  
1583 organization.

1584 SECTION 64. Section 3A of chapter 185 of the General Laws, as appearing in the 2022  
1585 Official Edition, is hereby amended by striking out, in lines 35 to 37, inclusive, the words “either  
1586 25 or more dwelling units or the construction or alteration of 25,000 square feet or more of gross  
1587 floor area or both” and inserting in place thereof the following words:- at least 1 of the

1588 following: (1) not less than 25 dwelling units; (2) the construction or alteration of not less than  
1589 25,000 square feet of gross floor area; (3) the construction or alteration of a Class I renewable  
1590 energy generating source, as defined in subsection (c) of section 11F of chapter 25A; or (4) the  
1591 construction or alteration of an energy storage system, as defined in section 1 of chapter 164.

1592 SECTION 65. Said section 3A of said chapter 185, as so appearing, is hereby further  
1593 amended by striking out the words “at least 1 of the following: (1) not less than 25 dwelling  
1594 units; (2) the construction or alteration of not less than 25,000 square feet of gross floor area; (3)  
1595 the construction or alteration of a Class I renewable energy generating source, as defined in  
1596 subsection (c) of section 11F of chapter 25A; or (4) the construction or alteration of an energy  
1597 storage system, as defined in section 1 of chapter 164,” inserted by section 64, and inserting in  
1598 place thereof the following words:- either 25 or more dwelling units or the construction or  
1599 alteration of 25,000 square feet or more of gross floor area or both.

1600 SECTION 66. The fourth paragraph of section 7 of chapter 268A, as appearing in the  
1601 2022 Official Edition, is hereby amended by striking out, in lines 51 and 52, the words “division  
1602 of health care policy and finance” and inserting in place thereof the following words:- executive  
1603 office of health and human services.

1604 SECTION 67. The sixth paragraph of said section 7 of said chapter 268A, as so  
1605 appearing, is hereby further amended by striking out, in line 66, the words “mentally ill or  
1606 mentally retarded persons” and inserting in place thereof the following words:- persons with  
1607 mental health conditions or intellectual or developmental disabilities.

1608 SECTION 68. Section 1 of chapter 268B of the General Laws, as appearing in the 2022  
1609 Official Edition, is hereby amended by inserting after the word “reporting”, in lines 43 and 44,  
1610 the following word:- person’s.

1611 SECTION 69. Section 2 of said chapter 268B, as so appearing, is hereby amended by  
1612 striking out, in lines 5, 33, 34 and 38, the word “chairman”, each time it appears, and inserting in  
1613 place thereof the following word:- chair.

1614 SECTION 70. Section 3 of said chapter 268B, as so appearing, is hereby amended by  
1615 striking out, in lines 30 and 31, the words “home address of the filer”, and inserting in place  
1616 thereof following words:- home address, personal email address, personal and home telephone  
1617 number of the filer, and the name and home address of a family member of the filer.

1618 SECTION 71. Section 6 of chapter 665 of the acts of 1956 is hereby amended by striking  
1619 out, in line 3, the words:- “department of public utilities” and inserting in place thereof the  
1620 following words:- "energy facilities siting board"

1621 SECTION 72. The first paragraph of section 83B of chapter 169 of the acts of 2008, as  
1622 inserted by section 12 of chapter 188 of the acts of 2016, and most recently amended by section  
1623 60 of chapter 179 of the acts of 2022, is hereby further amended by striking out the words and  
1624 83D” and inserting in place thereof the following words:- 83C, 83D, 83E.

1625 SECTION 73. Said first paragraph of said section 83B of said chapter 169, as so  
1626 amended, is hereby further amended by striking out the definition of “Clean energy generation”  
1627 and inserting in place thereof the following definition:-



1628 “Clean energy generation”, (i) firm service hydroelectric generation from hydroelectric  
1629 generation alone; (ii) new Class I RPS eligible resources that are firmed up with energy storage  
1630 or firm service hydroelectric generation; (iii) new Class I renewable portfolio standard eligible  
1631 resources; or (iv) nuclear power generation that is located in the ISO-NE control area and  
1632 commenced commercial operation before January 1, 2011.

1633 SECTION 74. Said first paragraph of said section 83B of said chapter 169, as so  
1634 amended, is hereby further amended by inserting after the definition of “Distribution company”  
1635 the following 2 definitions:-

1636 “Energy services”, operation of infrastructure that increases the deliverability or  
1637 reliability of clean energy generation or reduces the cost of clean energy generation. Such  
1638 infrastructure shall include, but not be limited to, transmission, energy storage systems, as  
1639 defined in section 1 of chapter 164 of the General Laws, and demand response technologies.

1640 “Environmental attributes”, all present and future attributes under any and all  
1641 international, federal, regional, state or other law or market, including, but not limited to, all  
1642 credits or certificates that are associated, either now or by future action, with clean energy  
1643 generation, including, but not limited to, those attributes authorized and created by programs  
1644 developed under subsection (c) section 3 of chapter 21N of the General Laws, and section 11F  
1645 and section 17 of chapter 25A of the General Laws.

1646 SECTION 75. Said first paragraph of said section 83B of said chapter 169, as so  
1647 amended, is hereby further amended by striking out the definition of “Long-term contract” and  
1648 inserting in place thereof the following definition:-

1649 “Long-term contract”, a contract for a period of 15 to 30 years for offshore wind energy  
1650 generation pursuant to section 83C or for clean energy generation pursuant to sections 83D or  
1651 83E or for energy storage systems pursuant to section 83F; provided, however, that a contract for  
1652 offshore wind energy generation pursuant to said section 83C may include terms and conditions  
1653 for renewable energy credits associated with the offshore wind energy generation that exceed the  
1654 term of generation under the contract.

1655 SECTION 76. Said first paragraph of said section 83B of said chapter 169, as so  
1656 amended, is hereby further amended by striking out the definition of “Mid-duration energy  
1657 storage system” and inserting in place thereof the following 2 definitions:-

1658 “Mid-duration energy storage system”, an energy storage system, as defined in section  
1659 1 of chapter 164 of the General Laws, that is capable of dispatching energy at its full rated  
1660 capacity for a period equal to or greater than 4 hours and up to 10 hours.

1661 “Multi-day energy storage,” an energy storage system, as defined in section 1 of chapter  
1662 164 of the General Laws, that is capable of dispatching electricity at its full rated capacity for  
1663 greater than 24 hours.

1664 SECTION 77. Said chapter 169, as amended by chapter 188 of the acts of 2016, is hereby  
1665 further amended by inserting after section 83D the following section:-

1666 Section 83E. (a) In order to provide a cost-effective mechanism for facilitating the  
1667 financing of beneficial, reliable energy storage systems, as defined in section 1 of chapter 164 of  
1668 the General Laws, on a long-term basis, taking into account the factors outlined in this section,  
1669 every distribution company shall, in coordination with the department of energy resources,  
1670 jointly and competitively solicit proposals for energy storage systems and, provided that

1671 reasonable proposals have been received, shall enter into cost-effective long-term contracts for  
1672 up to 5,000 megawatts of energy storage systems, of which 3,500 megawatts shall be mid-  
1673 duration energy storage; 750 megawatts shall be long-duration energy storage; and 750  
1674 megawatts shall be multi-day energy storage; provided, that existing energy storage systems  
1675 shall be eligible to participate in any procurement issued under this section. Long-term contracts  
1676 executed pursuant to this section shall be subject to the approval of the department of public  
1677 utilities and shall be apportioned among the distribution companies pursuant to this section.

1678 (b) The timetable and method for solicitation of long-term contracts shall be proposed by  
1679 the department of energy resources in coordination with the distribution companies using a  
1680 competitive bidding process and shall be subject to review and approval by the department of  
1681 public utilities. The department of energy resources shall consult with the distribution companies  
1682 and the office of the attorney general regarding the choice of solicitation methods. A solicitation  
1683 may be coordinated and issued jointly with other New England states or entities designated by  
1684 those states. The distribution companies, in coordination with the department of energy  
1685 resources, may conduct 1 or more competitive solicitations through a staggered procurement  
1686 schedule developed by the department of energy resources; provided, however, that  
1687 approximately 1,500 megawatts shall be procured not later than July 31, 2025, of which  
1688 approximately 250 megawatts shall be multi-day storage; approximately 1,000 megawatts not  
1689 later than July 31, 2026, of which approximately 250 megawatts shall be multi-day storage; and  
1690 approximately 1,000 megawatts not later than July 31, 2027, of which approximately 250  
1691 megawatts shall be multi-day storage; provided further, that the schedule shall ensure that the  
1692 distribution companies enter into cost-effective long-term contracts for energy storage systems

1693 up to approximately 5,000 megawatts not later than July 31, 2028. The solicitations must require  
1694 proposals to include the following certification and disclosure requirements:

1695 (i) documentation reflecting the applicant’s demonstrated commitment to workforce or  
1696 economic development within the commonwealth;

1697 (ii) a statement of intent concerning efforts that the applicant and its contractors and  
1698 subcontractors will make to promote workforce or economic development through the project;

1699 (iii) documentation reflecting the applicant’s demonstrated commitment to expand  
1700 workforce diversity, equity and inclusion in its past projects within the commonwealth;

1701 (iv) documentation as to whether the applicant and its contractors and subcontractors  
1702 participate in a state or federally certified apprenticeship program and the number of apprentices  
1703 the apprenticeship program has trained to completion for each of the last 5 years;

1704 (v) a statement of intent concerning how or if the applicant and its contractors and  
1705 subcontractors intend to utilize apprentices on the project, including whether each of its  
1706 contractors and subcontractors on the project participates in a state or federally certified  
1707 apprenticeship program;

1708 (vi) documentation relative to the applicant and its contractors and subcontractors  
1709 regarding their history of compliance with chapters 149, 151, 151A, 151B and 152, 29 U.S.C.  
1710 section 201, et seq. and applicable federal anti-discrimination laws;

1711 (vii) documentation that the applicant and its contractors and subcontractors are currently,  
1712 and will remain, in compliance with chapters 149, 151, 151A, 151B, and 152, 29 U.S.C. section  
1713 201, et seq. and applicable federal anti-discrimination laws for the duration of the project;

1714 (viii) detailed plans for assuring labor harmony during all phases of the construction,  
1715 reconstruction, renovation, development, and operation of the project, including documentation  
1716 of the applicant's history with picketing, work stoppages, boycotts or other economic actions  
1717 against the applicant and a description or plan of how the applicant intends to prevent or address  
1718 such actions;

1719 (ix) documentation relative to whether the applicant and its contractors have been found  
1720 in violation of State or Federal safety regulations in the previous 10 years.

1721 Proposals received pursuant to a solicitation pursuant to this section shall be subject to  
1722 review by the department of energy resources and the executive office of economic development  
1723 in consultation with the independent evaluator. The electric distribution companies shall offer  
1724 technical advice. If the department of energy resources, in consultation with the independent  
1725 evaluator, determines that reasonable proposals were not received pursuant to a solicitation, the  
1726 department may terminate the solicitation and may require additional solicitations to fulfill the  
1727 requirements of this section.

1728 (c) The department may give preference to proposals for environmental attributes or  
1729 energy services from energy storage systems that provide additional benefits or value to the  
1730 electric power grid or communities, including, but not limited to: (i) supporting grid resiliency  
1731 and transmission needs in specific geographic locations; (ii) providing economic opportunities or  
1732 public health benefits to environmental justice or disadvantaged communities; or (iii) creating  
1733 economic opportunities in transitioning fossil fuel communities. The department shall give  
1734 preference to proposals that demonstrate compliance with the provisions of sections 26 to 27F,

1735 inclusive, of chapter 149, and have a history of participation with state or federally certified  
1736 apprenticeship programs.

1737 (d) In developing proposed long-term contracts, the distribution companies shall consider  
1738 long-term contracts for energy services, for environmental attributes, and for a combination of  
1739 both energy services and environmental attributes. A distribution company may decline to pursue  
1740 a contract if the contract's terms and conditions would require the contract obligation to place an  
1741 unreasonable burden on the distribution company's balance sheet after consultation with the  
1742 department of energy resources; provided, however, that the distribution company shall take all  
1743 reasonable actions to structure the contracts, pricing or administration of the products purchased  
1744 under this section to prevent or mitigate an impact on the balance sheet or income statement of  
1745 the distribution company or its parent company, subject to the approval of the department of  
1746 public utilities; and provided further, that mitigation shall not increase costs to ratepayers. If a  
1747 distribution company deems all contracts to be unreasonable, the distribution company shall  
1748 consult with the department of energy resources and, not later than 20 days of the date of its  
1749 decision, submit a filing to the department of public utilities. The filing shall include, in the form  
1750 and detail prescribed by the department of public utilities, documentation supporting the  
1751 distribution company's decision to decline the contract. Following a distribution company's  
1752 filing, and not later than 4 months of the date of filing, the department of public utilities shall  
1753 approve or reject the distribution company's decision and may order the distribution company to  
1754 reconsider any contract. The department of public utilities shall take into consideration the  
1755 department of energy resources' recommendations on the distribution company's decision. The  
1756 department of energy resources may require additional solicitations to fulfill the requirements of  
1757 this section.

1758 (e) The department of public utilities shall promulgate regulations consistent with this  
1759 section. The regulations shall: (i) allow developers or owners of energy storage systems to  
1760 submit proposals for long-term contracts; (ii) require that contracts executed by the distribution  
1761 companies under such proposals are filed with, and approved by, the department of public  
1762 utilities before they become effective; (iii) require associated transmission costs to be  
1763 incorporated into a proposal; provided, however, that to the extent there are regional or project-  
1764 specific transmission costs included in a bid, the department of public utilities may, if it finds  
1765 such recovery to be in the public interest, authorize or require the contracting parties to seek  
1766 recovery of such transmission costs from other states or from benefitted entities or populations in  
1767 other states through federal transmission rates, consistent with policies and tariffs of the Federal  
1768 Energy Regulatory Commission; and (iv) require that the energy storage systems used by a  
1769 developer or owner under the proposal meet the following criteria: (A) are cost effective to  
1770 electric ratepayers in the commonwealth over the term of the contract taking into consideration  
1771 costs and benefits to the ratepayers, including economic and environmental benefits and the  
1772 equitable allocation of costs to, and the equitable sharing of costs with other states and  
1773 populations within other states that may benefit from energy storage systems procured by the  
1774 commonwealth; (B) if applicable, adequately demonstrate project viability in a commercially  
1775 reasonable timeframe; (C) include benefits to environmental justice populations and low-income  
1776 ratepayers in the commonwealth; and (D) include opportunities for diversity, equity and  
1777 inclusion, including, at a minimum, a workforce diversity plan and supplier diversity program  
1778 plan.

1779 (f) A proposed long-term contract shall be subject to the review and approval of the  
1780 department of public utilities and shall be apportioned among the distribution companies. As part

1781 of its approval process, the department of public utilities shall consider recommendations by the  
1782 attorney general, which shall be submitted to the department not later than 45 days following the  
1783 filing of a proposed long-term contract with the department. The department of public utilities  
1784 shall take into consideration the department of energy resources' recommendations on the costs  
1785 and benefits to the rate payers the equitable allocation and sharing of costs to and with other  
1786 states and populations within other states that may benefit from energy storage systems procured  
1787 by the commonwealth and the requirements of chapter 298 of the acts of 2008 and statewide  
1788 greenhouse gas emissions limits under chapter 21N of the General Laws. The department of  
1789 public utilities shall consider the costs and benefits of the proposed long-term contract and shall  
1790 approve a proposed long-term contract if the department finds that the proposed contract is in the  
1791 public interest and is a cost-effective mechanism for procuring beneficial, reliable energy storage  
1792 systems on a long-term basis, taking into account the factors outlined in this section. A  
1793 distribution company shall be entitled to cost recovery of payments made under a long-term  
1794 contract approved under this section.

1795 (g) The department of energy resources and the attorney general shall jointly select, and  
1796 the department of energy resources shall contract with, an independent evaluator to monitor and  
1797 report on the solicitation and bid selection process in order to assist the department of energy  
1798 resources in determining whether a proposal received pursuant to subsection (b) is reasonable  
1799 and to assist the department of public utilities in its consideration of long-term contracts or filed  
1800 for approval. To ensure an open, fair and transparent solicitation and bid selection process is not  
1801 unduly influenced by an affiliated company, the independent evaluator shall: (i) issue a report to  
1802 the department of public utilities analyzing the timetable and method of solicitation and the  
1803 solicitation process implemented by the distribution companies and the department of energy



1804 resources under subsection (b) and include recommendations, if any, for improving the process;  
1805 and (ii) upon the opening of an investigation by the department of public utilities into a proposed  
1806 long-term contract for a winning bid proposal, file a report with the department of public utilities  
1807 summarizing and analyzing the solicitation and the bid selection process and providing its  
1808 independent assessment of whether all bids were evaluated in a fair and non-discriminatory  
1809 manner. The independent evaluator shall have access to all information and data related to the  
1810 competitive solicitation and bid selection process necessary to fulfill the purposes of this  
1811 subsection but shall ensure all proprietary information remains confidential. The department of  
1812 public utilities shall consider the findings of the independent evaluator and may adopt  
1813 recommendations made by the independent evaluator as a condition for approval. If the  
1814 independent evaluator concludes in the findings that the solicitation and bid selection of a long-  
1815 term contract was not fair and objective and that the process was substantially prejudiced as a  
1816 result, the department of public utilities shall reject the contract.

1817 (h) The distribution companies shall each enter into a contract with the winning bidders  
1818 for their apportioned share of the long term contract costs. The apportioned share shall be  
1819 calculated and based upon the total energy demand from all distribution customers in each  
1820 service territory of the distribution companies.

1821 (i) An electric distribution company may elect to use or retain any environmental  
1822 attributes to meet any applicable annual portfolio standard requirements, including section 11F  
1823 of chapter 25A of the General Laws, and other clean energy compliance standards as applicable.  
1824 If the environmental attributes are not so used, such companies shall sell such purchased  
1825 environmental attributes attributed to any applicable portfolio standard eligible resources to  
1826 minimize the costs to ratepayers under the contract. The department of energy resources shall

1827 conduct periodic reviews to determine the impact on the environmental attributes markets of the  
1828 disposition of environmental attributes under this section and may issue reports recommending  
1829 legislative changes if it determines that actions are being taken that will adversely affect the  
1830 environmental attributes markets.

1831 (j) If a distribution company sells the environmental attributes as described in this  
1832 section, the distribution company shall net the cost of payments made to projects under the long-  
1833 term contracts against the net proceeds obtained from the sale of environmental attributes, and  
1834 the difference shall be credited or charged to all distribution customers through a uniform, fully  
1835 reconciling annual factor in distribution rates, subject to review and approval of the department  
1836 of public utilities.

1837 (k) A long-term contract procured under this section for energy storage systems shall  
1838 utilize an appropriate tracking system to ensure a unit specific accounting of the delivery of  
1839 environmental attributes, to enable the department of environmental protection, in consultation  
1840 with the department of energy resources, to accurately measure progress in achieving the  
1841 commonwealth's goals under chapter 298 of the acts of 2008 or the statewide greenhouse gas  
1842 emissions limits under chapter 21N of the General Laws.

1843 (l) The department of energy resources and the department of public utilities may jointly  
1844 develop requirements for a bond or other security to ensure performance with requirements  
1845 under this section.

1846 (m) The department of energy resources may promulgate regulations necessary to  
1847 implement this section.

1848 (n) If this section is subjected to a legal challenge, the department of public utilities may  
1849 suspend the applicability of the challenged provision during the pendency of the action until a  
1850 final resolution, including any appeals, is obtained and shall issue an order and take other actions  
1851 as are necessary to ensure that the provisions not subject to the challenge are implemented  
1852 expeditiously to achieve the public purposes of this section.

1853 (o) Nothing in subsections (c) to (g), inclusive, shall apply to a comprehensive permit  
1854 pursuant to sections 20 to 23, inclusive, of chapter 40B of the General Laws. For the purpose of  
1855 this section, the procedures and standards for filing and review of an application for a  
1856 comprehensive permit that includes a small clean energy infrastructure facility shall be in  
1857 accordance with said sections 20 to 23, inclusive, of said chapter 40B.

1858 (p) A request for proposal or solicitation under this section shall include the following  
1859 certification and disclosure requirements:-

1860 (i) documentation reflecting the applicant's demonstrated commitment to workforce or  
1861 economic development within the commonwealth;

1862 (ii) a statement of intent concerning efforts that the applicant and its contractors and  
1863 subcontractors will make to promote workforce or economic development through the project;

1864 (iii) documentation reflecting the applicant's demonstrated commitment to expand  
1865 workforce diversity, equity and inclusion in its past projects within the commonwealth;

1866 (iv) documentation as to whether the applicant and its contractors and subcontractors  
1867 participate in a state or federally certified apprenticeship program and the number of apprentices  
1868 the apprenticeship program has trained to completion for each of the last 5 years;

1869 (v) a statement of intent concerning how or if the applicant and its contractors and  
1870 subcontractors intend to utilize apprentices on the project, including whether each of its  
1871 contractors and subcontractors on the project participates in a state or federally certified  
1872 apprenticeship program;

1873 (vi) documentation relative to the applicant and its contractors and subcontractors  
1874 regarding their history of compliance with chapters 149, 151, 151A, 151B and 152 of the  
1875 General Laws, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws;

1876 (vii) documentation that the applicant and its contractors and subcontractors are currently,  
1877 and will remain, in compliance with chapters 149, 151, 151A, 151B, and 152 of the General  
1878 Laws, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws for the  
1879 duration of the project;

1880 (viii) detailed plans for assuring labor harmony during all phases of the construction,  
1881 reconstruction, renovation, development, and operation of the project, including documentation  
1882 of the applicant's history with picketing, work stoppages, boycotts or other economic actions  
1883 against the applicant and a description or plan of how the applicant intends to prevent or address  
1884 such actions;

1885 (ix) documentation relative to whether the applicant and its contractors have been found  
1886 in violation of state or federal safety regulations in the previous 10 years.

1887 (q) The department may require a wage bond or other comparable form of insurance in an  
1888 amount to be set by the department to ensure compliance with law, certifications or department  
1889 obligations.

1890 (r) A proposal or solicitation issued by the department shall notify applicants that  
1891 applicants shall be disqualified from the project if the applicant has been debarred by the federal  
1892 government or commonwealth for the entire term of the debarment.

1893 (s) An applicant shall, in a timely manner, provide documentation and certifications as  
1894 required by law or otherwise directed by the department. Incomplete or inaccurate information  
1895 may be grounds for disqualification, dismissal or other action deemed appropriate by the  
1896 department.

1897 (t) The department shall give added weight to applicants that demonstrate compliance  
1898 with the provisions of sections 26 to 27F, inclusive, of chapter 149 of the General Laws, and  
1899 have a history of participation with state or federally certified apprenticeship programs.

1900 SECTION 78. Chapter 68 of the acts of 2011 is hereby amended by striking out section  
1901 152.

1902 SECTION 79. Item 2000-7081 of section 2A of chapter 209 of the acts of 2018, as  
1903 amended by section 12 of chapter 42 of the acts of 2022, is hereby amended by inserting after the  
1904 words “cities and towns” the following words:- and tribal governments.

1905 SECTION 80. Said item 2000-7081 of said section 2A of said chapter 209 is hereby  
1906 further amended by inserting after the words “federal agencies” the following words:- tribal  
1907 governments,.

1908 SECTION 81. Said item 2000-7081 of said section 2A of said chapter 209 is hereby  
1909 further amended by inserting after the words “used for municipal” the following words:- tribal  
1910 government,.

1911 SECTION 82. Item 1599-0026 of section 2 of chapter 28 of the acts of 2023 is hereby  
1912 amended by inserting the following words:- provided further, that not less than \$12,673,961 shall  
1913 be expended to support missed prior year payments to municipalities and local education  
1914 agencies pursuant to items 1233-2350 and 7061-0008; and provided further, that such funds shall  
1915 be made available until June 30, 2025.

1916 SECTION 83. Item 3000-1042 of section 2 of chapter 28 of the acts of 2023 is hereby  
1917 amended by striking out the word “between” and inserting in place thereof the following words:-  
1918 from this item to.

1919 SECTION 84. Section 50 of chapter 77 of the acts of 2023 is hereby amended by striking  
1920 the figure “2024” and inserting in place thereof the following figure:- 2025.

1921 SECTION 85. Item 0610-2000 of section 2 of chapter 140 of the acts of 2024 is hereby  
1922 amended by striking out the figure “\$300,000” and inserting in place thereof the following  
1923 figure:- \$1,100,000.

1924 SECTION 86. Said section 2 of said chapter 140 is hereby further amended by inserting  
1925 after item 1599-4417 the following item:-

1926 1599-4448 For a reserve to meet the costs of salary adjustments and other economic benefits  
1927 authorized by the ratified collective bargaining agreements .....\$200,000,000.

1928 SECTION 87. Item 7006-0011 of said section 2 of said chapter 140 is hereby amended  
1929 by inserting after the figure “255F” the second time it appears, the following words:- provided  
1930 further, that the division may expend from such revenue an amount to be determined by the  
1931 commissioner of banks as grants for the operation of a program for best lending practices, first-

1932 time homeowner counseling for nontraditional loans and 10 or more foreclosure education  
1933 centers under section 16 of chapter 206 of the acts of 2007 and that the grants shall be awarded  
1934 through a competitive application process under criteria established by the division.

1935 SECTION 88. Item 4000-0103 of section 2B of said chapter 140 is hereby amended by  
1936 striking out the figure "\$31,489,176" and inserting in place thereof the following figure:-  
1937 \$45,489,176.

1938 SECTION 89. Said Item 1595-1068 of said section 2E of said chapter 140 is hereby  
1939 further amended by striking out the figure "\$433,000,000 " and inserting in place thereof the  
1940 following figure:- \$444,250,000.

1941 SECTION 90. Said item 1595-1068 of section 2E of chapter 140 of the acts of 2024 is  
1942 hereby amended by striking out the figure "\$682,202,000" and inserting in place thereof the  
1943 following figure:- \$837,827,000.

1944 SECTION 91. Section 57 of said chapter 140 is hereby amended by striking out the first  
1945 sentence of proposed subsection (f) of section 2BBBBBB of chapter 29 of the General Laws and  
1946 inserting in place thereof the following sentence:- Annual expenditures from the fund shall not  
1947 exceed that year's spending threshold, less the dedicated transportation income surtax revenue  
1948 amount. Each year's spending threshold shall be equal to the prior year spending threshold plus  
1949 an adjustment factor equal to the 10-year rolling rate of growth of income subject to the tax  
1950 specified in subsection (d) of section 4 of chapter 62 as certified by the commissioner of revenue.

1951 SECTION 92. Said chapter 140 of the acts of 2024 is hereby amended by striking out  
1952 section 250 and inserting in place thereof the following 2 sections:

1953 Section 250. Sections 80 to 99, inclusive, shall take effect on July 1, 2025.

1954 Section 250A. Section 88 shall only apply to land purchased or taken under a tax title on  
1955 or after July 1, 2025.

1956 SECTION 93. Section 136 of chapter 150 of the acts of 2024 is hereby amended by  
1957 striking out the words “and section 101 of chapter 143 of the General Laws”

1958 SECTION 94. Chapter 150 of the acts of 2024 is hereby amended by adding the  
1959 following section:-

1960 Section 144A. The executive office of housing and livable communities shall promulgate  
1961 guidance or regulations pursuant to section 101 of chapter 143 of the General Laws not later than  
1962 June 15, 2025.

1963 SECTION 95. Notwithstanding any general or special law to the contrary, employees of  
1964 the Berkshire County Regional Emergency Communications Center, employed by the Berkshire  
1965 county sheriff, are hereby transferred to the state 911 department. The transfer, including any  
1966 change in an employee’s title or duties resulting from the transfer, shall not: (i) interrupt an  
1967 employee’s service; (ii) impair an employee’s seniority, retirement or other statutory rights; (iii)  
1968 result in an employee’s loss of accrued rights to holidays, sick leave or vacation; or (iv) reduce  
1969 an employee’s compensation or salary grade. Such employees shall not be considered new  
1970 employees for salary, wage, tax, health insurance, Medicare or any other federal or state  
1971 purposes. Upon transfer, the secretary of administration and finance shall become the employer  
1972 within the meaning of chapter 150E of the General Laws, and the transferred employees shall  
1973 become members of statewide collective bargaining unit 2, as certified by the department of  
1974 labor relations. Nothing in this section shall continue any obligation under any expired collective



1975 bargaining agreement or any agreement made pursuant to an expired collective bargaining  
1976 agreement and any such agreement shall expire pursuant to its terms. Nothing in this section  
1977 shall be construed to confer upon any transferred employee any right not held immediately  
1978 before the date of transfer to the state 911 department or to prohibit any reduction of salary  
1979 grade, transfer, reassignment, suspension, discharge, layoff or abolition of position not prohibited  
1980 before such date.

1981 SECTION 96. Notwithstanding any general or special law to the contrary, an increase in  
1982 the annual rate of regular compensation that results from an increase in hours of employment,  
1983 from overtime wages, from a bona fide change in position, from a modification in the salary or  
1984 salary schedule negotiated for bargaining unit members under chapter 760 of the acts of 1962  
1985 which occurred between March 1, 2020 and July 1, 2024 shall not apply to the provisions of  
1986 paragraph (f) of subdivision (2) of section 5 of chapter 32 of the General Laws.

1987 SECTION 97. Notwithstanding any general or special law to the contrary, the department  
1988 of energy resources may coordinate with one or more New England states to consider  
1989 competitive solicitations for long-term clean energy generation, associated environmental  
1990 attributes, transmission or capacity for the benefit of residents of the commonwealth and the  
1991 region. If the department of energy resources, determines, not later than December 31, 2027, that  
1992 a project would satisfy all of the benefits listed below, the electric distribution companies shall  
1993 enter into cost-effective long-term contracts. In its determination, the department of energy  
1994 resources shall determine if any proposals (i) provide cost-effective clean energy generation to  
1995 electric ratepayers in the commonwealth and the region over the term of the contract; (ii) provide  
1996 the benefits of clean energy and associated transmission towards meeting the commonwealth's  
1997 decarbonization goals; (iii) where possible, avoid, minimize, or mitigate, to the maximum extent

1998 practicable, environmental impacts, and impacts to low-income populations; (iv) or reduce  
1999 ratepayer costs in winter months and improve energy security during winter months. For  
2000 purposes of this section, a long-term contract shall be a contract with a term of 10 to 20 years.  
2001 Eligible clean energy generation must contribute towards achieving compliance with limits and  
2002 sublimits established pursuant to sections 3 and 3A of chapter 21N of the General Laws.  
2003 Associated transmission costs must be incorporated into a proposal. All proposed contracts shall  
2004 be subject to the review and approval of the department of public utilities. The department of  
2005 public utilities shall consider both potential costs and benefits of such contracts and shall only  
2006 approve a contract upon a finding that it is cost-effective, taking into account the factors outlined  
2007 in this section.

2008 SECTION 98. (a) Notwithstanding any general or special law to the contrary, the  
2009 department of energy resources shall conduct a review to determine the effectiveness of the  
2010 commonwealth's existing solicitations and procurements required by sections 83 to 83E of  
2011 chapter 169 of the acts of 2008, and shall make recommendations regarding the future  
2012 procurement of clean energy resources for the purposes of ensuring compliance with statewide  
2013 greenhouse gas emissions limits and sublimits under chapter 21N of the General Laws.

2014 (b) The department's recommendations shall include a review of: (i) prior clean energy  
2015 solicitations; (ii) best practices and models utilized by other states to procure clean energy; (iii)  
2016 authorizing surplus interconnection service as an available transmission option in future  
2017 solicitations and procurements required by section 83C of chapter 169 of the acts of 2008; and  
2018 (iv) strategies to minimize total carbon emissions generated by vessels during both the  
2019 construction phase and the operation and maintenance phase of a project and any legislative  
2020 recommendations needed to amend or replace existing statutory authority. The department shall

2021 consult with the clean energy industry, the office of the attorney general, the Massachusetts clean  
2022 energy technology center, environmental justice organizations, labor organizations representing  
2023 workers in the offshore wind industry and other impacted stakeholders as part of this review  
2024 process. Such review and recommendations shall be submitted to the joint committee on  
2025 telecommunications, utilities and energy not later than July 1, 2025.

2026 SECTION 99. (a) Notwithstanding any general or special law to the contrary, an energy  
2027 storage system, as defined in section 1 of chapter 164 of the General Laws, that is not less than  
2028 100 megawatt hours and has received a comprehensive exemption from local zoning by-laws  
2029 from the department of public utilities pursuant to section 3 of chapter 40A of the General Laws,  
2030 may petition the energy facilities siting board to obtain a certificate of environmental impact and  
2031 public interest if the petition is filed prior to the date when regulations are promulgated pursuant  
2032 to section 52.

2033 (b) The energy facilities siting board shall consider a petition pursuant to subsection (a) if  
2034 the applicant is prevented from building the energy storage system because: (i) the applicant is  
2035 unable to meet standards imposed by a state or local agency with reasonable and commercially  
2036 available equipment; (ii) the processing or granting by a state or local agency of any approval,  
2037 consent, permit or certificate has been unduly delayed for any reason; (iii) the applicant believes  
2038 there are inconsistencies among resource use permits issued by such state or local agencies; (iv)  
2039 the applicant believes that a nonregulatory issue or condition has been raised or imposed by such  
2040 state or local agencies, including, but not limited to, aesthetics and recreation; (v) the generating  
2041 facility cannot be constructed due to any disapprovals, conditions or denials by a state or local  
2042 agency or body, except with respect to any lands or interests therein, excluding public ways,  
2043 owned or managed by any state agency or local government; or (vi) the facility cannot be

2044 constructed because of delays caused by the appeal of any approval, consent, permit or  
2045 certificate.

2046 (c) The energy facilities siting board shall, upon petition, consider an application for a  
2047 certificate of environmental impact and public interest if it finds that any state or local agency  
2048 has imposed a burdensome condition or limitation on any license or permit. An energy storage  
2049 system, with respect to which a certificate is issued by the energy facilities siting board, shall  
2050 thereafter be constructed, maintained and operated in conformity with such certificate and any  
2051 terms and conditions contained therein.

2052 (d) Notwithstanding any general or special law to the contrary, such certificate may be so  
2053 issued; provided, however, that when so issued no state agency or local government shall require  
2054 any approval, consent, permit, certificate or condition for the construction, operation or  
2055 maintenance of the energy storage system with respect to which the certificate is issued and no  
2056 state agency or local government shall impose or enforce any law, ordinance, by-law, rule or  
2057 regulation nor take any action nor fail to take any action that would delay or prevent the  
2058 construction, operation or maintenance of such energy storage system except as required by  
2059 federal law; and provided further, that the energy facilities siting board shall not issue a  
2060 certificate, the effect of which would be to grant or modify a permit, approval or authorization,  
2061 which, if so granted or modified by the appropriate state or local agency, would be invalid  
2062 because of a conflict with applicable federal water or air standards or requirements. A certificate,  
2063 if issued, shall be in the form of a composite of all individual permits, approvals or  
2064 authorizations that would otherwise be necessary for the construction and operation of the energy  
2065 storage system and that portion of the certificate that relates to subject matters within the

2066 jurisdiction of a state or local agency shall be enforced by said agency under the other applicable  
2067 laws of the commonwealth as if it had been directly granted by the said agency.

2068 (e) Energy storage systems that have not petitioned the department of public utilities for a  
2069 comprehensive exemption from local zoning by-laws pursuant to section 3 of chapter 40A of the  
2070 General Laws prior to March 1, 2026 shall not be eligible to petition the energy facilities siting  
2071 board to obtain a certificate of environmental impact and public interest under this section.

2072 SECTION 100. (a) For purposes of this section, the following words shall, unless the  
2073 context clearly requires otherwise, have the following meanings:

2074 “Approval”, except as otherwise provided in subsection (b), any permit, certificate, order,  
2075 excluding enforcement orders, license, certification, determination, exemption, variance, waiver,  
2076 building permit or other approval or determination of rights from any municipal, regional or state  
2077 governmental entity, including any agency, department, commission or other instrumentality of  
2078 the municipal, regional or state governmental entity, concerning the use or development of real  
2079 property, including certificates, licenses, certifications, determinations, exemptions, variances,  
2080 waivers, building permits or other approvals or determination of rights issued or made under  
2081 chapter 21 of the General Laws or chapter 21A of the General Laws; provided, however  
2082 “approval” shall not mean any permit, certificate, order, excluding enforcement orders, license,  
2083 certification, determination, exemption, variance, waiver, building permit or other approval or  
2084 determination of rights issued or made under section 16 of chapter 21D of the General Laws,  
2085 sections 61 to 62H, inclusive, of chapter 30 of the General Laws, chapters 30A, 40 and 40A to  
2086 40C, inclusive, of the General Laws, chapters 40R, 41 and 43D of the General Laws, section 21  
2087 of chapter 81 of the General Laws, chapters 91, 131, 131A and 143 of the General Laws,

2088 sections 4 and 5 of chapter 249 of the General Laws or chapter 258 of the General Laws or  
2089 chapter 665 of the acts of 1956 or any local by-law or ordinance.

2090 “Clean energy infrastructure project”, a project involving the construction,  
2091 reconstruction, conversion, relocation or enlargement of any renewable energy generating  
2092 source, as defined in subsection (c) of section 11F of chapter 25A of the General Laws, any  
2093 energy storage system, as defined in section 1 of chapter 164 of the General Laws, any  
2094 transmission facility or distribution facility, as defined in said section 1 of said chapter 164, or  
2095 related infrastructure, including substations and any other project that may be so designated as a  
2096 clean energy infrastructure project by the department of energy resources.

2097 (b)(1) Notwithstanding any general or special law to the contrary, any approval granted  
2098 for a clean energy generation or storage project that was in effect at any point between October  
2099 22, 2020 to August 1, 2024, inclusive, shall be extended to August 1, 2029.

2100 (2) A clean energy infrastructure project shall be governed by the applicable provisions  
2101 of any state, regional or local statute, regulation, ordinance or by-law, if any, in effect at the time  
2102 of the initial approval granted for such project, unless the owner or petitioner of such project  
2103 elects to waive this section.

2104 (3) Nothing in this section shall extend or purport to extend: (i) a permit or approval  
2105 issued by the government of the United States or an agency or instrumentality of the government  
2106 of the United States or to a permit or approval of which the duration of effect or the date or terms  
2107 of its expiration are specified or determined by or under law or regulation of the federal  
2108 government or any of its agencies or instrumentalities; or (ii) a permit, license, privilege or

2109 approval issued by the division of fisheries and wildlife under chapter 131 of the General Laws  
2110 for hunting, fishing or aquaculture.

2111 (4) If an owner or petitioner sells or otherwise transfers a property or project to receive  
2112 approval for an extension, the new owner or petitioner shall agree to assume all commitments  
2113 made by the original owner or petitioner under the terms of the approval, otherwise the approval  
2114 shall not be extended under this section.

2115 SECTION 101. Notwithstanding any general or special law to the contrary, prior to  
2116 transferring the consolidated net surplus in the budgetary funds for fiscal year 2024 to the  
2117 Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the  
2118 comptroller shall transfer \$11,000,000 from the General Fund to the Disaster Relief and  
2119 Resiliency Fund established in section 2HHHHHH of said chapter 29.

2120 SECTION 102. Notwithstanding any general or special law to the contrary, in fiscal year  
2121 2024, the comptroller shall make \$225,000,000 available from the Education and Transportation  
2122 Fund established in subsection (b) of section 2BBBBBB of chapter 29 of the General Laws to  
2123 satisfy the funding requirements for items 3000-1041, 3000-1042, 3000-1045 and 7053-1925 in  
2124 section 2 of chapter 28 of the acts of 2023 and 1595-6368 in section 2E of said chapter 28. The  
2125 secretary of administration and finance shall determine the amounts designated from the  
2126 Education and Transportation Fund for each of these items. as well as the corresponding  
2127 adjustments to the amounts from each fund originally made available to support these items in  
2128 said chapter 28.

2129 SECTION 103. Notwithstanding any general or special law to the contrary, in fiscal year  
2130 2024, the comptroller shall transfer \$150,000,000 from income surtax revenue as defined by

2131 subsection (a) of section 2BBBBBB of chapter 29 of the General Laws to the High-Quality Early  
2132 Education & Care Affordability Fund established in section 2YYYYY of said chapter 29.

2133 SECTION 104. Notwithstanding subsection (c) of section 2BBBBBB of chapter 29 of the  
2134 General Laws, in fiscal year 2024, the comptroller shall transfer \$250,000,000 from the  
2135 Education and Transportation Fund established in subsection (b) of section 2BBBBBB of chapter  
2136 29 of the General Laws to the Education and Transportation Reserve Fund established in section  
2137 2CCCCC of said chapter 29.

2138 SECTION 105. Notwithstanding any general or special law to the contrary, the  
2139 comptroller shall transfer the fiscal year 2024 consolidated net surplus, pursuant to section 5C of  
2140 chapter 29 of the General Laws, to the Transitional Escrow Fund established in section 16 of  
2141 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022.

2142 SECTION 106. Notwithstanding any general or special law to the contrary, tax revenue  
2143 collected from capital gains income above the threshold established in section 5G of chapter 29  
2144 of the General Laws shall be transferred as follows for fiscal year 2024: (i) 45 per cent shall be  
2145 transferred to the Commonwealth Stabilization Fund established in section 2H; (ii) 45 per cent  
2146 shall be transferred to the Transitional Escrow Fund established in section 16 of chapter 76 of the  
2147 acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022; (iii) 5 per cent shall be  
2148 transferred to the State Retiree Benefits Trust Fund established in section 24 of chapter 32A; and  
2149 (iv) 5 per cent shall be transferred to the Commonwealth's Pension Liability Fund established in  
2150 subsection (e) of subdivision 8 of section 22 of chapter 32.

2151 SECTION 107. Notwithstanding any general or special law to the contrary, for the fiscal  
2152 years ending June 30, 2024 and June 30, 2025, the secretary of administration and finance may



2153 allocate any unexpended federal funds held in the federal COVID-19 response fund established  
2154 in section 2JJJJ of Chapter 29 of the General Laws for items funded from the General Fund and  
2155 reduce the allocation from the General Fund appropriated for the purposes of said items in a  
2156 corresponding amount. Items appropriated in chapter 102 of the acts of 2021 and chapter 268 of  
2157 the acts of 2022 may be funded from the General Fund at the direction of the secretary. If  
2158 applicable, federal funds allocated from this section shall be treated as General Fund revenues by  
2159 municipalities and regional school districts and can be expended in compliance with net school  
2160 spending requirements as defined by section 2 of chapter 70 of the General Laws.

2161           SECTION 108. The department of public utilities shall commission a management study  
2162 to assess: (i) the likely workload of the energy facilities siting board based on the new  
2163 requirements of this act and the commonwealth's clean energy and climate plans; (ii) the  
2164 workforce qualifications needed to implement this act; (iii) the cost associated with the hiring  
2165 and retention of qualified professionals and consultants to successfully complete that work  
2166 required pursuant to this act; and (iv) the design, population and maintenance of a real-time,  
2167 online clean energy infrastructure dashboard, as required to be maintained by the facility siting  
2168 division pursuant to section 12N of chapter 25 of the General Laws. The funding and staffing  
2169 resource requirements identified in the management study shall be reported to the joint  
2170 committee on ways and means, the joint committee on telecommunications, utilities and energy,  
2171 the secretary of energy and environmental affairs and the secretary of administration and finance  
2172 not later than July 1, 2025. The secretary of energy and environmental affairs and the secretary  
2173 of administration and finance shall not later than 60 days of their receipt of the study provide  
2174 recommendations to the chairs of the house and senate committees on ways and means and the

2175 joint committee on telecommunications, utilities and energy on options to implement any  
2176 proposed recommendations of the study.

2177 SECTION 109. The salary adjustments and other economic benefits authorized by the  
2178 following collective bargaining agreements shall be effective for the purposes of section 7 of  
2179 chapter 150E of the General Laws:

2180 (1) the agreement between the Commonwealth of Massachusetts and the Massachusetts  
2181 Correction Officers Federated Union, Unit 04, effective from July 1, 2024 through June 30,  
2182 2025;

2183 (2) the agreement between the Commonwealth of Massachusetts and the Massachusetts  
2184 Nurses Association, Unit 07, effective from January 1, 2024 through December 31, 2024;

2185 (3) the agreement between the Commonwealth of Massachusetts Department of the  
2186 Treasurer and the Coalition of Public Safety Alcoholic Beverage Control Commission  
2187 Investigators Association, Unit 5, effective from July 1, 2024 through June 30, 2025;

2188 (4) the agreement between the Massachusetts Board of Higher Education and the  
2189 Massachusetts Community College Council, Unit MCC, effective from July 1, 2023 through  
2190 June 30, 2025;

2191 (5) the agreement between the Sheriff of Bristol County and the National Correctional  
2192 Employees' Union, Local 135 (Ad - Tech Unit), Unit SA1, effective from July 1, 2023 through  
2193 June 30, 2024;

2194 (6) the agreement between the Sheriff of Bristol County and the Massachusetts  
2195 Correction Officers Federated Union, Unit SA4, effective from July 1, 2023 through June 30,  
2196 2024;

2197 (7) the agreement between the Sheriff of Bristol County and the National Correctional  
2198 Employees' Union, Local 103 (K-9 Unit), Unit SA7, effective from July 1, 2023 through June  
2199 30, 2024;

2200 (8) the agreement between the Sheriff of Essex County and the International Brotherhood  
2201 of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local  
2202 R1-71, Unit SE9, effective from July 1, 2023 through June 30, 2024;

2203 (9) the agreement between the Sheriff of Middlesex County and the National Correctional  
2204 Employees Union, Local 116, Unit SM6, effective from July 1, 2023 through June 30, 2024;

2205 (10) the agreement between the Sheriff of Essex County and the Essex County  
2206 Correctional Officer Association, Unit SE2, effective from July 1, 2024 through June 30, 2025;

2207 (11) the agreement between the Sheriff of Middlesex County and the New England  
2208 Benevolent Association, Local 525, Unit SM5, effective from July 1, 2024 through June 30,  
2209 2025;

2210 (12) the agreement between the Sheriff of Dukes County and the Massachusetts  
2211 Correction Officers Federated Union, Unit SD1, effective from July 1, 2024 through June 30,  
2212 2025.

2213 SECTION 110. The salary adjustments and other economic benefits authorized by  
2214 the following collective bargaining agreements shall be effective for the purposes of section 7 of  
2215 chapter 150E of the General Laws:

2216 (1) the agreement between the Commonwealth of Massachusetts and the National  
2217 Association of Government Employees (NAGE), Units 1,3, and 6, effective from July 1, 2024  
2218 through June 30, 2027;

2219 (2) the agreement between the Commonwealth of Massachusetts and the Alliance,  
2220 AFSCME-SEIU-Local 888, Unit 2, effective from July 1, 2024 through June 30, 2027;

2221 (3) the agreement between the Sheriff of Essex County and the National Correctional  
2222 Employees Union Local 121, Unit SE7, effective from July 1, 2024 through June 30, 2027;

2223 (4) the agreement between the Sheriff of Essex County and the International Brotherhood  
2224 of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local  
2225 R1-71, Unit SE9, effective from July 1, 2024 through June 30, 2027;

2226 (5) the agreement between the Massachusetts State Lottery Commission and the Service  
2227 Employees International Union, Local 888, Unit LT1, effective from July 1, 2024 through June  
2228 30, 2027;

2229 (6) the agreement between the Commonwealth of Massachusetts and the Massachusetts  
2230 Organization of State Engineers and Scientists, Unit 9, effective from July 1, 2024 through June  
2231 30, 2027;

2232 (7) the agreement between the Court Administrator of the Trial Court of the  
2233 Commonwealth of Massachusetts and the National Association of Government Employees

2234 International Union, Local 5000, Units J2C and J2P, effective from July 1, 2024 through June  
2235 30, 2027;

2236 (8) the agreement between the Commonwealth of Massachusetts and the Service  
2237 Employees International Union (SEIU) Local 509, Units 8 and 10, effective from January 1,  
2238 2024 through December 31, 2026;

2239 (9) the agreement between the Massachusetts Department of Transportation and the  
2240 National Association of Government Employees, Local R1-292, Unit A, Unit D01, effective  
2241 from July 1, 2024 through June 30, 2027;

2242 (10) the agreement between the Massachusetts Department of Transportation and the  
2243 Coalition of MassDOT Unions, Unit D, Unit D06, effective from July 1, 2024 through June 30,  
2244 2027;

2245 (11) the agreement between the Sheriff of Bristol County and the National Correctional  
2246 Employees Union, Local 407, Unit SA3, effective from July 1, 2024 through June 30, 2027;

2247 (12) the agreement between the Sheriff of Bristol County and the National Correctional  
2248 Employees Union, Local 135, Unit SA1, effective from July 1, 2024 through June 30, 2027;

2249 (13) the agreement between the Sheriff of Bristol County and the National Association of  
2250 Government Employees, Unit C, RI-1478, Unit SA2, effective from July 1, 2024 through June  
2251 30, 2027;

2252 (14) the agreement between the Sheriff of Worcester County and the New England Police  
2253 Benevolent Association, Local 515, Unit SW5, effective from July 1, 2024 through June 30,  
2254 2027;

2255 (15) the agreement between the Sheriff of Franklin County and the National Correctional  
2256 Employees Union, Local 106, Unit SF1, effective from July 1, 2024 through June 30, 2027;

2257 (16) the agreement between the Sheriff of Franklin County and the National Correctional  
2258 Employees Union, Local 141, Unit SF2, effective from July 1, 2024 through June 30, 2027;

2259 (17) the agreement between the Sheriff of Franklin County and the Franklin Sheriff's  
2260 Office Non-Unit Employer's Association, Unit SF3, effective from July 1, 2024 through June 30,  
2261 2027;

2262 (18) the agreement between the Sheriff of Worcester County and NAGE, R1-255  
2263 (Professional Employees Unit), Unit SW4, effective from July 1, 2024 through June 30, 2027;

2264 (19) the agreement between the Sheriff of Worcester County and NEPBA, Local 275  
2265 (Superior Officers Unit), Unit SW2, effective from July 1, 2024 through June 30, 2027;

2266 (20) the agreement between the Sheriff of Suffolk County and the National Association  
2267 of Government Employees, Local 298, Unit SS2, effective from July 1, 2024 through June 30,  
2268 2027;

2269 (21) the agreement between the Massachusetts Board of Higher Education and the  
2270 American Federation of State and County and Municipal Employees, Council 93, Local 1067,  
2271 AFL-CIO, Unit 106, effective from July 1, 2024 through June 30, 2027;

2272 (22) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93,  
2273 Local 3643, Unit SS5, effective from July 1, 2024 through June 30, 2027;

2274 (23) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93,  
2275 Local 3967, Unit SS6, effective from July 1, 2024 through June 30, 2027;

2276 (24) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93,  
2277 Local 419, Unit SS0, effective from July 1, 2024 through June 30, 2027;

2278 (25) the agreement between the Sheriff of Suffolk County and the Jail Officers and  
2279 Employees Association, Unit SS4, effective from July 1, 2024 through June 30, 2027;

2280 (26) the agreement between the Court Administrator of the Trial Court of the  
2281 Commonwealth of Massachusetts and Office and Professional Employees International Union,  
2282 Local 6, AFL-CIO, Units J6C and J6P, effective from July 1, 2024 through June 30, 2027.

2283 SECTION 111. The office of environmental justice and equity established pursuant to  
2284 section 29 of chapter 21A of the General Laws, established in section 3, shall establish standards  
2285 and guidelines for community benefit plans and agreements as required by said section 29 of said  
2286 chapter 21A not later than July 1, 2026 and shall establish the cumulative impacts analysis  
2287 guidance pursuant to said section 29 of said chapter 21A before the energy facilities siting board  
2288 regulations pursuant to section 115 are promulgated.

2289 SECTION 112. The executive office of energy and environmental affairs shall coordinate  
2290 and convene a stakeholder process with the agencies and offices under its jurisdiction and any  
2291 other relevant local, regional and state agencies with a permitting role in energy related  
2292 infrastructure to establish the methodology for determining the suitability of sites and associated  
2293 guidance pursuant to section 30 of chapter 21A of the General Laws, inserted by section 3, not  
2294 later than July 1, 2026.

2295 SECTION 113. The department of energy resources shall promulgate regulations to  
2296 implement section 21 of chapter 25A of the General Laws, inserted by section 9, not later than  
2297 March 1, 2026.

2298 SECTION 114. The energy facilities siting board shall promulgate regulations to  
2299 implement the changes to sections 69G to 69J1/4, inclusive, sections 69O and 69P, sections 69R  
2300 and 69S of chapter 164 of the General Laws and sections 69T to 69W, inclusive, of said chapter  
2301 164, as inserted by section 55, not later than July 1, 2026. In promulgating said regulations, the  
2302 board shall consult with the department of public utilities, the department of energy resources,  
2303 the department of environmental protection, the department of fish and game, the department of  
2304 conservation and recreation, the department of agricultural resources, the Massachusetts  
2305 environmental policy act office, the Massachusetts Department of Transportation, the executive  
2306 office of public safety and security and all other agencies, authorities and departments whose  
2307 approval, order, order of conditions, permit, license, certificate or permission in any form is  
2308 required prior to or for construction of a facility, small clean energy infrastructure facility or  
2309 large clean energy infrastructure facility.

2310 SECTION 115. The department of public utilities and the energy facilities siting board, in  
2311 consultation with the office of environmental justice and equity established by section 29 of  
2312 chapter 21A of the General Laws, inserted by section 3, and the office of the attorney general,  
2313 shall promulgate regulations to implement section 149 of chapter 164 of the General Laws,  
2314 inserted by section 40, not later than July 1, 2026.

2315 SECTION 116. Not later than June 1, 2029, the director of the division of public  
2316 participation, as established by section 12T of chapter 25 of the General Laws, as inserted by  
2317 section 4, shall complete a review of the intervenor support grant program established pursuant  
2318 to section 149 of chapter 164 of the General Laws, as inserted by section 58, and provide an  
2319 opportunity for public comment to determine whether the program and corresponding  
2320 regulations should be amended.



2321 SECTION 117. Section 64 of this act is hereby repealed.

2322 SECTION 118. Sections 65 and 117 shall take effect on July 1, 2027.

2323 SECTION 119. Sections 45 to 49, inclusive, 51 to 59, inclusive, 64, 71, 99, 100, 108, and

2324 111 to 114, inclusive, shall take effect on July 1, 2026.