

SENATE No. 2119

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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

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

An Act to promote solar energy development consistent with the commonwealth’s 2050 next generation roadmap.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>1/23/2023</i>
<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>1/26/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/1/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>2/23/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/16/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>5/30/2023</i>

SENATE No. 2119

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 2119) of James B. Eldridge, Paul W. Mark, Steven Owens, Lindsay N. Sabadosa and other members of the General Court for legislation to promote solar energy development consistent with the commonwealth’s 2050 next generation roadmap. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act to promote solar energy development consistent with the commonwealth’s 2050 next generation roadmap.

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. Subsection (d) of section 6 of chapter 62 of the General Laws, as appearing
2 in the 2018 Official Edition, is hereby amended by striking the following words:- "or one
3 thousand dollars, whichever is lesser"

4 SECTION 2. Chapter 75 of the acts of 2016 is hereby amended in subsection (a) by
5 inserting after the word “ratepayers” the following words:- "that is consistent with the
6 commonwealth’s statutory requirements for greenhouse gas emission reductions under chapter
7 21N of the General Laws."

8 SECTION 3. Said chapter 75 is hereby further amended by inserting the following
9 subsection:-

10 (d) When the department of energy resources has established a program goal of at least
11 3000 MW of solar under subsection (b), the department of energy resources shall propose a new
12 solar incentive program not later than December 31, 2023 with a goal of 10,000 megawatts of
13 solar by 2030. The department may amend any existing solar incentive program to meet this
14 goal, or adopt regulations to implement a new incentive program. The department shall include
15 in any amended or new program: (1) a carve-out or additional incentives for solar facilities that
16 serve as canopies or are installed on buildings; (2) carve-out or additional incentives for solar
17 facilities that serve environmental justice communities; (3) a pollinator incentive consistent with
18 section 11A; (4) solar facilities that serve municipalities or other governmental entities; (5)
19 additional incentives for agrivoltaic facilities, as defined in section 2A of chapter 61A of the
20 General Laws, and (6) any other targeted incentive the department determines supports the 2030
21 solar goal.

22 In setting incentive rates, the department of energy resources shall review past incentives
23 levels, ratepayer impacts, and all relevant cost considerations, including but not limited to federal
24 and state tax credits, interconnection, disparate rate impacts across the electric distribution
25 companies; and anything that would otherwise hinder the installation of solar facilities, and
26 implement incentive rates that will ensure that the Commonwealth meets the 2030 goal of 10,000
27 MW of solar.

28 As of the effective date of this act, land protected under the department shall not utilize
29 any land use categorization to prohibit the installation of solar facilities for any solar incentive
30 program under this chapter without conducting at least 2 public hearings consistent with chapter
31 30A of the General Laws, and making findings that proposed prohibition will not negatively
32 impact the ability of the Commonwealth to meet a 10,000 MW goal of solar by 2030 or its goals

33 under chapter 21N of the General Laws. This paragraph shall not apply to previously adopted
34 restrictions on protected open space under Article XCVII of the Amendments to the Constitution,
35 wetland resource areas as defined under 310 CMR 10.04 and land included in the state register
36 under 950 CMR 71.03.

37 The department of energy resources may adopt regulations to reduce the administrative
38 burden of participating and ongoing reporting in solar incentive programs on residential and
39 small commercial installations of 25 kilowatts or less.

40 SECTION 4. Notwithstanding any general or special law to the contrary, the department
41 of energy resources shall collaborate with the clean energy center established in chapter 23J of
42 the General Laws to establish a solar loan program. The department may allocate alternative
43 compliance payment funds retained under the renewable energy portfolio standard under section
44 11F of chapter 25A of the General Laws or any other funds it deems appropriate for such a solar
45 loan program.

46 SECTION 5. Notwithstanding any general or special law to the contrary, the department
47 of energy resources, in consultation with the Massachusetts municipal wholesale electric
48 corporation, shall propose a program for municipal light plants, as defined in section 34 of
49 chapter 164 of the General Laws, to enable their participation in meeting the Commonwealth's
50 greenhouse gas emission goals under chapter 21N of the General Laws and relevant energy goals
51 under chapter 8 of the acts of 2021.

52 If the department of energy resources has established a program goal of at least 3000 kW
53 under subsection (b), then it shall file a report regarding the effectiveness of said program with
54 the clerks of the house and senate not later than December 31, 2023.