

SENATE No. 2121

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 investing in a prosperous clean commonwealth by 2030.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</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>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>7/11/2023</i>

SENATE No. 2121

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 2121) of James B. Eldridge, Lindsay N. Sabadosa, Vanna Howard and Danillo A. Sena for legislation to invest in a prosperous clean commonwealth by 2030. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

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

An Act investing in a prosperous clean commonwealth by 2030.

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. The commonwealth should lead the nation by transitioning to 100%
2 renewable electricity and net zero carbon emissions across all sectors by 2030. Climate scientists
3 estimate that we must halve global emissions by 2030 to stop catastrophic climate change;
4 therefore, an equitable and sustainable future necessitates that the commonwealth aggressively
5 transition energy use entirely away from fossil fuels to renewable energy generation. However,
6 climate change is intertwined with social inequities that will not be solved by simply
7 transitioning to renewable energy. To fully address the scope of the climate crisis, all of the
8 interdependencies of the crisis must be acknowledged and addressed, such that: (1) the laws and
9 energy policies of the commonwealth are aligned with the scientific consensus around the
10 climate crisis; (2) all have access to clean air, water, and land; (3) we center justice and equity
11 for environmental justice communities, frontline and fenceline communities - particularly poor,
12 Black and brown, and indigenous communities - and other populations that have been
13 disproportionately affected by the climate crisis; (4) the commonwealth increases energy security

and democratization by eliminating the use of fossil fuels and maximizing renewable energy production in our region; and (5) there is a just transition for workers amidst this energy transition by creating green, local, unionized jobs with wage and benefit parity and by prioritizing workers affected by the transition for green job training programs.

SECTION 2. Section 1 of Chapter 21N of the General Laws, is hereby amended by striking out the definition of “direct emissions” and inserting in place thereof the following definition:-

"Direct emissions", emissions from sources that are owned or operated, in whole or in part, by any person, entity or facility in the commonwealth including, but not limited to, emissions from any transportation vehicle; building; structure; fugitive source; reduction in carbon carrying capacity associated with land use; resource extraction or development; distribution system; or residential, commercial, institutional, industrial, waste management, agricultural, or manufacturing process.

SECTION 3. Said section 1 of said chapter 21N, as so appearing, is hereby further amended by inserting the following 4 definitions:-

“Negative emissions”, removal of greenhouse gases from the atmosphere measured in tons of carbon dioxide equivalent, reported in the greenhouse gas registry in accordance with subsection a of section 2 of chapter 21N.

“Net statewide greenhouse gas emissions”, statewide greenhouse gas emissions minus negative emissions.

“Land carbon carrying capacity”, the capacity of land to sequester greenhouse gases measured in tons of carbon dioxide equivalent, including that embodied in organic matter contained in forests, wetlands or soils.

“Changes in land use resulting in a reduction in carbon carrying capacity”, any process which causes a reduction in land carbon carrying capacity including development, deforestation, draining, landfill, or resource extraction.

SECTION 4: Section 2 of said chapter 21N, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The department shall monitor and regulate emissions of greenhouse gases with the goal of reducing those emissions. The department shall adopt regulations to require the reporting and verification of statewide greenhouse gas emissions and to monitor and enforce compliance with this chapter. The regulations shall: (1) establish a greenhouse gas registry and reporting system for greenhouse gas emission sources; provided, however, that in establishing the greenhouse gas registry and reporting system, the department may collaborate with other states or a regional consortium; (2) annually require the owner or operator of any facility that is required to report air emissions data to the department pursuant to Title V of the federal Clean Air Act and that has stationary emissions sources that emit greenhouse gases to report annually to the regional registry direct stack emissions of greenhouse gases from such sources; (3) require the owner or operator of a facility that has stationary emissions sources that emit greenhouse gases in excess of 5,000 tons of greenhouse gases per year in carbon dioxide equivalents to report annually to the registry direct emissions of greenhouse gases from such sources; provided, however, that the department shall develop a simplified estimation form to assist facilities in

determining who shall report emissions and shall consider, on an annual basis, requiring the expansion of reporting to the greenhouse gas registry; (4) require the owner or developer of a property that has undergone a reduction in carbon carrying capacity in excess of 5,000 tons of carbon dioxide equivalent in a given year to report to the registry direct emissions of greenhouse gases from such sources; (5) provide for the voluntary reporting of emissions and negative emissions of greenhouse gases to the greenhouse gas registry by entities and facilities that are not required to submit information pursuant to clauses (2) and (3); provided, however, that the greenhouse gas emissions reported shall be of a type and format that the greenhouse gas registry can accommodate; (6) require reporting of greenhouse gas emissions from generation sources producing all electricity consumed, including transmission and distribution line losses from electricity generated within the commonwealth or imported from outside the commonwealth; provided, however, that this requirement shall apply to all retail sellers of electricity, including electric utilities, municipal electric departments and municipal light boards as defined in section 1 of chapter 164A; (7) require reporting of fugitive greenhouse gas emissions from distribution of natural gas consumed for all residential, commercial and industrial purposes; provided, however, that this requirement shall apply to all owners of infrastructure used for distribution of natural gas including gas companies as defined in section 1 of chapter 164 of the General Laws; (8) ensure rigorous and consistent accounting of emissions and provide reporting tools and formats to ensure collection of necessary data; and (9) ensure that greenhouse gas emissions sources maintain comprehensive records of all reported greenhouse gas emissions.

SECTION 5: Section 3 of said chapter 21N, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) The secretary shall, in consultation with the department and the department of energy resources, adopt the following statewide greenhouse gas emissions limits: (i) an interim 2025 statewide greenhouse gas emissions limit; (ii) an interim 2025 net statewide greenhouse gas emissions limit; (iii) an interim 2030 statewide greenhouse gas emissions limit; (iv) an interim 2030 net statewide greenhouse gas emissions limit; (v) an interim 2035 statewide greenhouse gas emissions limit; (vi) an interim 2035 net statewide greenhouse gas emissions limit; (vii) an interim 2040 statewide greenhouse gas emissions limit; (viii) an interim 2040 net statewide greenhouse gas emissions limit; (ix) an interim 2045 statewide greenhouse gas emissions limit; (x) an interim 2045 net statewide greenhouse gas emissions limit; (xi) a 2050 statewide greenhouse gas emissions limit; (xii) a 2050 net statewide greenhouse gas emissions limit that achieves at least a net emissions reduction of 110 per cent below the 1990 level provided, however, that in no event shall the level of net statewide greenhouse gas emissions after 2030 be higher than zero and provided that in no event shall the level of statewide greenhouse gas emissions after 2040 be higher than zero. Each limit shall be accompanied by publication of a comprehensive, clear and specific roadmap plan to realize said limit.

SECTION 6: Subsection (a) of section 4 of said chapter 21N, as so appearing, is hereby amended by inserting after the first sentence the following sentence:- The secretary shall further adopt the 2040 net statewide greenhouse gas emissions limit pursuant to clause (8) of subsection (b) of section 3, which shall be not less than 105 per cent below the 1990 emissions level and shall plan to achieve that reduction pursuant to subsection (h) of section 4.

SECTION 7: Said section 4 of said chapter 21N, as so appearing, is hereby amended by inserting after subsection (h) the following subsection:-

(i) The secretary shall produce a comprehensive set of criteria defining negative emissions. Said criteria will be explicitly designed to (1) ensure that negative emissions represent removal of atmospheric greenhouse gases during the year in which they are recorded, (2) avoid double counting negative emissions in any way, (3) promote the growth of carbon negative practices in the commonwealth. The criteria shall be updated by the secretary every year.

SECTION 8. Section 6 of chapter 21A of the General Laws, is hereby amended by adding the following sentences:- Subject to appropriation, the secretary shall appoint an expert aide with the duties of developing policies, plans or programs to: (1) monitor and regulate emissions of greenhouse gases; (2) adopt the statewide greenhouse gas emissions limits; and (3) produce a comprehensive set of criteria defining negative emissions. Subject to appropriation, the secretary shall appoint an expert aide with the duties of developing policies, plans or programs to assist municipalities reach the zero emissions targets.

SECTION 9. Notwithstanding any general or special law to the contrary, the secretary of the executive office of energy and environmental affairs shall hire the expert aides set forth in section 8 of this act within 60 days of the start of fiscal year 2024, subject to appropriation.

SECTION 10. Section 16 of chapter 298 of the acts of 2008 is hereby amended by striking out, in lines 3 and 4, the words “, and shall expire on December 31, 2020”.

SECTION 11. Section 11F 1/2 of chapter 25A of the General Laws, is hereby amended by striking out, in subsection (a), the words “(4) an additional 2 per cent of sales each year thereafter until December 31, 2029; and (5) an additional 1 per cent of sales every year thereafter” and inserting in place thereof the following words:- (4) 33 per cent of total sales by December 31, 2022; (5) 40 per cent of total sales by December 31, 2023; (6) 48 per cent of total

sales by December 31, 2024; (7) 55 per cent of total sales by December 31, 2025; (8) 65 per cent of total sales by December 31, 2026; (9) 75 per cent of total sales by December 31, 2027; (10) 87 per cent of total sales by December 31, 2028; and (11) 100 per cent of total sales by December 31, 2029.”

SECTION 12. Section 11F of chapter 25A of the General Laws, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) For the purposes of this subsection, a renewable energy generating source is one which generates electricity using any of the following: (1) solar photovoltaic or solar thermal electric energy; (2) wind energy; (3) ocean thermal, wave or tidal energy; (4) fuel cells utilizing renewable fuels; (5) landfill gas; (6) naturally flowing water and hydroelectric; or (7) geothermal energy. The following technologies and fuels shall not be considered renewable energy sources: (A) coal; (B) petroleum coke; (C) oil; (D) natural gas; (E) construction and demolition debris including, but not limited to, chemically-treated wood; (F) nuclear power; (G) biomass power and (H) hydropower facilities that have nameplate capacity of more than 30MW. A renewable energy generating source may be located behind the customer meter within the ISO-NE, as defined in section 1 of chapter 164, control area if the output is verified by an independent verification system participating in the New England Power Pool Generation Information System, in this section called NEPOOL GIS, accounting system and approved by the department.

SECTION 13. Said section 11F, as so appearing, is hereby amended by striking out subsection (c) and inserting in place thereof the following subsection:-

(c) New renewable energy generating sources meeting the requirements of this subsection shall be known as Class I renewable energy generating sources. For the purposes of this

144 subsection, a Class I renewable energy generating source is one that began commercial operation
145 after December 31, 1997, or represents the net increase from incremental new generating
146 capacity after December 31, 1997 at an existing facility, where the facility generates electricity
147 using any of the following: (1) solar photovoltaic or solar thermal electric energy; (2) wind
148 energy; (3) ocean thermal, wave or tidal energy; (4) fuel cells utilizing renewable fuels; (5)
149 landfill gas; (6) energy generated by new hydroelectric facilities, or incremental new energy
150 from increased capacity or efficiency improvements at existing hydroelectric facilities; provided,
151 however, that (i) each such new facility or increased capacity or efficiency at each such existing
152 facility must meet appropriate and site-specific standards that address adequate and healthy river
153 flows, water quality standards, fish passage and protection measures and mitigation and
154 enhancement opportunities in the impacted watershed as determined by the department in
155 consultation with relevant state and federal agencies having oversight and jurisdiction over
156 hydropower facilities; (ii) only energy from new facilities having a capacity up to 30 megawatts
157 or attributable to improvements that incrementally increase capacity or efficiency by up to 30
158 megawatts at an existing hydroelectric facility shall qualify; and (iii) no such facility shall
159 involve pumped storage of water or construction of any new dam or water diversion structure
160 constructed later than January 1, 1998; (7) marine or hydrokinetic energy as defined in section 3;
161 or (8) geothermal energy. The following technologies and fuels shall not be considered
162 renewable energy sources: (A) coal; (B) petroleum coke; (C) oil; (D) natural gas; (E)
163 construction and demolition debris including, but not limited to, chemically-treated wood; (F)
164 nuclear power; (G) biomass power and (H) hydropower facilities that have nameplate capacity of
165 more than 30MWA. Class I renewable generating sources may be located behind the customer

meter within the ISO-NE control area if the output is verified by an independent verification system participating in the NEPOOL GIS accounting system and approved by the department.

SECTION 14. Said section 11F, as so appearing, is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) Every retail electric supplier providing service under contracts executed or extended on or after January 1, 2009, shall provide a minimum percentage of kilowatt-hour sales to end-use customers in the commonwealth from Class II renewable energy generating sources. For the purposes of this section, a Class II renewable energy generating source is one that began commercial operation before December 31, 1997 and generates electricity using any of the following: (1) solar photovoltaic or solar thermal electric energy; (2) wind energy; (3) ocean thermal, wave or tidal energy; (4) fuel cells utilizing renewable fuels; (5) landfill gas; (6) energy generated by existing hydroelectric facilities, provided that such existing facility shall meet appropriate and site-specific standards that address adequate and healthy river flows, water quality standards, fish passage and protection measures and mitigation and enhancement opportunities in the impacted watershed as determined by the department in consultation with relevant state and federal agencies having oversight and jurisdiction over hydropower facilities; and provided further, that only energy from existing facilities up to 7.5 megawatts shall be considered renewable energy and no such facility shall involve pumped storage of water nor construction of any new dam or water diversion structure constructed later than January 1, 1998; (7) marine or hydrokinetic energy as defined in section 3; or (8) geothermal energy. The following technologies and fuels shall not be considered renewable energy sources: (A) coal; (B) petroleum coke; (C) oil; (D) natural gas; (E) construction and demolition debris including, but not limited to, chemically-treated wood; (F) nuclear power; (G) biomass power and (H)

hydropower facilities that have nameplate capacity of more than 30MW. A Class II renewable generating source may be located behind the customer meter within the ISO-NE control area provided that the output is verified by an independent verification system participating in the NEPOOL GIS accounting system and approved by the department.

SECTION 15. Section 11F 1/2 of chapter 25A of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The department shall establish an alternative energy portfolio standard for all retail electricity suppliers selling electricity to end-use customers in the commonwealth. Every retail electric supplier providing service under contracts executed or extended on or after January 1, 2009 shall provide a minimum percentage of kilowatt-hour sales, as determined by the department, to end-use customers in the commonwealth from alternative energy generating sources and the department shall annually thereafter determine the minimum percentage of kilowatt-hour sales to end-use customers in the commonwealth which shall be derived from alternative energy generating sources. For the purposes of this section, "alternative energy generating source" shall mean a source which generates energy using any of the following: (i) flywheel energy storage; (ii) energy efficient steam technology; or (iii) fuel cells. The following technologies and fuels shall not be considered alternative energy supplies: (A) coal; (B) petroleum coke; (C) oil; (D) natural gas; (E) construction and demolition debris including, but not limited to, chemically-treated wood and (F) nuclear power.

SECTION 16. Said section 11F 1/2, as so appearing, is hereby amended by striking out in subsection (b) the following text:-

(b) The department, in consultation with the department of environmental protection, shall set: (i) emission performance standards that are protective of public health, including standards for eligible biomass, biogas and liquid biofuel technologies that limit eligibility only to best-in-class commercially-feasible technologies, inclusive of energy conversion and emissions controls, with regard to reducing emissions of particulate matter sized 2.5 microns or less and carbon monoxide and other air pollutants; (ii) for eligible biomass, biogas and liquid biofuel technologies, a requirement of 50 per cent reduction in life-cycle greenhouse gas emissions compared to a high efficiency unit utilizing the fuel that is being displaced or, for a new load, a high-efficiency natural gas unit, if natural gas is available at reasonable cost to the site or otherwise the fuel that is most likely to be utilized; (iii) for eligible biomass, biogas and liquid biofuel technologies, requirements for thermal storage or other means to minimize any significant deterioration of efficiency or emissions due to boiler cycling, if feasible; (iv) for eligible biomass, biogas and liquid biofuel technologies, fuel conversion efficiency performance standards achievable by best-in-class commercially-feasible technologies; and (v) in consultation with the department of conservation and recreation, for forest-derived biomass, requirements that fuel shall be provided by means of sustainable forestry practices; provided, however, that the department shall adopt any existing or new biomass fuel sustainability standards if deemed appropriate by the department after a public comment process.

SECTION 17. Said section 11F 1/2, as so appearing, is hereby amended by striking out subsections (c) and (d) and inserting in place thereof the following subsections:-

(b) The department shall adopt regulations allowing for a retail supplier to discharge its obligations under this section by making an alternative compliance payment in an amount established by the department. Such regulations shall outline procedures by which each retail

supplier shall annually submit for the department's review a filing illustrating the retail supplier's compliance with the requirements of this section.

(c) A municipal lighting plant shall be exempt from the obligations under this section so long as and insofar as it is exempt from the requirements to allow competitive choice of generation supply under section 47A of chapter 164.

SECTION 18. Said section 11F 1/2, as so appearing, is hereby amended by striking out subsection (e) and inserting in place thereof the following subsection:-

(d) The department may provide that for fuel cells and certain nonemitting renewable thermal technologies, an alternative energy credit shall be earned for less than 3,412,000 British thermal units of net useful thermal energy so as to stimulate the development of new on-site energy generating sources.

SECTION 19. Notwithstanding any general or special law to the contrary, the department of energy resources shall require distribution companies, as defined in section 1 of chapter 164 of the General Laws, to jointly and competitively conduct additional offshore wind generation solicitations and procurements of up to approximately 6,000 megawatts of aggregate nameplate capacity, in addition to the solicitations and procurements required by section 83C of chapter 169 of the acts of 2008, as amended by chapter 188 of the acts of 2016, and may require said additional solicitations and procurements by December 31, 2029.

SECTION 20. Subsection (b) of section 83C of chapter 169 of the acts of 2008, inserted by chapter 188 of the acts of 2016 and amended by section 21 of chapter 27 of the acts of 2018 shall be hereby amended by striking out the following words:- “; provided, however, that the department of public utilities shall not approve a long-term contract that results from a

subsequent solicitation and procurement period if the levelized price per megawatt hour, plus associated transmission costs, is greater than or equal to the levelized price per megawatt hour plus transmission costs that result from the previous procurement.”

SECTION 21. Said subsection (b) in section 83C is hereby further amended by striking out the following words:- “(3) provide for an annual remuneration for the contracting distribution company up to 2.75 cent of the annual payments under the contract to compensate the company for accepting the financial obligation of the long-term contract, such provision to be acted upon by the department of public utilities at the time of contract approval;”

SECTION 22. In responding to any solicitations issued by distribution companies for the procurement of offshore wind generation, proposals for long-term contracts shall include an environmental and fisheries mitigation plan for the construction and operation of such offshore wind facilities, provided such plan shall include, but not be limited to, an explicit description of the best management practices and any on- or off-site mitigation the bidder will employ, informed by the latest science at the time the proposal is made, that will avoid, minimize and mitigate any impacts to: wildlife, including but not limited to threatened or endangered species such as North Atlantic right whales; coastal and marine habitats; natural resources; ecosystems; and traditional or existing water-dependent uses, including, but not limited to, commercial and recreational fishing. The plan should also include pre- and post-construction monitoring to understand the effects of facilities on marine and avian species.

The department of energy resources shall establish an environmental working group and a fisheries working group comprised of key experts and stakeholders to provide input on best practices for avoiding, minimizing and mitigating any impacts to: wildlife, including but not

limited to threatened or endangered species such as North Atlantic right whales; coastal and marine habitats; natural resources; ecosystems; and traditional or existing water-dependent uses, including, but not limited to, commercial and recreational fishing, during the construction and operation of facilities eligible pursuant to this section. The working groups shall conduct ongoing review of implemented monitoring and mitigation programs and provide feedback and recommendations on an as-needed basis, to be considered by the department. Pre-construction engagement of these working groups will correspond with project development, solicitation, and permitting, and the federal consistency process.

Proposals must include a commitment to, if selected and approved, provide financial and technical assistance to support robust monitoring of wildlife and habitat through a minimum \$10,000 per megawatt contribution to regional research on the impacts of offshore wind on wildlife and habitat to inform strategies to avoid and mitigate any impacts to the marine environment. The department of energy resources, in consultation with the environmental and fisheries working groups, shall determine how the funds will be used to advance the responsible development of the offshore wind energy industry, not necessarily the proposed project.

SECTION 23. Notwithstanding any general or special law to the contrary, the department of energy resources shall require offshore wind bids to allocate at least 1% of the cost of the project to a general fund in support of Massachusetts-based offshore wind power research and workforce development provided further, that this fund shall be administered by the Massachusetts Clean Energy Center, provided further, that a portion of this fund shall be used to cover reasonable administrative costs of MassCEC.

SECTION 24. Notwithstanding any general or special law to the contrary, the department of energy resources shall require retail suppliers, as defined in section 1 of chapter 164 of the General Laws, to jointly and competitively conduct additional solar photovoltaic electric energy generation solicitations and procurements of up to approximately 6,000 megawatts of aggregate nameplate capacity, in addition to the solicitations and procurements required by section 4 of chapter 75 of the acts of 2016, and may require said additional solicitations and procurements by December 31, 2029.

SECTION 25. In responding to any solicitations from retail suppliers for the procurement of solar generation, proposals for long-term contracts shall include an environmental mitigation plan for the construction and operation of such solar facilities, provided such plan shall include, but not be limited to, an explicit description of the best management practices and any on- or off-site mitigation the bidder will employ, informed by the latest science at the time the proposal is made, that will avoid, minimize and mitigate any impacts to: wildlife, including but not limited to threatened or endangered species; wetlands, including but not limited to impacts on water quality and vegetation diversity; forests, including impacts from deforestation and removal of trees; natural resources; and ecosystems. The plan should also include pre- and post-construction monitoring to understand the effects of facilities on wetlands, forests, and land on which solar facilities are installed.

The department of energy resources shall establish an environmental working group comprised of key experts and stakeholders to provide input on best practices for avoiding, minimizing and mitigating any impacts to: wildlife, including but not limited to threatened or endangered species; wetlands, including but not limited to impacts on water quality and vegetation diversity; forests, including impacts from deforestation and removal of trees; natural

resources; and ecosystems. The working groups shall conduct ongoing review of implemented monitoring and mitigation programs and provide feedback and recommendations on an as-needed basis, to be considered by the department. Pre-construction engagement of these working groups will correspond with project development, solicitation, and permitting, and the federal consistency process.

Proposals must include a commitment to, if selected and approved, provide financial and technical assistance to support robust monitoring of wildlife, ecosystems and habitat through a minimum \$10,000 per megawatt contribution to regional research on the impacts of solar on wildlife and habitat to inform strategies to avoid and mitigate any impacts to the environment. The department of energy resources, in consultation with the environmental working groups, shall determine how the funds will be used to advance the responsible development of the solar energy industry, not necessarily the proposed project.

SECTION 26. Section 139 of chapter 164 of the General Laws, is hereby amended by inserting after the word “entity”, in line 96, the following words:- “or publicly-assisted housing or its residents.”

SECTION 27. Said section 138 of said chapter 164, as so appearing, is hereby further amended by striking out the words:- “or (2) of which the municipality or other governmental entity is assigned 100 per cent of the output.” and inserting in place thereof the following words:- “or (2) of which the municipality, other governmental entity, low income or environmental justice households or publicly-assisted housing or its residents are assigned 100 per cent of the output or net metering credits.”

SECTION 28. Said section 138 of said chapter 164, as so appearing, is hereby further amended by inserting after the definition of “Net metering facility of a municipality or other governmental entity” the following definition:-

“Publicly-assisted housing”, as defined in section 1 of chapter 40T.

SECTION 29. Section 139 of chapter 164 of the General Laws, is hereby amended by striking out, in lines 62 and 63, the words “and that are located in the same ISO-NE load zone to” and inserting in place thereof the following words:- , “regardless of which ISO-NE load zone the customers are located in, to.”

SECTION 30. Said section 139, as so appearing, is hereby further amended by inserting after the word “charges”, in line 85, the second time it appears, the following words:- “, including demand charges as part of a monthly minimum reliability contribution except as authorized under subsection (j).”

SECTION 31. Said section 139 of said chapter 164, as so appearing, is hereby amended by striking out subsection (f) of said section 139 and inserting in place thereof the following subsection:-

(f) No aggregate net metering cap shall apply to a solar net metering facility.

SECTION 32. Section 138 of chapter 164, as appearing in the 2020 Official Edition, is hereby amended by inserting after the definition of “customer” the following definitions:-

"Low-income", includes low-income households as defined under section 1 of chapter 40T.

"Environmental justice", the right to be protected from environmental pollution and to live in and enjoy a clean and healthful environment regardless of race, income, class, tribal affiliation, gender identity, sexual orientation, national origin, ethnicity or ancestry, religious belief, or English language proficiency. Environmental justice shall include the equal protection and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and environmental burdens.

"Environmental Justice Population", a neighborhood that meets 1 or more of the following criteria: (i) the annual median household income is not more than 65 per cent of the statewide annual median household income; (ii) minorities comprise 40 per cent or more of the population; (iii) 25 per cent or more of households lack English language proficiency; or (iv) minorities comprise 25 per cent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 per cent of the statewide annual median household income; provided, however, that for a neighborhood that does not meet said criteria, but a geographic portion of that neighborhood meets at least 1 criterion, the secretary may designate that geographic portion as an environmental justice population upon the petition of at least 10 residents of the geographic portion of that neighborhood meeting any such criteria; provided further, that the secretary may determine that a neighborhood, including any geographic portion thereof, shall not be designated an environmental justice population upon finding that: (A) the annual median household income of that neighborhood is greater than 125 per cent of the statewide median household income; (B) majority of persons age 25 and older in that neighborhood have a college education; (C) the neighborhood does not bear an unfair burden of environmental pollution; and (D) the

neighborhood has more than limited access to natural resources, including open spaces and water resources, playgrounds and other constructed outdoor recreational facilities and venues.

"Environmental Justice Household", includes households within Environmental Justice Populations.

"Low income solar net metering facility", a solar net metering facility that allocates all of its output and net metering credits to (1) the providers or residents of publicly-assisted housing under section 1 of chapter 40T or (2) low income and environmental justice households; or (3) entities primarily serving such persons. The department of energy resources may establish an alternate minimum threshold or thresholds for allocation of output and net metering credits to determine project eligibility if the department determines a lower threshold is necessary in order to facilitate economic viability of low-income solar net metering facilities or to deliver 24 meaningful economic benefit to recipients.

"Community shared solar net metering facility", a solar net metering facility with three or more eligible recipients of credits, provided that (1) no more than 50 per cent of the net metering credits produced by the facility are allocated to any one recipient, (2) no more than three recipients may receive net metering credits in excess of those produced annually by 25 kW of nameplate AC capacity and the combined share of said participants' capacity shall not exceed 50 per cent of the total capacity of the Generation Unit, unless otherwise allowed by the department of energy resources, and (3) the recipients have an interest in the production of the facility or the entity that owns the facility, in the form of formal ownership, a lease agreement, or a net metering allocation agreement.

SECTION 33. Said section 138 of said chapter 164, as so appearing, is hereby further amended in the definition of "market net metering credit" by striking out the following words:- "that credits shall only be allocated to an account of a municipality or government entity." and inserting in place thereof the following words:- "that credits shall only be allocated to an account of a municipality or government entity or low-income and environmental justice households."

SECTION 34. Section 139 of said chapter 164, as so appearing, is hereby further amended by adding the following subsections:-

(l) Notwithstanding any provision of special or general law to the contrary, a low income solar net metering facility shall receive credits equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the sum of the distribution company's: (i) default service kilowatt-hour charge in the ISO-NE load zone where the customer is located; (ii) distribution kilowatt-hour charge; (iii) transmission kilowatt-hour charge; and (iv) transition 52 kilowatt-hour charge; provided, however, that this shall not include the demand side 4 of 5 management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of chapter 25.

(m) Notwithstanding any provision of special or general law to the contrary, a community shared solar net metering facility that allocates at least 50 per cent of its credits to low income and environmental justice households or the providers or residents of publicly-assisted housing under section 1 of chapter 40T or (3) entities primarily serving such persons shall receive credits equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the sum of the distribution company's: (i) default service kilowatt-hour charge in the ISO-NE load zone where the customer is located; (ii) distribution kilowatt-hour charge; (iii) transmission

kilowatt-hour charge; and (iv) transition kilowatt-hour charge; provided, however, that this shall not include the demand side management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of chapter 25.

SECTION 35. Said section 139 of said chapter 164, as so appearing, is hereby amended by striking out in subsection (f) the following words:- "The aggregate net metering capacity of facilities that are not net metering facilities of a municipality or other governmental entity shall not exceed 7 per cent of the distribution company's peak load. The aggregate net metering capacity of net metering facilities of a municipality or other governmental entity shall not exceed 8 per cent of the distribution company's peak load."

SECTION 36. Chapter 25A of the General Laws is hereby amended by inserting after section 11I the following section:-

Section 11J. For any solar incentive program created by the department of energy resources, under general law, session law, or other authority, the program shall designate 50 per cent of the incentive to equitably share the economic and environmental benefits of the program in communities facing barriers to access. This shall include low-income solar net metering facilities, as defined in section 138 of chapter 164, as well as rental housing or residents thereof. The department may, at its discretion, dedicate part of the incentive to resolve other barriers to equitable access to solar energy if such barriers are identified. The department shall also specify in program design its plans to reach communities whose primary language is not English.

SECTION 37. Chapter 25A of the General Laws is hereby amended by inserting after section 11F1/2 the following section:-

Section 11F 3/4. (a) Each municipal lighting plant shall establish a greenhouse gas emissions standard, which shall be known as the “Municipal Lighting Plant GGES.”

(b) A Municipal Lighting Plant GGES shall set the minimum percentage of renewable energy sold by each municipal lighting plant to all retail end-user customers purchasing electricity pursuant to rates established pursuant to section 58 of chapter 164 as follows: 100 per cent energy sales from renewable sources achieving net-zero greenhouse gas emissions by 2030.

(c) For the purpose of this section, “renewable sources” shall mean: energy from facilities using the following generation technologies, but only to the extent that any renewable energy credits, emission free energy certificates or other evidentiary non-carbon emitting documentation associated therewith have not been sold, retired, claimed or otherwise represented by another party as part of electrical energy output or sales or used to satisfy obligations in jurisdictions other than the commonwealth: (1) solar photovoltaic; (2) solar thermal electric; (3) hydroelectric, including imports into the New England wholesale electric market as administered by ISO New England Inc.; (4) marine or hydrokinetic energy; (5) geothermal energy; (6) wind energy; and (7) any other generation qualifying for renewable portfolio standards pursuant to section 11F.

(d) A municipal lighting plant shall file an annual report with the department, using a form specified by the department, demonstrating compliance with this section. If a municipal lighting plant fails to comply with the requirements of this section, it shall make a one-time alternative compliance payment, to be known as the “Municipal Lighting Plant ACP” for the year of non-compliance, and on the anniversary of each year that said non-compliance continues thereafter, in the amount 0.25 times the Renewable Portfolio Standard ACP set forth in the department’s regulations at 225 C.M.R. 14.00 et seq. per kilowatt hour based on the amount of

such deficiency, escalated annually by the Consumer Price Index. Such Municipal Lighting Plant ACP shall be deposited into a fund that shall be maintained and administered by the municipal light plant and such fund shall be used by the municipal light plant to fund greenhouse gas emissions reduction and related programs in its service territory.

SECTION 38. Chapter 90 of the General Laws is hereby amended by inserting after section 7CC the following section:-

Section 7DD (a) For the purposes of this section the following words shall have the following meanings:-

"Consumer", a buyer, other than for purposes of resale, of a motor vehicle, any person to whom such motor vehicle is transferred during the period of any express or statutory warranty under this section applicable to such motor vehicle, and any other person entitled by the terms of such warranty to enforce its obligations.

"Dealer", any person engaged in the business of selling, offering for sale, or negotiating the retail sale of used motor vehicles or selling motor vehicles as broker or agent for another, including the officers, agents and employees of such person and any combination or association of dealers, but not including a bank or other financial institution, or the commonwealth, its agencies, bureaus, boards, commissions, authorities, nor any of its political subdivisions. A person shall be deemed to be engaged in the business of selling used motor vehicles if such person has sold more than three used motor vehicles in the preceding twelve months.

"Motor vehicle" or "vehicle", any motor vehicle as defined in section one, sold or replaced by a dealer or manufacturer, except that it shall not include auto homes, vehicles built primarily for off-road use or any vehicle used primarily for business purposes.

"Used motor vehicle" or "used vehicle", any vehicle driven more than the limited use necessary in moving or road testing a new vehicle prior to delivery to a consumer, including a demonstrator vehicle, except that it shall not include auto homes, vehicles built primarily for off road use, motorcycles, or any vehicle used primarily for business purposes.

"New motor vehicle" or "new vehicle", any vehicle not satisfying the definition of used motor vehicle.

"Plug-in vehicle", a battery electric vehicle that draws propulsion energy solely from an on-board electrical energy storage device during operation that is charged from an external source of electricity or a plug-in hybrid electric vehicle with an on-board electrical energy storage device that can be recharged from an external source of electricity which also has the capability to run on another fuel.

"Zero-emission vehicle", a motor vehicle that produces no engine exhaust emissions.

(b) Beginning on January 1st 2027, no new motor vehicle shall be sold in the commonwealth by a dealer to a consumer unless the vehicle is a plug-in vehicle.

(c) Beginning on January 1st 2030, no new motor vehicle shall be sold in the commonwealth by a dealer to a consumer unless the vehicle is a zero-emission vehicle.

SECTION 39. Section 16 of chapter 25A of the General Laws, is hereby amended by inserting after the word "section", in line 1, the following words:- and section 18.

SECTION 40. Subsection (a) of said section 16 of said chapter 25A, as so appearing, is hereby amended by adding the following definition:-

"Zero-emission vehicle", a motor vehicle that produces no engine exhaust emissions.

SECTION 41. Said chapter 25A is hereby further amended by inserting after section 17 the following section:-

Section 18. (a) The commissioner shall, subject to appropriation, establish a program to provide rebates or other financial incentives to consumers who purchase or lease a zero-emission vehicle. Vehicles qualifying for rebates under this section shall: (i) be manufactured primarily for use on public streets, roads and highways; (ii) not be modified from the original manufacturer's specification; and (iii) have been acquired for use or lease by the consumer and not for resale.

(b) A rebate under this section shall not be less than \$1,500 per vehicle; provided, however, that no rebate shall be available for a vehicle with a sales price that exceeds \$50,000.

(c) The commissioner may promulgate regulations to administer the program established under this section. At least once per calendar year, the commissioner shall provide outreach to underserved consumers and consumers in communities with a high percentage of low-income households with information about the zero-emission vehicle incentive program established under this section.

(d) The commissioner shall publish and regularly update data regarding program usage including, but not limited to: (i) the number and amount of rebates or incentives provided each month; (ii) the make, model and type of vehicle for which the rebate or incentive was issued; (iii) the zip code in which the vehicle is registered; and (iv) the estimated total greenhouse gas emissions reductions achieved from the rebate or incentive issued.

SECTION 42. Section 94 of chapter 143 of the General Laws, is hereby amended by inserting after subsection (r) the following subsections:-

536 (s) In consultation with the department of energy resources, to adopt and fully integrate
537 into the state building code requirements that new construction of commercial and residential
538 buildings, as well as major reconstruction, renovation and repair of such buildings, include
539 building electrical service, conduit systems, and level-2 or higher electric vehicle chargers
540 sufficient to support the minimum number of zero-emission vehicle parking spaces; provided,
541 however, that the minimum number of zero-emission vehicle parking spaces shall be at least 1
542 parking space or not less than 75 per cent of the total number of parking spaces, whichever is
543 greater. For the purposes of this section, “zero-emission vehicle” shall mean a motor vehicle that
544 produces no engine exhaust emissions.

545 (t) In consultation with the department of energy resources, to adopt and fully integrate
546 into the state building code requirements that new construction of parking facilities as well as
547 major reconstruction, renovation and repair of such facilities, include building building electrical
548 service, and conduit systems, and level-2 or higher electric vehicle chargers sufficient to support
549 the minimum number of zero-emission vehicle parking spaces; provided, however, that the
550 minimum number of zero-emission vehicle parking spaces shall be at least 1 parking space or not
551 less than 75 per cent of the total number of parking spaces, whichever is greater.

552 SECTION 43. Section 3 of chapter 448 of the acts of 2016 is hereby amended by striking
553 out, in lines 3 and 4, the words “may include requirements for electric vehicle charging for
554 residential and appropriate commercial” and inserting in place thereof the following words:-
555 shall include requirements for electric vehicle charging for appropriate residential and
556 commercial.

SECTION 44. Section 1 of Chapter 90 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following definitions:-

“Electric vehicles” are vehicles that rely solely on electric motors for propulsion and includes non-combustion vehicles.

“Zero-emission infrastructure” means electric battery chargers, trolleybus and railway catenary wire, and other equipment to support the operation of electric vehicles.

SECTION 43. Chapter 21N is hereby amended by inserting after Section 7, the following section:-

Section 7½. To contribute to the Commonwealth’s greenhouse gas reduction targets, the Secretary, in consultation with the department of energy resources, department of transportation, department of environmental protection, and department of public utilities, shall set and enforce targets for public fleet electrification.

(a) The Massachusetts Bay Transportation Authority shall operate a fully electric bus fleet by 2030 and meet the following interim targets: (i) 100 percent of all MBTA procurements shall be electric vehicles as defined in section 1 of chapter 90 by December 31, 2023; (ii) 40 percent of all MBTA buses should be electric by 2025; (iii) 60 percent of all MBTA buses should be electric by 2027; (iv) 80 percent of all MBTA buses should be electric by 2028; (v) 90 percent of all MBTA buses should be electric by 2029. The MBTA shall establish and meet goals for charging its bus infrastructure with renewable energy generating sources as defined in chapter 25A, section 11F.

(b) The MBTA shall work with the department of public health and department of environmental protection to establish air monitoring stations around bus maintenance facilities and to improve air quality around such facilities.

(c) The MBTA and its commuter rail contractor shall operate a fully electric commuter rail system by 2030.

(d) Regional transit authorities (RTAs) shall operate a fully electric bus fleet by 2035 and meet the following interim targets: (i) 100 percent of all RTA procurements shall be electric by December 31, 2026; (ii) 40 percent of all RTA buses should be electric by 2025; (iii) 60 percent of all RTA buses should be electric by 2028; (iv) 80 percent of all RTA buses should be electric by 2032; (v) 90 percent of all RTA buses should be electric by 2034.

SECTION 46. Chapter 161A is hereby amended by inserting the following paragraphs in section 7 after the term “under Section 6C”:

(a) The MBTA governing board shall establish deadlines for MBTA bus maintenance facilities to support an all electric bus fleet. Construction of new 100 percent electric bus garages and modernization of old garages, as needed for electric bus infrastructure, shall be complete at least one year prior to full bus fleet electrification in 2030.

(b) The MBTA governing board shall direct the MBTA to update and operate existing zero-emission vehicle infrastructure and to expand its zero-emission infrastructure. Removal of existing zero-emission infrastructure shall be permitted for temporary road, catenary, or public utility work. Any replacements for electric vehicles in operation must meet or exceed the availability of the current zero-emission fleet, with no auxiliary systems. For all diesel-electric hybrid buses, the MBTA shall develop robust monitoring about the locations where such buses

599 are operating on diesel power versus electric power and provide this data to the public on a
600 timely basis.

601 (c) The MBTA governing board shall direct the MBTA to operate electric buses with a
602 priority for operating such buses on routes serving environmental justice populations. The
603 MBTA governing board shall direct the MBTA to operate electric buses on bus routes serving
604 residents of Chelsea, Everett, Revere, Somerville, Chinatown, Roxbury, Dorchester, Lynn, and
605 Mattapan by 2025. The MBTA governing board shall direct MBTA staff to conduct robust
606 community outreach and engagement with residents of environmental justice populations,
607 municipal officials in cities and towns that have environmental justice populations, and with
608 transportation and environmental justice advocates. The MBTA staff shall report to the MBTA
609 governing board at least six times per year the progress of electrifying the bus and rail fleet. As
610 part of the public reports, MBTA staff shall explain the cost analysis of all procurements of fossil
611 fuel infrastructure and the reasons for procuring fossil fuel infrastructure in lieu of zero-emission
612 infrastructure.

613 (d) The MBTA governing board shall electrify the commuter rail fleet in two phases.
614 Phase I includes electrification of the Providence Line, Fairmount Line, and Newburyport /
615 Rockport Line at least through the Beverly Depot Station by December 31, 2024. Phase II
616 includes electrification of the Framingham/Worcester Line by December 31, 2026;
617 Middleborough/ Lakeville Line by December 31, 2027, and the remaining routes that pass
618 through environmental justice populations, but do not offer passenger service by December 31,
619 2030: South Coast (Phase 2 via Downtown Taunton), Haverhill, Lowell, Fitchburg, Franklin,
620 Plymouth/Kingston, Greenbush, Foxborough, Newburyport/ Rockport beyond Beverly Depot,
621 Cape Cod Extension, NH Capitol Corridor.

SECTION 47. Section 6 of chapter 161B is hereby amended by adding after paragraph (r), the following paragraph:-

(s) The authorities shall operate electric buses with a priority for operating such buses on routes serving environmental justice populations. Authorities shall conduct robust community outreach and engagement with residents of environmental justice populations, municipal officials in cities and towns that have environmental justice populations, and with transportation and environmental justice advocates. The authorities shall report annually to the Regional Transit Authority Council pursuant to Section 27 of chapter 161B the progress of electrifying the bus fleet. As part of the public reports, authorities shall explain the cost analysis of all procurements of fossil fuel infrastructure and the reasons for procuring internal combustion engines and fossil fuel infrastructure in lieu of electric vehicles and zero-emission infrastructure.

SECTION 48. Section 1 of Chapter 90 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following definitions:-

“Electric vehicles” are vehicles that rely solely on electric motors for propulsion and includes non-combustion vehicles.

“Emergency vehicle”, any publicly owned vehicle operated by a peace officer in performance of their duties, any authorized emergency vehicle used for fighting fires or responding to emergency fire calls, any publicly owned authorized emergency vehicle used by an emergency medical technician or paramedic, or used for towing or servicing other vehicles, or repairing damaged lighting or electrical equipment, any motor vehicle of mosquito abatement, vector control, or pest abatement agencies and used for those purposes, or any ambulance used by a private entity under contract with a public agency.

SECTION 49. Section 1 of chapter 21N is hereby amended by inserting the following definitions:

“Motor vehicles”, as defined in section 1 of chapter 90.

“Motor vehicle fleet” is a set of at least twenty-five motor vehicles under the same ownership or control and registered in the Commonwealth of Massachusetts.

“Motor vehicle fleet serving a public purpose” is a motor vehicle fleet of which a portion is leased, rented, or contracted by the Commonwealth of Massachusetts or a municipality or any political subdivision thereof from a person or entity other than the Commonwealth of Massachusetts or a municipality to provide a public service or for its own use, including school buses and paratransit vehicles.

“Public motor vehicle fleet” is a motor vehicle fleet owned by the Commonwealth of Massachusetts, a transportation authority, a school district, a public university, a quasi-public agency, or a municipality or in the shared ownership of multiple municipalities, or any political subdivision thereof. A public motor vehicle fleet includes vehicles under the same ownership of the Commonwealth or a municipality, even if a portion of the motor vehicle fleet is under the management or control of separate secretariats, departments, agencies, or offices.

“Electric vehicle”, as defined in section 1 of chapter 90.

SECTION 50. Chapter 21N is hereby amended by inserting after section 7 the following sections: -

Section 7A. The Secretary, in consultation with the department of energy resources, department of transportation, department of environmental protection, and department of public

665 utilities, shall develop a transition to an electric motor vehicle fleet program and promulgate
666 regulations to require the following motor vehicle fleet standards: (a) fifty percent of all public
667 motor vehicle fleets and motor vehicle fleets serving a public purpose shall be electric vehicles
668 by 2025; (b) seventy-five percent of all public motor vehicle fleets and motor vehicle fleets
669 serving a public purpose shall be electric vehicles by 2027; and (c) one hundred percent of all
670 public motor vehicle fleets and motor vehicle fleets serving a public purpose shall be electric
671 vehicles by 2030.

672 In reaching the Commonwealth's public fleet requirements defined in this section, the
673 Secretary shall prioritize for electrification any vehicles cited as medium- or high-priority by the
674 study commissioned pursuant to section 6 of chapter 448 of the acts of 2016. To meet the
675 deadlines established in this section, the Secretary shall prioritize electric vehicle deployment in
676 locations serving environmental justice populations as defined in the general laws or, in the
677 absence of a statutory definition, the environmental justice policy of the executive office of
678 energy and environmental affairs, as may be amended.

679 Section 7B. Notwithstanding section 9A of chapter 7, vehicles subject to the electric
680 vehicle public motor vehicle fleet program include: all public motor vehicle fleets, all motor
681 vehicle fleets serving a public purpose, and all motor vehicle fleets that are owned, leased,
682 rented, or contracted, by quasi-public agencies, excluding emergency vehicles. The Department
683 of Energy Resources, with input from the Department of Environmental Protection, Department
684 of Public Utilities, and Department of Transportation, shall: (i) establish goals for private motor
685 vehicle fleets conversion; (ii) identify and implement incentives to support electric vehicle
686 purchases; (iii) work with owners of motor vehicle fleets used, at least in part, for the purpose of
687 commercial ride-sharing and ride-hailing and passenger transportation, including vehicles

regulated pursuant to chapter 159A½ to transition to electric vehicles; (iv) work with owners of motor vehicle fleets used for public transportation licensed to operate in the Commonwealth pursuant to chapter 90 or chapter 159A to transition to electric vehicles; and (v) work with owners of motor vehicle fleets used as commercial motor carriers, freight services, limousine services, and taxis registered to operate in the Commonwealth to transition to electric vehicles.

Section 7C. The Secretary, in consultation with the executive office for administration and finance, shall require that new motor vehicles purchased by the Commonwealth shall be electric vehicles according to the following deadlines: (i) forty percent of all purchases in 2024; (ii) sixty percent of all purchases in 2025; (iii) eighty percent of all purchases in 2026; (iv) ninety percent of all purchases in 2027; and (v) one hundred percent of all purchases in 2028.

Section 7D. The Department of Energy Resources shall design and implement an incentive program to encourage the conversion of private fleets to electric vehicles. Should an owner of a motor vehicle fleet fail to comply with electric vehicle program requirements, the Department of Energy Resources shall remove the incentive for that owner and require reimbursement of the incentive. As part of the incentive program, the Department of Energy Resources shall ensure a specific pool of funds, not less than ten percent of all funds allocated to the incentive program, is available to municipalities to promote the transition to electric vehicle motor vehicle fleet.

SECTION 51. Beginning in 2024 and every five years thereafter through 2040, the Secretary shall submit a report to the Legislature that measures the Commonwealth's progress towards implementation of the electric vehicle motor vehicle fleet program. The report shall: (i) assess the electric vehicle market in the Commonwealth; (ii) identify funding sources to serve as

incentives for purchasing electric vehicles to offset costs to agencies, municipalities, and businesses; (iii) identify barriers to increased penetration of electric vehicles; and (iv) recommend legislative and regulatory action to address those barriers.

SECTION 52. The Secretary may provide education, training, and technical assistance to motor vehicle fleet operators to support electric vehicle penetration.

SECTION 53. The regulations required pursuant to sections 7A through 7D of said chapter 21N shall be promulgated and in effect not later than 270 days following the effective date.

SECTION 54. Section 6 of chapter 25A of the General Laws, is hereby amended by inserting after clause (11) the following clause:-

(12) develop and adopt, as an appendix to the state building code, in consultation with the board of building regulations and standards, a specialized net-zero energy code that includes, but is not limited to, a definition of net-zero building.

SECTION 55. Section 96 of said chapter 143, as so appearing, is hereby amended by inserting, in line 7, after the word “to” the following words:- , the specialized net-zero energy code developed and adopted by the department of energy resources.

SECTION 56. Section 97 of said chapter 143, as so appearing, is hereby amended by striking out, in line 22, the words “a reasonable time” and inserting in place thereof the following words:- 45 days.

SECTION 57. To develop the specialized net-zero energy code required by section 6 of chapter 25A of the General Laws, the department of energy resources shall hold not less than 5

public hearings in geographically diverse locations throughout the commonwealth that shall represent the distinguishing characteristics of rural, suburban and urban households, 3 of which shall be held in an underserved community or community with a high percentage of low-income households. The specialized net-zero energy code required by said section 6 of said chapter 25A shall be developed, adopted and incorporated as an appendix to the state building code not later than 1 year after the passage of this act.

SECTION 58. Section 94 of chapter 143 of the General Laws, is hereby amended by striking out subsection (o) and inserting in place thereof the following subsection:-

(o) To adopt and fully integrate as part of the state building code: (i) the latest International Energy Conservation Code, (ii) the net-zero energy code required by section 6 of chapter 25A of the General Laws for new residential construction beginning on January 1st 2025, (iii) the net-zero energy code required by said section 6 of said chapter 25A for new commercial construction beginning on January 1st 2028, and (iv) any more stringent energy-efficiency provisions that the board, in consultation with the department of energy resources, concludes are necessary to achieve the emissions limits established by subsection (b) of section 3 of chapter 21N of the General Laws as amended, and the renewable energy requirements established by subsection (a) of section 3 of chapter 25D of the General Laws as amended. The energy provisions of the state building code shall be updated within 1 year of any revision to the International Energy Conservation Code.

SECTION 59. Section 94 of chapter 143 of the General Laws, is hereby amended by striking out subsection (q) and inserting in place thereof the following subsection:-

(q) In consultation with the department of energy resources, to develop requirements and promulgate regulations as part of the state building code, in addition to the requirements enumerated in subsection (o) of Section 94 of chapter 143 of the General Laws, requiring a process to ensure that all new non-residential buildings larger than 10,000 square feet and any major reconstruction, alteration or repair of all such buildings perform as designed with respect to energy consumption by undergoing building commissioning or acceptance testing. Such commissioning must be completed before the issuance of a certificate of occupancy.

SECTION 60. Amendments to the state building and electric code required under section A4 and A8 shall be in effect not later than 18 months after the effective date of this act.

SECTION 61. Chapter 121B of the General Laws is hereby amended by inserting after section 38D the following section:-

Section 38D ½. (a) The department shall develop a program to transition the entire public housing stock of the Commonwealth into highly energy-efficient homes that produce on-site, or procure, enough carbon-free renewable energy to meet total energy consumption annually.

(b) Projects pursuant to this section may include a mix of extremely low income households, low or moderate income households and market-rate housing and may utilize any available source of rental subsidy or financial assistance.(c) The local housing authority shall: (i) comply with section 12, related to wages, labor requirements and the Social Security Act; (ii) comply with section 29, related to wage rates and collective bargaining; (iii) retain the same number of public housing units as existed before participation in this program and to the greatest extent possible: (A) provide for full tenant participation, including public hearings, on adoption or material amendment of its annual plan as required under subsection (h); (B) provide for a

tenant lease and grievance procedure substantially similar to that in effect prior to entry into this program; (C) provide that evictions shall be only for good cause; (D) assure that housing assisted under this program is decent, safe and sanitary and that, excepting any market-rate housing, the housing is deed restricted to occupancy by extremely low income households, very low income households or low and moderate income households at affordable rents or sales prices, in perpetuity or for such other term as may be approved by the department, consistent with funding sources; and (E) assure that proceeds from the disposition of public housing and funds generated from new affordable and market-rate housing created to replace public housing, unless restricted to a particular use, shall be allocated to the reconstruction, rehabilitation or repair of public housing developments; (iv) assure that if a participating housing authority redevelops its public housing units, all households residing in the units at the time of planned redevelopment shall receive relocation assistance, if eligible, under this chapter or other applicable statutes; provided however, that such households shall have the right to return to the redeveloped public housing, unless such household is determined to be in unlawful occupancy prior to the approval of the housing authority's application, has materially breached the lease agreement or has been evicted for cause, under applicable law, subject to units of the appropriate size and requirements being available; provided further, that such households shall have priority for placement over new applicants; (v) comply with chapter 334 of the acts of 2006; and (vi) comply with the audit requirements of section 29.

(d) The department shall maximize tenant participation and management by low- and very low-income individuals in the rehabilitation, upgrade, and transition of public housing through education, training, and jobs, all of which are to be funded by the Workforce Training Fund established in section 2RR of chapter 29.

SECTION 62. Chapter 21N of the General Laws is hereby amended by inserting after section 11 the following section:-

Section 12. To achieve the mobilization required to reach 100% renewable electricity and energy by 2030, a just transition for workers is necessary. The attorney general must ensure that the following criteria are met amidst this energy transition:

(a) Any job created in the transition to 100% renewables must be a high-quality union job with guaranteed wage and benefit parity for workers affected by the transition.

(b) Workers affected by the energy transition, including but not limited to fossil fuel workers, mechanics, laborers, are to be prioritized for training and advancement opportunities that allow for them to shift to renewable energy jobs.

(c) After the training referenced in subsection b has been completed, workers affected by the transition are guaranteed a job created in the mobilization to 100% renewables, and will be prioritized over other applicants.

(d) The commonwealth, through the powers of the attorney general, will fund and provide pensions for workers impacted by the transition age 50 or older who elect to retire early in lieu of participation in the training programs described in subsection (b).

(e) The commonwealth, through the department of labor services, will fund training and advancement opportunities, pensions, and the wage and benefit parity for each worker affected by the transition.