

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Richard M. Haggerty***

*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 supporting climate progress through sustainably developed offshore wind.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>1/12/2025</i>

**HOUSE . . . . . No.**

[Pin Slip]

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act supporting climate progress through sustainably developed offshore wind.

*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. Chapter 21A of the General Laws, as appearing in the 2022 Official  
2 Edition, is hereby amended by inserting after section 4A the following section:

3 Section 4A½. The secretary of the executive office of energy and environmental affairs  
4 shall establish an advisory council on offshore wind wildlife habitat management, hereinafter  
5 advisory council. The advisory council shall be comprised of experts and stakeholders in wildlife  
6 monitoring and protection, representation from both federally recognized tribes in the  
7 commonwealth, and relevant state and federal agencies.

8 The advisory council shall provide input to the office of coastal zone management on best  
9 practices for offshore wind development for avoiding, minimizing and mitigating impacts to  
10 wildlife, including, but not limited to, threatened or endangered species such as North Atlantic  
11 right whales, avian wildlife, coastal and marine habitats, natural resources and ecosystems, and  
12 traditional or existing water-dependent uses, by: (a) establishing baseline standards for  
13 monitoring and mitigation plans required by sections 83C of chapter 169 of the acts of 2008; (b)

14 advising on and monitoring the expenditure of funds raised through any long-term contracts  
15 dedicated for wildlife monitoring and mitigation; and (c) conducting an ongoing review of  
16 implemented monitoring and mitigation programs and provide feedback and recommendations  
17 on an as-needed basis, to be considered by the office. Pre-construction engagement of the  
18 advisory council shall correspond with project development, solicitation and permitting and a  
19 process to determine federal consistency with approved coastal management programs.

20 SECTION 2. Chapter 21N of the General Laws, as so appearing, is hereby amended by  
21 adding the following section:-

22 Section 13. Support for offshore wind host communities

23 (a) The secretary, in consultation with the executive office of economic development and  
24 the executive office of housing and livable communities, shall establish a program to provide  
25 additional support to communities that host large clean energy infrastructure facilities, as defined  
26 in section 69G of chapter 164, that support the deployment of offshore wind in accordance with  
27 the emissions reduction goals established by chapter 21N. Qualifying communities shall receive  
28 priority consideration of applications submitted to programs managed through the Community  
29 One Stop for Growth, including, but not limited to, the MassWorks infrastructure program, the  
30 Massachusetts Downtown Initiative, the Rural Redevelopment Fund, the Housing Choice grant  
31 program, the Community Planning grant program, the HousingWorks infrastructure program, the  
32 Underutilized Properties program, the Site Readiness program, the Brownfields redevelopment  
33 program, the Collaborative Workspace program, and the Real Estate Services technical  
34 assistance program. Qualifying communities shall also be eligible for program benefits  
35 established in section 10B of chapter 25A.

36 (b) The secretary shall adopt rules, regulations and guidelines for the administration of  
37 this section, including, but not limited to, establishing criteria for qualifying large clean energy  
38 infrastructure and information for communities on program benefits.

39 SECTION 3. Section 3 of chapter 23J of the General Laws, as so appearing, is hereby  
40 amended by striking the words “and (vii)” and inserting in place thereof the following: “(vii)  
41 coordinating with state agencies, regional and tribal entities, and experts on wildlife monitoring  
42 and mitigation planning associated with offshore wind activities, including, but not limited to,  
43 the members of the advisory council established pursuant to section 4A1/2 of chapter 21A; and  
44 (viii)”.

45 SECTION 4. Section 9 of chapter 23J of the General Laws, as most recently amended by  
46 section 17 of chapter 179 of the acts of 2022, is hereby amended by striking the words “and  
47 (viii)” and inserting in place thereof the words “(viii) the protection of coastal and marine  
48 wildlife through monitoring and mitigation of habitat loss from threats posed by of offshore wind  
49 development; and (ix)”.

50 SECTION 5. Section 9 of chapter 23J of the General Laws, as so appearing, is hereby  
51 amended by adding the following words:- and coastal and marine wildlife and habitats.

52 SECTION 6. (a) There shall be a special commission established to study development of  
53 the supply chain supporting the deployment of offshore wind and the economic benefits it brings  
54 in the Commonwealth and throughout New England. The special commission shall convene not  
55 later than January 1, 2026 and shall submit a report with recommendations to the House and  
56 Senate not later than June 30, 2026 which shall offer recommendations on bolstering the  
57 Massachusetts ecosystem for supply chain and manufacturing. The special commission may hold

58 hearings and invite testimony from experts and the public to solicit input and generate  
59 recommendations. The commission shall consist of at least thirteen members, and must include  
60 the following: the secretary of economic development or their designee and the secretary of  
61 energy and environmental affairs or their designee, who shall serve as co-chairs; the House and  
62 Senate chairs of the Telecommunications, Utilities, and Energy Committee or their designee; one  
63 additional member of the House appointed by the Speaker of the House; one additional member  
64 of the Senate appointed by the Senate President; the president of the Massachusetts AFL-CIO or  
65 a designee; the executive director of the American Council of Engineering Companies of  
66 Massachusetts or a designee; and five additional members to be appointed by the Governor,  
67 including a labor representative with relevant experience in manufacturing; a representative from  
68 the offshore wind developers; a representative from the manufacturing industry; a municipal  
69 official from a Gateway City; and a representative from a community-based environmental  
70 justice organization.

71 (b) Said commission shall assess and make recommendations on issues including, but not  
72 limited to: (i) current manufacturing capabilities within Massachusetts that are potentially  
73 suitable to support the offshore wind energy supply chain; (ii) gaps in the current supply chain  
74 and workforce for achieving the in-state assembly and manufacturing targets; (iii) the geographic  
75 distribution of relevant facilities, and estimating the number, geographic distribution, and types  
76 of jobs that will be created; (iv) an analysis of the number and types of jobs required for  
77 supporting in-state assembly and manufacturing targets, including, but not limited to,  
78 environmental monitoring, research and development, construction, engineering and design, and  
79 manufacturing, operations, and maintenance; and (v) incorporating equity, economic inclusion,

80 and environmental justice in economically and environmentally sustainable supply chain  
81 development.

82 SECTION 7. Chapter 25A of the General Laws, as so appearing, is hereby amended by  
83 inserting after section 10A the following section:-

84 Section 10B. Green communities supporting offshore wind

85 (a) The division shall develop and implement an incentive program for participating  
86 communities that host small clean energy infrastructure facilities, as defined in section 21, that  
87 support the deployment of offshore wind in accordance with the emissions reduction goals  
88 established by chapter 21N. Said incentive program shall include, but not be limited to,  
89 additional funding for qualifying communities and priority consideration of applications  
90 submitted for all other financial assistance offered by the division.

91 (b) The division shall adopt rules, regulations and guidelines for the administration of this  
92 section, including, but not limited to, establishing criteria for qualifying small clean energy  
93 infrastructure and information for communities on program benefits.

94 SECTION 8. Section 83B of chapter 169 of the acts of 2008, as inserted by section 12 of  
95 chapter 188 of the acts of 2016, is hereby amended by inserting the following four definitions:-

96 “Applicant,” Any natural person or business, whether or not incorporated or  
97 unincorporated, who seeks a contract to provide labor or services under this chapter, and  
98 employs another to work in the Commonwealth, or contracts with another natural person or  
99 business to do to perform labor, services or otherwise assist in the completion of a Project, under  
100 a contract, grant, subsidy, or any other arrangement funded in part or in the whole by the

101 Commonwealth, and/or its departments, offices, agencies, subdivisions, and quasi-public  
102 agencies, including, but not limited to public authorities, subject to chapter 150A; or public  
103 utilities regulated under chapter 164, except when said utilities are employing workers directly to  
104 perform construction and maintenance and other operational duties on its utility infrastructure  
105 and buildings.

106 “Covered project,” a project for offshore wind energy generation selected in a  
107 competitive solicitation conducted by the department of energy resources.

108 “Labor peace agreement;” an agreement between an employer and labor organization  
109 that, at a minimum, protects the state’s proprietary interests by prohibiting the labor organization  
110 and its members from engaging in picketing, work stoppages, boycotts, strikes, and any other  
111 economic interference with the employer’s business operations for the duration of the agreement.

112 SECTION 9. Section 83C of chapter 169 of the acts of 2008, inserted by section 12 of  
113 said chapter 188 of the acts of 2016 and as most recently amended by section 61 of chapter 179  
114 of the acts of 2022, is hereby amended by striking out the words “5,600 megawatts of aggregate  
115 nameplate capacity not later than June 30, 2027, including capacity authorized pursuant to  
116 section 21 of chapter 227 of the acts of 2018;” and inserting in place thereof the following:-

117 11,200 megawatts of aggregate nameplate capacity not later than June 30, 2035,  
118 including capacity authorized pursuant to section 21 of chapter 227 of the acts of 2018 and  
119 section 61 of chapter 179 of the acts of 2022; provided further, that after June 30, 2035, the  
120 department of energy resources shall be able to make additional procurements in excess of  
121 11,200 megawatts of aggregate nameplate capacity if it determines said procurements are  
122 necessary to meet the goals required under section 21N;

123 SECTION 10. Said section 83C of chapter 169 of the acts of 2008, as so appearing, is  
124 hereby amended by striking out subclause (I) of clause (v) of subsection (e)(1) and inserting in  
125 place thereof the following:-

126 (I) contain comprehensive plans for wildlife monitoring and mitigation of adverse  
127 wildlife impacts due to the construction and operation of offshore wind facilities that meet the  
128 standards established by the office of coastal zone management based on input from the advisory  
129 council on offshore wind wildlife habitat management established in section 4A½ of chapter 21A  
130 of the General Laws;

131 SECTION 11. Said section 83C of chapter 169 of the acts of 2008, as so appearing, is  
132 hereby amended by adding the following:-

133 (f) The department of energy resources shall require as a condition of contracting that all  
134 work performed on a covered project be in conformance with sections 26 through 27D, inclusive,  
135 of chapter 149 and shall include the certification and disclosure requirements included in these  
136 sections;

137 (g) The department of energy resources shall require that an applicant's proposals provide  
138 complete and accurate responses and disclosures to following certification and disclosure  
139 requirements: (i) documentation reflecting the applicant's demonstrated commitment to  
140 workforce development within the Commonwealth; (ii) a statement of intent from said applicant  
141 concerning efforts that it and its contractors and sub-contractors will take to promote workforce  
142 development on the project if successful; (iii) documentation reflecting the applicant's  
143 demonstrated commitment to economic development within the Commonwealth; (iv) a statement  
144 of intent from said applicant concerning efforts that it and its contractors and sub-contractors on



145 this project will take to promote economic development on the project if successful; (v)  
146 documentation reflecting the applicant's demonstrated commitment to expand workforce  
147 diversity, equity, and inclusion in its past projects within the Commonwealth; (vi) a statement of  
148 intent from said applicant concerning efforts that it and its contractors and sub-contractors on this  
149 project, will undertake to expand workforce diversity, equity, and inclusion on the project if  
150 successful; (vii) disclosure from said applicant of whether it and each of its contractors and  
151 subcontractors on this project, have previously contracted with a labor organization as defined  
152 under chapter 150A or the federal National Labor Relations Act in the Commonwealth or  
153 elsewhere; (viii) a statement from said applicant specifying whether it and each of its contractors  
154 and subcontractors on this project participates in a state or federally certified apprenticeship  
155 program and the number of apprentices the apprenticeship program has trained to completion for  
156 each of the last 5 years; (ix) a statement of intent from said applicant concerning the extent to  
157 which the applicant, its contractors and sub-contractors on this project, intend to utilize  
158 apprentices on the project if successful; (x) certification that the applicant and its contractors and  
159 sub-contractors on this project, have complied with chapters 149, 151, 151A, 151B, and 152, 29  
160 U.S.C. § 201, and federal anti-discrimination laws for the last 3 calendar years and intend to  
161 remain in compliance for the duration of the project; (xi) certification that the applicant will  
162 make its best effort to apply for all eligible state and federal grants, rebates, tax credits, loan  
163 guarantees, or other similar benefits as are available; (xii) certification that the applicant will  
164 maximize the use of skilled local labor, particularly with regard to the construction and  
165 manufacturing components of the covered project, using methods including outreach, hiring or  
166 referral methods that are affiliated with the federal Department of Labor or a federally  
167 recognized state apprenticeship agency.

168 (h) Every request for proposals, solicitation, and advertisement for funding issued by the  
169 Commonwealth under this chapter shall notify applicants that they will be disqualified from this  
170 project if they have been debarred by the federal government or Commonwealth for the entire  
171 term of the debarment.

172 (i) All applicants shall timely provide the above documentation and certifications as part  
173 of their initial application. Failure to provide the same shall disqualify the applicant from  
174 receiving funding for the project on which funding has been requested.

175 (j) A successful applicant's failure to provide complete, accurate certifications and  
176 documentation required under this section shall result in suspension from the project for a period  
177 of 30 days, to provide an opportunity for the Applicant to address application deficiencies to the  
178 satisfaction of the Commonwealth. Failure to cure deficiencies thereafter shall result in  
179 termination.

180 (k) In the event the Commonwealth or any political subdivision thereof leases, sub-leases,  
181 or conveys public land to an end user, developer, or operator for the construction, operation,  
182 and/or maintenance of a manufacturing, marshalling, or staging facility for projects authorized  
183 under this section, those leases and conveyances shall be conditioned upon the lessee or  
184 awardee's agreement to enter into fully executed labor peace agreements with any bona fide labor  
185 organization that seeks to represent employees working on the project, as permitted by federal  
186 law. Any funding, including grants and loans made by the Commonwealth or its subdivisions,  
187 including, but not limited to, awards made by Massachusetts Clean Energy Center under chapter  
188 23J, to support the construction, operation, and/or maintenance of a supply chain facility within  
189 the Commonwealth that will provide goods and services to be used in the construction and

190 maintenance of renewable energy generation, distribution, or transmission facility, shall be  
191 conditioned upon the recipient's agreement to enter into a fully executed labor peace agreement  
192 with any bona fide labor organization that seeks to represent the recipient's employees working  
193 on the project as their exclusive bargaining representative, as permitted by federal law.

194 (l) The Attorney General shall enforce the provisions of subsections (f) through (k),  
195 inclusive, and may enact regulations to support implementation.

196 SECTION 12. The rules, regulations, and guidelines required under sections 2 and 7 shall  
197 be promulgated within 180 days of the effective date of this Act.