

## JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

### BILL SUMMARY

**BILL NO.** H.3476

**TITLE:** An Act relative to healthy and sustainable schools

**SPONSOR:** Representative Marjorie C. Decker

**COMMITTEE:** Telecommunications, Utilities, and Energy

**HEARING DATE:** September 25, 2025

**PRIOR HISTORY:** 2023-2024: H.3691 heard by committee; accompanied redraft, see H.4502.

#### **CURRENT LAW:**

Chapter 25A outlines the power and duties of the Department of Energy Resources (DOER).

Sections 26 to 27D of Chapter 149 of the General Laws pertain to prevailing wages for registered apprenticeship programs. Section 44A of Chapter 149, section 8 of Chapter 149A, and Section 39 of Chapter 30 pertain to the state's public bidding laws.

Chapter 149 pertains to labor and industries; Chapter 151 refers to minimum fair wages; 151A pertains to unemployment insurance; Chapter 151B pertains to unlawful discrimination because of race, color, religious creed, national origin; ancestry; or sex; and Chapter 152 refers to workers' compensation. 29 U.S.C. § 201 pertains to fair labor standards.

#### **SUMMARY:**

SECTION 1: This bill adds a new section to Chapter 25A of the General Laws and creates definitions for "Certified TAB Technician", "Mechanical engineer", "Qualified adjusting personnel", and "Qualified adjusting personnel" for specific technical work, "Energy audit" for a detailed study of school energy use, and "Energy efficiency improvements" for a wide range of building upgrades. It also includes definition for "Environmental justice communities" and "Historically marginalized communities," as well as "Skilled and trained construction workforce," which sets a minimum standard for labor.

It further establishes a Healthy and Sustainable Schools Office within the DOER. The office shall be comprised of five members: a director appointed by the governor; two members appointed by the senate president, and two members appointed by the speaker of the house. Two of the five members must be representatives of organized labor. The office is authorized to hire a variety of experts, including architects, engineers, and attorneys, to assist with its work.

The new office shall conduct and manage energy audits for all public schools and institutions of higher education, including municipally-owned institutions. The office shall prioritize audits for institutions located in environmental justice communities. A key part of these audits is a ventilation verification assessment, which must be performed at least every five years by qualified personnel. This assessment includes a detailed inspection of a school's heating, ventilation, and air conditioning (HVAC) systems. A mechanical engineer shall review the assessment findings and determine whether repairs or upgrades are necessary in order to meet local code authority and state code. The office is responsible for ensuring that school districts take these corrective actions. All related HVAC repairs and upgrades must be performed by a “skilled and trained construction workforce” and all adjustments shall be performed by “qualified adjusting personnel.”

The office is required to memorialize the results of all energy audits and make them available to the public on its website, while redacting any sensitive information related to school safety. The office is authorized to aggregate projects, including bulk purchasing renewable energy and energy efficiency equipment, to assist schools in implementing energy efficiency and renewable energy projects. Priority shall be given to schools located in environmental justice communities. Contractors are prohibited from performing both the energy audit and the subsequent installation work at the same school. The office is encouraged to seek public input from stakeholders, including labor union representatives and community members.

Further, the office shall ensure that contractors and subcontractors provide the following certifications prior to submitting a bid:

- Documentation of their participation in state or federally registered apprenticeship programs and the payment of prevailing wages as prescribed through sections 26 to 27D of Chapter 149
- Documentation of partnerships with high-quality pre-apprenticeship programs
- Compliance with the state’s public bidding laws, including Section 44A of Chapter 149, section 8 of Chapter 149A, and Section 39 of Chapter 30
- Compliance with all federal, state, and local laws
- Compliance with all state and local hiring goals for women, minorities, and veterans
- Prioritization of hiring residents from environmental justice communities and historically marginalized communities
- An agreement to become a signatory to a project labor agreement if such an agreement is selected as the project delivery method for the construction project by the contracting authority

Bids with incomplete information at the bid deadline shall be disqualified by the Office.

In addition, the office shall ensure that contractors and subcontractors are in and will remain in compliance with Chapters 149, 151, 151A, 151B, and 152 and/or 29 U.S.C. § 201 and federal anti-discrimination laws for the project’s duration and have been in compliance with said laws for the prior three calendar years. In the instance of a contractor or subcontractor being unable to demonstrate compliance, the contractor or subcontractor must submit proof of a wage bond or other comparable form of insurance. The amount shall be equal to the aggregate of one year’s gross wages for all workers for which certification is unavailable for the life of the project.

Finally, the bill directs the state to appropriate funds to a new revolving fund to support the office and its projects. The fund may be used to finance energy audits and installations. The office shall apply for funding from a variety of federal and local sources, including the Department of Energy, green banks, and state bonds.

SECTION 2. The act takes effect on January 1, 2026.