

HOUSE No. 00132

The Commonwealth of Massachusetts

PRESENTED BY:

Frank I. Smizik

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 passage of the accompanying bill:

An Act to establish the office of clean technology and the clean technology commission .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>William N. Brownsberger</i>	<i>24th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Michael J. Moran</i>	<i>18th Suffolk</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Martin J. Walsh</i>	<i>13th Suffolk</i>

HOUSE No. 00132

By Mr. Frank I. Smizik of Brookline, petition (accompanied by bill, House, No. 00132) of Martin J. Walsh and others for legislation to establish the office of clean technology and the clean technology commission. . Joint Committee on Economic Development and Emerging Technologies.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to establish the office of clean technology and the clean technology commission .

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. Short Title; Purpose.

2 Sections 1 to 4, inclusive, shall be known, and may be cited, as “The Massachusetts Clean Tech
3 Act.” It is the purpose of this Act to create the office of clean technology under the Executive
4 Office of Housing and Economic Development, and to create the commission on clean
5 technology with the goal of achieving a 25 per cent increase from 2010 levels in clean
6 technology sector jobs, businesses and research in the Commonwealth by 2020.

7 SECTION 2: The following sections shall be inserted following section 44 of Chapter 23A:-

8 Section 45A. Definitions applicable to Secs. 45B to 45F

9 As used in sections sixty four to sixty five, inclusive, the following words shall, unless the
10 context requires otherwise, have the following meanings:

11 “Blueprint”, the Clean Tech Blueprint created by the Commission of Clean Technology.

12 “Clean technology or Clean tech”, products, services, and production processes that reduce or
13 eliminate environmental and health impacts throughout a product’s lifecycle while maintaining
14 the same or better levels of quality.

15 “Office”, the office of clean technology.

16

17 “Commission”, the Commission on Clean Technology established under section 64

18 “Priority Clean Technology Sectors”, clean energy; green buildings; materials reuse; emerging
19 bio-based and nano-materials; green chemistry and safer alternatives.

20 Section 45B. Office of Clean Technology; establishment; executive director.

21 There shall be within the department of economic development an office of clean technology,
22 hereinafter referred to as OCT, which shall be under the supervision and control of an executive
23 director. The powers and duties given to the executive director of OCT shall be exercised and
24 discharged subject to the direction, control and supervision of the director of economic
25 development.

26 The OCT executive director shall be appointed by the director of economic development, with
27 the approval of the governor, and may, with like approval be removed. The position of OCT
28 executive director shall be classified in accordance with section forty-five of chapter thirty and
29 the OCT executive director shall devote his full time during business hours to the duties of the
30 OCT and shall give to the state treasurer a bond for the faithful performance of his duties.

31 The executive director of OCT shall be the executive and administrative head of OCT and shall
32 be responsible for administering and enforcing the provisions of law relative to OCT and to each
33 administrative unit thereof. Powers and duties given to any administrative unit of OCT by any
34 general or special law shall be exercised subject to the direction, control and supervision of the
35 executive director of OCT.

36 Section 45C. Function of office

37 The office of clean technology shall be the principal agency of the government for increasing the
38 competitiveness of Massachusetts' clean technologies businesses by identifying and encouraging
39 efforts to expand the commonwealth's clean technological resources and by promoting transfer
40 of and access to new and emerging clean technologies for all sectors of the Massachusetts
41 economy.

42 The office of clean technology shall establish a Clean Tech Initiative that positions the
43 Commonwealth as a leader in clean technology, including Priority Clean Technology Sectors. To
44 further the Clean Tech Initiative, the office of clean technology shall adopt, implement and
45 coordinate the Green Innovation Index and Clean Tech Blueprint, created by the commission
46 pursuant to section 64 et seq. of chapter 23A, to increase clean tech sector jobs, clean tech sector
47 businesses, and clean tech research and development by twenty-five (25) per cent above 2010
48 levels by January 1, 2020. The office of clean technology, in consultation with the
49 Massachusetts Technology Collaborative, shall establish a baseline of clean tech jobs, clean tech
50 sector businesses, and clean tech research and development for the calendar year 2010.

51 Section 45D. Employees; consultants

52 The executive director of OCT may, subject to appropriation and with the approval of the
53 director of economic development, appoint and may, with like approval, remove all such
54 employees as may be necessary to carry out the work of OCT. Unless otherwise provided by
55 laws, all such appointments and removals shall be made in accordance with chapter thirty-one.
56 From time to time the executive director may, subject to appropriation and the laws and
57 regulations pertaining to the employment of consultants, employ such consultants as he may
58 deem necessary.

59 Section 45E. Gifts or grants; acceptance

60 OCT may accept gifts or grants of money or property from any source, which shall be held in
61 trust for the use of OCT by the director of economic development as custodian.

62 Section 45F. Annual report

63 The executive director of OCT shall prepare and submit an annual report pursuant to section
64 thirty-two of chapter thirty.

65 SECTION 3: The following sections shall be inserted following section 62 of Chapter 23A:-

66 Section 63. Definitions applicable to Secs. 64 to 65

67 As used in sections sixty four to sixty five, inclusive, the following words shall, unless the
68 context requires otherwise, have the following meanings:

69 “Blueprint”, the Clean Tech Blueprint created by the Commission of Clean Technology.

70 “Clean technology or Clean tech”, products, services, and production processes that reduce or
71 eliminate environmental and health impacts throughout a product’s lifecycle while maintaining
72 the same or better levels of quality.

73 “Office”, the office of clean technology established under section 45B.

74

75 “Commission”, the Commission on Clean Technology

76 “Priority Clean Technology Sectors”, clean energy; green buildings; materials reuse; emerging
77 bio-based and nano-materials; green chemistry and safer alternatives.

78 Section 64. Commission on Clean Technology

79 The secretary of housing and economic development, in consultation with the secretary of energy
80 and environmental affairs shall establish a commission on clean technology to advise the office
81 of clean technology established under this chapter, which shall consist the secretary of housing
82 and economic development or his designee, who will serve as a co-chair, the secretary of energy
83 and environmental affairs or his designee, who shall serve as a co-chair, a representative from
84 Massachusetts Technology Collaborative, a representative of the Office of Technical Assistance
85 a representative of the Toxics Use Reduction Institute, a representative from the Massachusetts
86 clean energy technology center, and eleven (11) members appointed by the Governor with an
87 interest and knowledge in matters related to the general purpose of the commission appointed by
88 the governor, including at least one representative from: the University of Massachusetts, the
89 finance community, statewide business assistance organizations, labor organizations, workforce
90 development organizations, public health organizations, manufacturing assistance, and

91 environmental advocacy organizations. Commission members shall serve two (2) year terms and
92 may be reappointed for multiple terms.

93 Section 65. Responsibilities of the Commission on Clean Technology.

94 (a) Develop, revise and create an implementation plan in the form of the Clean Technology
95 Blueprint, that shall guide the Clean Tech Initiative for the office of clean technology;

96 (1) The Blueprint shall be created within one (1) year of the enactment of this Act;

97 (2) The Blueprint shall be created in consultation with the Massachusetts Technology
98 Collaborative, the Office of Technical Assistance and the Toxics Use Reduction Institute;

99 (3) The Blueprint shall develop a five (5) year implementation plan for the Clean Tech
100 Initiative with clear timelines and deliverables. The implementation plan shall:

101 (i) Establish a vision and goals for the Initiative consistent with the intention of this Act;

102 (ii) Establish metrics to measure accomplished goals;

103 (iii) Create a brand or identity that encompasses and promotes all of the Commonwealth's
104 clean tech activities;

105 (iv) Identifying options to operate the Initiative at the state and regional levels;

106 (v) Identify policies, programs, and approaches to support and expand the Priority Clean
107 Technology Sectors, through:

108 (A) Research;

109 (B) Regulation, guidance, and enforcement;

- 110 (C) Financial incentives;
 - 111 (D) Technology adoption and technical support;
 - 112 (E) Collaboration and cross-fertilization within and among sectors and technologies;
 - 113 (F) Education; and
 - 114 (G) Workforce development.
- 115 (vi) Identify information gaps that must be addressed to advance clean tech in the
 - 116 Commonwealth;
 - 117 (vii) Evaluate existing programs and policies at the state, local and business levels in clean tech.
- 118 (4) The Blueprint shall be provided to the chairs of the State's Joint Committee on Economic
 - 119 Development and Emerging Technologies, and Joint Committee on the Environment, Natural
 - 120 Resources and Agriculture.
- 121 (5) The Blueprint shall be reported each year by the office on clean technology.
- 122 (b) Prepare a Green Innovation Index of the Massachusetts Green Economy which shall
 - 123 determine and measure indicators needed to meet the goals of the office of clean technology and
 - 124 provide it to the office of clean technology;
- 125 (1) The Green Innovation Index shall be created within eighteen (18) months of the
 - 126 enactment of this Act and shall be updated every two (2) years.
- 127 (c) Provide technical advice to the office on clean technology

128 SECTION 4: The following institutions shall provide guidance to the Office of Clean
129 Technology:

130 (a) The Office of Technical Assistance within the Office of Energy and Environmental
131 Affairs shall provide technical assistance to new and existing clean tech firms. In providing such
132 assistance, the Office of Technical Assistance shall conduct workshops and provide publications
133 and manuals relevant to clean tech industries;

134 (b) The Toxics Use Reduction Institute at the University of Massachusetts Lowell shall
135 provide research, trainings and other technical services to new and existing clean tech offices,
136 firms and commissions. In providing such services, the Institute shall organize conferences,
137 conduct trainings, arrange curricula and sponsor research projects within the University of
138 Massachusetts system;

139 (c) The Massachusetts Technology Collaboration may provide research or technical
140 development grants to assist clean tech industry development. In making its grants, the
141 Massachusetts Technology Collaborative shall consider as one of its decision criteria, economic
142 effects on the development of clean tech industries.