

SENATE No. 2500

Senate, January 30, 2020– Text of the Senate Bill setting next-generation climate policy (being the text of Senate, No. 2477, printed as amended)

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act setting next-generation climate policy.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to drastically lower our greenhouse gas emissions to confront our world and commonwealth's climate emergency, therefore it is hereby declared to be an emergency law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public peace, safety, health and convenience.

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. Section 1 of chapter 21N of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out the definition of “Market-based compliance
3 mechanism” and inserting in place thereof the following 2 definitions:-

4 “Market-based compliance mechanism”, a pricing or compliance mechanism or system,
5 imposed on sources or categories of sources of greenhouse gas-emitting substances or on the
6 distribution or sale of greenhouse gas-emitting substances, designed to reduce emissions as
7 required by this chapter, including, but not limited to, any mechanism or system of: (i) market-
8 based declining annual aggregate emissions limitations for sources or categories of sources that
9 emit greenhouse gases; (ii) greenhouse gas emissions exchanges, banking, credits and other

10 transactions governed by rules and protocols established by the secretary, a regional program or
11 other interested states that results in the same greenhouse gas emissions reductions, over the
12 same time period, as direct compliance with a greenhouse gas emissions limit or emissions
13 reduction measure adopted pursuant to this chapter; or (iii) charges or exactions imposed to
14 reduce statewide greenhouse gas emissions in whole or in part.

15 “Natural and working lands”, lands that: (i) are actively used by an agricultural owner or
16 operator for an agricultural operation that includes, but is not limited to, active engagement in
17 farming or ranching; (ii) produce forest products; (iii) consist of forests, grasslands, freshwater
18 and riparian systems, wetlands, coastal and estuarine areas, watersheds, wildlands or wildlife
19 habitats; and (iv) are used for recreational purposes, including parks, urban and community
20 forests, trails and other similar open space land.

21 SECTION 2. Subsection (a) of section 2 of said chapter 21N, as so appearing, is hereby
22 amended by striking out the first sentence and inserting in place thereof the following sentence:-
23 The department shall monitor and regulate emissions of greenhouse gases with the goal of
24 reducing emissions in order to achieve the greenhouse gas emissions limits adopted pursuant to
25 this chapter.

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

28 (b) To maximize the ability of the commonwealth to realize the 2050 emissions limit, the
29 secretary shall, in consultation with the department and the department of energy resources,
30 adopt the following statewide greenhouse gas emissions limits: (i) a 2020 statewide greenhouse
31 gas emissions limit; (ii) a 2025 statewide greenhouse gas emissions limit; (iii) a 2030 statewide

32 greenhouse gas emissions limit; (iv) a 2035 statewide greenhouse gas emissions limit; (v) a 2040
33 statewide greenhouse gas emissions limit; (vi) a 2045 statewide greenhouse gas emissions limit;
34 and (vii) a 2050 statewide greenhouse gas emissions limit of not more than net-zero emissions.
35 Each limit shall be accompanied by a comprehensive, clear and specific plan to realize the
36 adopted limit.

37 SECTION 4. Said chapter 21N is hereby amended by inserting after section 3 the
38 following 2 sections:-

39 Section 3A. (a) The secretary shall, in consultation with the secretary of housing and
40 economic development and the secretary of transportation, adopt sector-based statewide
41 greenhouse gas emissions sublimits as components of each statewide greenhouse gas emissions
42 limit adopted pursuant to subsection (b) of section 3. Each source or category of sources of
43 emissions shall be subject to statewide emissions sublimits, including, but not limited to, electric
44 power, transportation, commercial and industrial heating and cooling, residential heating and
45 cooling, industrial processes, solid waste, agriculture and natural gas distribution and service.

46 (b) Sector-based statewide greenhouse gas emissions sublimits for a given year shall not,
47 in the aggregate, exceed the statewide greenhouse gas emissions limit for the year and shall be
48 designed to allow the commonwealth to realize the 2050 statewide greenhouse gas emissions
49 limit.

50 Section 3B. Not later than February 1 of every third year, the secretary shall, for each
51 plan approved under section 21 of chapter 25, set a goal, expressed in tons of carbon dioxide
52 equivalent, for the succeeding plan's necessary contribution to meeting each statewide
53 greenhouse gas emissions limit and sublimit adopted pursuant to this chapter.

54 SECTION 5. Subsection (a) of section 4 of said chapter 21N, as appearing in the 2018
55 Official Edition, is hereby amended by inserting after the first sentence the following 2
56 sentences:- The 2030 statewide greenhouse gas emissions limit adopted pursuant to clause (iii) of
57 said subsection (b) of said section 3 shall be not less than 50 per cent below the 1990 emissions
58 level. The 2040 statewide greenhouse gas emissions limit adopted pursuant to clause (v) of said
59 subsection (b) of said section 3 shall be not less than 75 per cent below the 1990 emissions level.

60 SECTION 6. Said subsection (a) of said section 4 of said chapter 21N, as so appearing, is
61 hereby further amended by striking out the last sentence and inserting in place thereof the
62 following sentence:- The 2020, 2025, 2030, 2035, 2040, 2045 and 2050 statewide greenhouse
63 gas emissions limits and the accompanying plans for realizing the limits shall comply with the
64 requirements of this section and section 5.

65 SECTION 7. Subsection (b) of said section 4 of said chapter 21N, as so appearing, is
66 hereby amended by striking out, in line 17, the words "limit established in subsection (a)" and
67 inserting in place thereof the following words:- limits adopted pursuant to subsection (b) of
68 section 3.

69 SECTION 8. Subsection (g) of said section 4 of said chapter 21N, as so appearing, is
70 hereby amended by striking out, in line 42, the words "emission limit and implementing plan"
71 and inserting in place thereof the following words:- 2025, 2030, 2035, 2040, 2045 and 2050
72 statewide greenhouse gas emissions limits and the accompanying plans for realizing the limits.

73 SECTION 9. Said section 4 of said chapter 21N, as so appearing, is hereby further
74 amended by striking out subsection (h) and inserting in place thereof the following subsection:-

75 (h) Not more than 18 months after the last day of 2020, 2025, 2030, 2035, 2040, 2045,
76 2050 and any other calendar year for which a statewide greenhouse gas emissions limit is
77 adopted pursuant to statute or regulation, the secretary shall file a formal certificate of
78 compliance with the climate policy commission established under chapter 21Q, the clerks of the
79 house of representatives and the senate, the house and senate committees on ways and means, the
80 joint committee on telecommunications, utilities and energy and the joint committee on the
81 environment, natural resources and agriculture. The certificate shall certify, drawing upon the
82 best available data and measurements, the commonwealth's compliance with, or failure to
83 comply with, the statewide greenhouse gas emissions limit. The certificate shall include a
84 quantification of the extent to which emissions exceed or do not exceed the limit and an analysis
85 of the lessons learned from the success or failure to comply with the limit. If emissions exceeded
86 the limit, the certificate shall include comprehensive, clear and specific remedial steps to offset
87 the excess emissions and ensure compliance with the next upcoming limit adopted pursuant to
88 statute or regulation.

89 SECTION 10. Said chapter 21N is hereby further amended by striking out sections 5 to 7,
90 inclusive, as so appearing, and inserting in place thereof the following 3 sections:-

91 Section 5. (a) The secretary shall monitor the implementation of plans and regulations
92 relative to climate change. To the extent practicable, the plans required by subsection (b) of
93 section 3 for 2025, 2030, 2035, 2040 and 2045 shall be consistent with each other, cumulative in
94 effect and constructed to realize the 2050 statewide greenhouse gas emissions limit imposed by
95 said subsection (b) of said section 3. Each plan, including the 2050 plan, shall: (i) address each
96 sector subject to a statewide greenhouse gas emissions sublimit imposed by section 3A of this
97 chapter; (ii) indicate for each sector how, to what extent and when the commonwealth will act to

98 reduce its emissions in order to realize the 2050 statewide greenhouse gas emissions limit; (iii)
99 quantify the emissions reductions to be realized due to the electric and gas energy efficiency
100 programs established under sections 19 and 21 of chapter 25; (iv) set numerical benchmarks and
101 track adoption within the commonwealth of emissions reduction products, solutions and
102 improvements used to achieve the statewide greenhouse gas emissions limits and sublimits,
103 including, but not limited to, electric vehicles, electric vehicle charging stations, solar
104 photovoltaic and solar thermal technologies, carbon sequestration from natural and working
105 lands, energy storage capacity, air-source and ground-source heat pumps and anaerobic
106 digestion; (v) consider whether activities undertaken to comply with statewide greenhouse gas
107 emissions limits and sublimits disproportionately impact low-income and moderate-income
108 communities and recommend actions that provide benefits or cost savings to such communities
109 or otherwise eliminate any such impacts; (vi) consider overall societal benefits, including
110 reductions of other air pollutants, conservation, engagement and management of natural and
111 working lands, diversification of energy sources and other benefits to the economy, environment
112 and public health; (vii) consider whether activities undertaken to comply with statewide
113 greenhouse gas emissions limits and sublimits minimize costs and administrative burdens and
114 maximize total benefits to the commonwealth; (viii) consider whether activities undertaken to
115 comply with statewide greenhouse gas emissions limits and sublimits minimize leakage; (ix)
116 ensure that greenhouse gas emissions reductions are real, permanent, quantifiable, verifiable and
117 enforceable; (x) contain a statewide baseline quantification of the carbon sequestered in natural
118 and working lands, accompanied by goals to increase and enhance the sequestration, and
119 recommendations including, but not limited to, the conservation, enhancement and management
120 of natural and working lands; and (xi) make recommendations for future policy action.

121 Section 6. The secretary shall promulgate all regulations necessary to achieve the limits
122 imposed by subsection (b) of section 3 and sublimits imposed by section 3A. The regulations
123 shall be designed to ensure that the commonwealth achieves the required emissions reductions
124 equitably and in a manner that mitigates the effects of increased energy and transportation costs
125 on low-income and moderate-income households, improves their economic condition, where
126 feasible, and creates additional employment and economic development in the commonwealth.

127 Section 7. (a) The secretary shall promulgate regulations establishing market-based
128 compliance mechanisms for: (i) the transportation sector; provided, however, that the regulations
129 shall, at a minimum, be designed to reduce emissions from passenger vehicles and light duty
130 trucks; (ii) the commercial, industrial and institutional sectors, including, but not limited to,
131 buildings and industrial, manufacturing and other business processes; and (iii) the residential
132 building sector.

133 (b) Market-based compliance mechanisms established pursuant to this section shall be
134 designed to: (i) maximize the ability of the commonwealth to achieve the statewide greenhouse
135 gas emissions limits established pursuant to this chapter; (ii) ensure that the commonwealth
136 achieves the required emissions reductions equitably and in a manner that protects and, where
137 feasible, improves the condition of low-income and moderate-income persons; (iii) prevent
138 increases in the emissions of toxic air contaminants and criteria air pollutants, including, but not
139 limited to, emissions of nitrous oxide, sulfur dioxide and mercury; (iv) identify manufacturing
140 sectors, economic sectors, economic subsectors or individual employers at risk of adverse
141 impacts due to such mechanisms and mitigate the impacts; (v) address the distinguishing
142 characteristics and vulnerabilities of rural, suburban and urban households; and (vi) maximize
143 additional environmental and economic benefits for the commonwealth.

144 (c) The executive office and the department may work with the participating regional
145 greenhouse gas initiative states, other interested states and Canadian provinces to develop a plan
146 to expand market-based compliance mechanisms such as the regional greenhouse gas initiative to
147 other sources and sectors necessary or desirable to facilitate the achievement of the statewide
148 greenhouse gas emissions limits.

149 (d) The secretary may adopt regulations governing the use of market-based compliance
150 mechanisms by regulated entities subject to the statewide greenhouse gas emissions limits and
151 mandatory emissions reporting requirements to achieve compliance with such limits.

152 (e) The executive office shall monitor compliance with this chapter and enforce any rule,
153 regulation, order, emissions limit, emissions reduction measure or market-based compliance
154 mechanism adopted by the secretary or department under this chapter. The department may
155 impose a civil administrative penalty pursuant to section 16 of chapter 21A for a violation of any
156 rule, regulation, order, emissions limit, emissions reduction measure or other measure adopted by
157 the secretary pursuant to this chapter.

158 SECTION 11. The General Laws are hereby amended by inserting after chapter 21O the
159 following chapter:-

160 Chapter 21Q.

161 Climate Policy Commission.

162 Section 1. As used in this chapter, the following terms shall have the following meanings
163 unless the context clearly requires otherwise:

164 “Commission”, the climate policy commission established pursuant to section 2.

165 “Greenhouse gas emissions”, emission of a greenhouse gas as defined in section 1 of
166 chapter 21N.

167 “State agency”, a state agency as defined in section 1 of chapter 29.

168 Section 2. (a) There shall be established a state agency known as the climate policy
169 commission. The commission shall be an independent public entity not subject to the supervision
170 and control of any other executive office, department, commission, board, bureau, agency or
171 political subdivision of the commonwealth.

172 (b) There shall be a board, with duties and powers established pursuant to this chapter,
173 that shall govern the commission and that shall consist of: the secretary of energy and
174 environmental affairs, who shall serve ex officio; 2 members appointed by the attorney general
175 who shall have expertise in energy economics, public health, climate science or statistics, 1 of
176 whom shall be selected from a list of not less than 3 individuals nominated by the energy
177 efficiency advisory council under section 22 of chapter 25; and 6 members appointed by the
178 governor, 4 of whom shall be selected from a list comprised of 1 individual nominated by each
179 president or chancellor of an institution of higher education in the commonwealth classified by
180 the Carnegie Classification System as a doctorate-granting university with very high research
181 activity, 1 of whom shall have expertise in energy economics, public health, climate science or
182 statistics and 1 of whom shall be selected from a list of not less than 3 individuals nominated by
183 the greenhouse gas emissions reduction measures advisory committee established under section
184 8 of chapter 21N. All persons appointed to the commission shall be selected without regard to
185 political affiliation and solely on the basis of the qualifications and experience that the
186 appointing authorities determine are necessary to fulfilling the mission of the commission.

187 A vacancy occurring on the commission shall be filled within 90 days by the original
188 appointing authority. A person appointed to fill a vacancy shall serve initially only for the
189 unexpired term. Members of the commission shall be eligible for reappointment. The
190 commission shall annually elect 1 of its members to serve as chair and 1 member to serve as
191 vice-chair.

192 Members shall serve without pay, but shall be reimbursed for actual expenses necessarily
193 incurred in the performance of their duties. No appointed member shall hold full or part-time
194 employment in the executive or legislative branch of state government. Each member of the
195 commission shall be a resident of the commonwealth.

196 (c) Any action of the commission may take effect immediately and need not be published
197 or posted unless otherwise provided by law. Meetings of the commission shall be subject to
198 sections 18 to 25, inclusive, of chapter 30A; provided, however, that said sections 18 to 25,
199 inclusive, of said chapter 30A shall not apply to any meeting of members of the commission
200 serving ex officio in the exercise of their duties as officers of the commonwealth if no matters
201 relating to the official business of the commission are discussed and decided at the meeting. The
202 commission shall be subject to all other provisions of said chapter 30A and records pertaining to
203 the administration of the commission shall be subject to section 42 of chapter 30 and section 10
204 of chapter 66. All moneys of the commission shall be considered to be public funds for purposes
205 of chapter 12A. Except as otherwise provided in this section, the operations of the commission
206 shall be subject to chapter 268A and chapter 268B.

207 The commission shall not be required to obtain the approval of any officer or employee
208 of any executive agency in connection with the collection or analysis of any information. The

209 commission shall not be required to obtain the approval of any officer or employee of any
210 executive agency with respect to the substance of any reports that the commission has prepared
211 under this chapter before publication.

212 (d) The commission shall appoint an executive director by a majority vote. The executive
213 director shall be selected without regard to political affiliation and solely on the basis of the
214 qualifications and experience that the commission determines necessary to fulfill the mission of
215 the commission. The executive director shall supervise the administrative affairs and general
216 management and operations of the commission and also serve as secretary of the commission, ex
217 officio. The executive director shall receive a salary commensurate with the duties of the office.
218 The executive director may, with the approval of the commission, appoint other officers and
219 employees of the commission necessary to the functioning of the commission.

220 The executive director shall not be required to obtain the approval of any other executive
221 agency in connection with appointment of employees. Sections 9A, 45, 46 and 46C of chapter
222 30, chapter 31 and chapter 150E shall not apply to the executive director of the commission.
223 Sections 45, 46 and 46C of chapter 30 shall not apply to any employee of the commission. The
224 executive director may establish personnel regulations for the officers and employees of the
225 commission.

226 Annually, not later than the first Wednesday in February, the executive director shall file
227 a personnel and operations report with the clerks of the senate and house of representatives and
228 the senate and house committees on ways and means. The report shall contain the job
229 classifications, duties and salary of each officer and employee within the commission, personnel
230 regulations applicable to the officers and employees and the revenue and expenditures of the

231 commission. The executive director shall file amendments to the report with the clerks of the
232 senate and house of representatives and the senate and house committees on ways and means
233 when any such amendment becomes effective.

234 If the position of executive director is vacant, a successor shall be appointed in the same
235 manner as the original appointment for the unexpired term. The executive director shall serve for
236 a term of 5 years. No person shall be appointed as the executive director for more than 2
237 consecutive 5-year terms.

238 The commission may remove the executive director from office, for cause, by a majority
239 vote. The reasons for removal of the executive director shall be stated in writing and shall
240 include the basis for such removal.

241 The executive director shall, with the approval of the commission: (i) plan, direct,
242 coordinate and execute administrative functions in conformity with the policies and directives of
243 the commission; (ii) employ professional and clerical staff as necessary; (iii) report to the
244 commission on all operations under their control and supervision; (iv) prepare an annual budget
245 and manage the administrative expenses of the commission; and (v) undertake any other
246 activities necessary to implement the powers and duties under this chapter.

247 The commission may approve the use of funds from receipt of up to 2 per cent, not to
248 exceed \$5,000,000, of any monies collected by the commonwealth from market-based
249 compliance mechanisms used to address greenhouse gas emissions, including, but not limited to,
250 the regional greenhouse gas initiative established under section 22 of chapter 21A, to support the
251 annual budget of the commission, in addition to funds from any other source and any funds
252 appropriated therefor by the general court. The commission shall not be required to obtain the

253 approval of another executive agency in connection with the development and administration of
254 its annual budget.

255 The commission shall adopt and amend rules and regulations for the administration of its
256 duties and powers and to effectuate this chapter pursuant to chapter 30A.

257 Section 3. The commission shall be responsible for tracking and assessing public and
258 private sector progress, or lack thereof, towards meeting any and all limits, sublimits, goals and
259 milestones set by statute or regulation with respect to greenhouse gas emissions and reductions
260 thereto and facilitating such progress.

261 The focus of the commission shall be comprehensive and economy-wide, including, but
262 not limited to, the specific sectors of electric power, transportation, commercial and industrial
263 heating and cooling, residential heating and cooling, industrial processes, solid waste, agriculture
264 and natural gas transmission, distribution and service.

265 The commission shall:

266 (i) assess, comment and issue recommendations on the content, design, management and
267 likely effectiveness of specific policies, programs and initiatives proposed or undertaken to
268 reduce or avoid greenhouse gas emissions or substitute non-emitting energy sources;

269 (ii) assess, comment and issue recommendations on any roadmap, plan, policy, program,
270 initiative, regulation, law or certification issued, proposed, prepared, noticed, undertaken or
271 completed by the commonwealth or any of its political subdivisions with respect to matters
272 within the purview of the commission, including the implications for, and risks to, underserved
273 communities and communities with a high percentage of low-income households, populations

274 and regions of the commonwealth, together with a summary and review of past actions taken to
275 protect, mitigate and, where feasible, improve the condition of low-income and moderate-income
276 persons;

277 (iii) monitor the adoption of the best available technology and the best standards and
278 practices for reducing greenhouse gas emissions or substituting non-emitting energy sources;

279 (iv) conduct hearings and undertake inquiries;

280 (v) make recommendations to state agencies with respect to changes in an agency's data
281 collection practices or scope;

282 (vi) review all certificates of compliance issued by the secretary of energy and
283 environmental affairs under section 4 of chapter 21N or by the department of public utilities
284 under section 21 of chapter 25;

285 (vii) meet at least annually with the advisory council established under section 7;

286 (viii) review the comprehensive reports prepared under section 18 of chapter 25A and
287 recommend actions to reduce energy consumption and greenhouse gas emissions in buildings
288 subject to said section; and

289 (ix) gather, serve as a central repository for and disseminate data and analysis to the
290 public and policymakers from any and all sources that the commission deems relevant to
291 carrying out its charge.

292 Section 4. (a) The commission shall hold not less than 3 public hearings in
293 geographically diverse locations on each certification filed under section 4 of chapter 21N, not

294 less than 2 of which shall be held in underserved communities and communities with a high
295 percentage of low-income households.

296 (b) Not later than 60 days after the department of public utilities issues a certificate of
297 compliance under section 21 of chapter 25, the commission shall hold a public hearing
298 examining the degree to which the activities undertaken pursuant to each plan contributed to
299 meeting statewide greenhouse gas emission limits imposed by statute or regulation.

300 For each public hearing, the commission may require witnesses and testimony from
301 stakeholders, as deemed appropriate by the commission.

302 Section 5. The commission shall periodically report to the governor, the senate president,
303 the speaker of the house of representatives, the senate and house committees on ways and means,
304 the senate and house committees on global warming and climate change, the joint committee on
305 telecommunications, utilities and energy and the joint committee on environment, natural
306 resources and agriculture on the matters within its purview, including, but not limited to, the
307 commonwealth's progress towards meeting any and all limits, sublimits, goals and milestones set
308 by statute or regulation with respect to greenhouse gas emissions and the reduction of
309 greenhouse gas emissions; provided, however, that the commission shall report not less than
310 twice a year. The reports shall be public and shall be posted on the commission's website.

311 Section 6. The commission shall have the authority to examine, retain and publish all
312 documents and data produced, collected or kept by any state agency that the commission deems
313 relevant to carrying out its charge; provided, however, that a document that a state agency deems
314 not to be a public record under section 3 of chapter 66 shall remain not a public record under the
315 control of the commission.

316 Section 7. There shall be an advisory council to the commission. The advisory council
317 shall provide advice and input on the overall operation and policy of the commission. The
318 council shall be appointed by the governor and comprised of members representing: (i)
319 environmental protection; (ii) low-income and moderate-income population advocacy; (iii)
320 persons of less than 18 years of age; (iv) persons from communities disproportionately impacted
321 by climate change; (v) employees of small business in the green energy sector; (vi) electric
322 power generation and distribution; (vii) transportation; (viii) the distinguishing characteristics
323 and vulnerabilities of rural, suburban and urban households; (ix) farming; (x) consumer
324 protection; (xi) housing; (xii) commercial development; (xiii) industrial and manufacturing; (xiv)
325 sectors that may displace workers through emission reductions efforts and advancements in
326 green technology; (xv) transportation; (xvi) land use; and (xvii) local government.

327 SECTION 12. Section 9 of chapter 23J of the General Laws, as appearing in the 2018
328 Official Edition, is hereby amended by striking out, in line 33, the words “and (iii) by” and
329 inserting in place thereof the following words:- (iii) funding research, design and evaluation of
330 pilots to promote energy innovation; and (iv).

331 SECTION 13. Said section 9 of said chapter 23J, as so appearing, is hereby further
332 amended by inserting after the word “facilities”, in line 45, the following words:- and with the
333 distribution and consumption of fossil fuels, including, but not limited to, oil and gases that
334 contain methane and other hydrocarbon fuels.

335 SECTION 14. Said chapter 23J is hereby further amended by adding the following
336 section:-

337 Section 13. (a) There shall be within the center a Clean Energy Workforce Development
338 and Training Program. The center shall operate the program in collaboration with the
339 Commonwealth Corporation. The purpose of the program shall be to ensure that workers
340 displaced due to emission reductions efforts and advancements in green technology will have
341 access to advanced training and employment opportunities. The program shall promote training,
342 education and other related prerequisites for employment opportunities that provide meaningful,
343 stable employment, taking into consideration factors including, but not limited to, working
344 conditions, benefits, wages, employee safety, engagement and job security.

345 (b) The department shall develop a workforce transition plan to help implement and
346 inform the Clean Energy Workforce Development and Training Program. The transition plan
347 shall include, but not be limited to, an analysis of: (i) education, training and support available
348 for workers displaced or looking to transition from a job from which they are likely to be
349 displaced due to emission reduction efforts and advancements in green technology; (ii) estimates
350 of the total number of workers working at carbon-intensive emitting facilities in the energy and
351 related construction and utility sectors; and (iii) average wage and benefits packages at such
352 facilities. The center shall make the plan publicly available on its website and update it as
353 necessary. Annually, the center shall submit the plan to the clerks of the senate and house of
354 representatives.

355 SECTION 15. Chapter 25 of the General Laws is hereby amended by inserting after
356 section 1 the following section:-

357 Section 1A. In discharging its responsibilities under this chapter and chapter 164, the
358 department shall, with respect to itself and the entities it regulates, prioritize safety, security,

359 reliability of service, affordability, equity and reductions in greenhouse gas emissions to meet
360 statewide greenhouse gas emission limits established pursuant to section 3 of chapter 21N.

361 SECTION 16. Section 19 of said chapter 25, as appearing in the 2018 Official Edition, is
362 hereby amended by inserting after the word “practicable”, in line 29, the following words:- ;
363 provided, however, that when determining cost-effectiveness, the calculation of program benefits
364 shall include calculations of the social value of greenhouse gas emissions reductions.

365 SECTION 17. Said section 19 of said chapter 25, as so appearing, is hereby further
366 amended by inserting after the word “practicable”, in line 41, the following words:- ; provided,
367 however, that when determining cost-effectiveness, the calculation of program benefits shall
368 include calculations of the social value of greenhouse gas emissions reductions.

369 SECTION 18. Said section 19 of said chapter 25, as so appearing, is hereby further
370 amended by inserting after the word “program”, in line 58, the following words:- ; provided,
371 however, that when determining cost-effectiveness, the calculation of benefits shall include
372 calculations of the social value of greenhouse gas emissions reductions.

373 SECTION 19. Section 21 of said chapter 25, as so appearing, is hereby amended by
374 inserting after the word “supply”, in line 5, the following words:- ; provided, however, that when
375 determining cost-effectiveness, the calculation of benefits shall include calculations of the social
376 value of greenhouse gas emissions reductions.

377 SECTION 20. Said section 21 of said chapter 25, as so appearing, is hereby further
378 amended by inserting after the figure “22”, in line 17, the following words:- ; provided, however,
379 that when determining cost-effectiveness, the calculation of benefits shall include calculations of
380 the social value of greenhouse gas emissions reductions.

381 SECTION 21. Said section 21 of said chapter 25, as so appearing, is hereby further
382 amended by inserting after the word “bodies”, in lines 20 and 21, the following words:- ;
383 provided, however, that when determining cost-effectiveness, the calculation of benefits shall
384 include calculations of the social value of greenhouse gas emissions reductions.

385 SECTION 22. Said section 21 of said chapter 25, as so appearing, is hereby further
386 amended by inserting after the word “supply”, in line 25, the following words:- ; provided,
387 however, that when determining cost-effectiveness, the calculation of benefits shall include
388 calculations of the social value of greenhouse gas emissions reductions.

389 SECTION 23. Said section 21 of said chapter 25, as so appearing, is hereby further
390 amended by striking out, in line 69, the words “and (ix)”, and inserting in place thereof the
391 following words:- (ix) an estimate of the social value of greenhouse gas emissions reductions
392 that will result from the plan, including a numerical value of the plan’s contribution to meeting
393 each statewide greenhouse gas emissions limit and sublimit set by statute or regulation, together
394 with provisions for giving each value prominent display in communications and plan documents;
395 and (x).

396 SECTION 24. Said section 21 of said chapter 25, as so appearing, is hereby further
397 amended by striking out, in line 73, the word “reducing”, the second time it appears, and
398 inserting in place thereof the following words:- greenhouse gas emissions or.

399 SECTION 25. Said section 21 of said chapter 25, as so appearing, is hereby further
400 amended by inserting after the word “program”, in line 81, the first time it appears, the following
401 words:- ; provided, however, that when determining cost-effectiveness, the calculation of

402 program benefits shall include calculations of the social value of greenhouse gas emissions
403 reductions.

404 SECTION 26. Said section 21 of said chapter 25, as so appearing, is hereby further
405 amended by inserting after the word “accordingly”, in line 113, the following words:- ; provided,
406 however, that when determining cost-effectiveness, the calculation of program benefits shall
407 include calculations of the social value of greenhouse gas emissions reductions.

408 SECTION 27. Subsection (d) of said section 21 of said chapter 25, as so appearing, is
409 hereby amended by adding the following 2 paragraphs:-

410 (4) The plans shall be constructed to meet or exceed the goal set by the secretary pursuant
411 to section 3B of chapter 21N.

412 (5) Not later than 15 months after the conclusion of the final year of each plan, the
413 department shall issue a formal certificate of compliance, drawing upon the most accurate and
414 most complete data and measurements available, that certifies and quantifies the degree to which
415 the activities undertaken pursuant to each plan contributed to meeting greenhouse gas emission
416 limits imposed by statute or regulation.

417 SECTION 28. Section 22 of said chapter 25, as so appearing, is hereby amended by
418 inserting after the word “date”, in line 63, the following words:- , a quantification of the degree
419 to which the activities undertaken pursuant to each plan contribute to meeting any and all
420 greenhouse gas emission limits imposed by statute or regulation.

421 SECTION 29. Said section 22 of said chapter 25, as so appearing, is hereby further
422 amended by inserting after the word “year”, in line 69, the following words:- and a quantification

423 of the degree to which the activities undertaken pursuant to each plan contribute to meeting any
424 and all greenhouse gas emission limits imposed by statute or regulation.

425 SECTION 30. Section 6 of chapter 25A of the General Laws, as so appearing, is hereby
426 amended by striking out clauses (12) and (13) and inserting in place thereof the following 3
427 clauses:-

428 (12) intervene and advocate on behalf of small commercial and industrial users before
429 the department of public utilities in any dispute between such businesses and generation or
430 distribution companies, as defined pursuant to section 1 of chapter 164;

431 (13) plan, develop, oversee and operate the commercial sustainable energy program, with
432 the Massachusetts Development Finance Agency, in accordance with the provisions of chapter
433 23M. In accordance with this section, the department shall approve each commercial PACE
434 project prior to the issuance of a PACE bond under chapter 23M and in so doing shall consider
435 whether the energy cost savings of the commercial energy improvements over the useful life of
436 such improvements exceed the costs of such improvements; and

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

440 SECTION 31. Subsection (c) of section 10 of said chapter 25A, as so appearing, is
441 hereby amended by striking out, in line 38, the words “and (6)” and inserting in place thereof the
442 following words:- (6) opt-in to the specialized stretch energy code promulgated pursuant to
443 clause (14) of section 6; and (7).

444 SECTION 32. Said section 10 of said chapter 25A, as so appearing, is hereby further
445 amended by striking subsection (b) and inserting in place thereof the following subsection:-

446 (b) The division shall establish a green communities program to provide technical and
447 financial assistance, in the form of grants and loans, to municipalities and other local
448 governmental bodies that qualify as green communities under this section. These loans and
449 grants shall be used to finance all or a portion of the costs of studying, designing, constructing
450 and implementing energy efficiency activities, including, but not limited to: (i) energy
451 conservation measures and projects; (ii) procurement of energy management services; (iii)
452 installation of energy management systems; (iv) adoption of demand side reduction initiatives;
453 (v) deployment of energy storage, microgrids or district energy systems connected to renewable
454 energy generation; (vi) installation of zero-emissions vehicles, charging equipment,
455 infrastructure or related technologies; (vii) coordination of residential or small business clean
456 energy outreach, technical assistance or financing programs; and (viii) the adoption of energy
457 efficiency policies. The loans and grants shall also be used to finance the siting and construction
458 of renewable and alternative energy projects on municipally-owned land.

459 SECTION 33. Said chapter 25A is hereby further amended by inserting after section 17
460 the following section:-

461 Section 18. (a) For the purposes of this section, the following words shall have the
462 following meanings unless the context clearly requires otherwise:-

463 “Energy”, electricity, natural gas, steam, hot or chilled water, heating oil, propane or
464 other product designated by the department used for heating, cooling, lighting, water heating or
465 for powering or fueling other end uses.

466 “Energy use benchmarking tool”, the ENERGY STAR Portfolio Manager, an online
467 energy use benchmarking tool used by the United States Environmental Protection Agency for
468 reporting and managing the energy performance, water efficiency and greenhouse gas emissions
469 of building, or a tool capable of: (i) performing all the functions relevant to compliance with this
470 section; (ii) allowing for reporting by third parties, including, but not limited to, gas distribution
471 and electric distribution companies; and (iii) exchanging information and data with the ENERGY
472 STAR Portfolio Manager.

473 “Gross floor area”, the total number of square feet measured between the principal
474 exterior surfaces of enclosing fixed walls.

475 “Nonresidential building”, a building or multiple buildings on a parcel of which not less
476 than 50 per cent of the gross floor area, including hallways or other common space, but
477 excluding parking, is used for commercial, retail, office, professional, educational or other
478 nonresidential purposes or any grouping of nonresidential buildings designated by the
479 department as an appropriate reporting unit for the purposes of this chapter; provided, however,
480 that “nonresidential building” shall not include a state-owned building.

481 “Owner,” the owner of record of a building, or a designated agent thereof, including, but
482 not limited to, the association or organization of unit owners responsible for management in the
483 case of a condominium, the board of directors in the case of a cooperative apartment corporation,
484 and the net lessee in the case of a building subject to a net lease with a term of not less than 49
485 years, inclusive of all renewal options.

486 “Residential building”, a building or multiple buildings on a parcel comprised of 35 or
487 more individual dwelling units of which not less than 50 per cent of the gross floor area,

488 including hallways and other common space serving residents, but excluding parking, is used for
489 dwelling purposes or any grouping of residential buildings designated by the department or a
490 municipality as an appropriate reporting unit for the purposes of this chapter; provided, however,
491 that “residential building” shall not include a state-owned building.

492 “State-owned building”, a building: (i) owned by the commonwealth or an agency or
493 political subdivision thereof; or (ii) for which the commonwealth or an agency or political
494 subdivision thereof regularly pays all annual energy bills.

495 “Tenant”, any tenant, tenant-stockholder of a cooperative apartment corporation or
496 condominium unit owner.

497 (b) For any building identified in subsection (c), the department shall undertake energy
498 use benchmarking to determine whether the building utilizes more or less energy, and emits
499 more or less greenhouse gas, than buildings of comparable size, occupancies and uses. To
500 conduct the benchmarking, the department shall create, procure or designate an energy use
501 benchmarking tool and shall provide technical support and assistance on the use of the
502 benchmarking tool to the owners of buildings subject to this section.

503 (c)(1) Not later than May 1 of each year, the owner of each residential building, each
504 nonresidential building consisting of not less than 35,000 square feet of gross floor area and each
505 state-owned building consisting of not less than 35,000 square feet of gross floor area shall
506 utilize the energy use benchmarking tool to accurately report to the department, or cause to be
507 accurately reported to the department, the building’s energy use for the previous calendar year
508 and any other building characteristics determined by the department to be necessary to establish
509 the absolute and relative energy use of the building. The owner of a building subject to this

510 subsection may authorize a gas or electric distribution company or other third party to report
511 building-specific data to the department and the gas or electric distribution company shall report
512 building-specific data to the department upon such authorization; provided, however, that such
513 authorization shall not relieve an owner from compliance with this section. The department shall
514 establish a deadline extension or hardship waiver process for owners who, in the judgment of the
515 department, demonstrate cause for a deadline extension or hardship waiver. To administer this
516 section, the department may establish building types, including, but not limited to, classifications
517 by region, status within a historic district established under chapter 40C and historic district
518 commissions in the commonwealth established by a special act of the legislature, size and
519 occupancy and use, including whether tenant-occupied units or spaces are separately metered,
520 and may establish varying reporting requirements for each type.

521 (2) Annually, an owner of a building with separately-metered and tenant-occupied units
522 or spaces shall request from each tenant of the building all information necessary to comply with
523 the requirements of paragraph (1) and each tenant shall report the required information to the
524 owner. Between January 1 and March 31, an owner shall, in a manner approved by the
525 department, request information relative to a tenant's energy use in the previous calendar year.
526 Upon receipt of an informational request pursuant to this subsection, a tenant of a building shall
527 report to the owner the required information not later than May 31. If a separately-metered tenant
528 has occupied all or a portion of a building subject to the reporting requirements of this section
529 and has vacated the space before reporting energy use to the owner, the owner may immediately
530 request such information for any period of occupancy relevant to the owner's obligation to report
531 and the tenant shall respond within 30 days. The department shall develop values or formulas
532 that an owner may use to estimate whole-building energy use where the owner has made good-

533 faith efforts to obtain required energy use information from a current or former tenant and has
534 been unsuccessful. Failure of a tenant to report energy use information shall not relieve an owner
535 from complying with this section. Failure of an owner to report energy use information to the
536 department shall not impose liability on a tenant. If ownership of a building covered by this
537 paragraph is transferred, the seller shall make reasonable efforts to provide the buyer with
538 information necessary for the buyer to timely report benchmarking data for the entire calendar
539 year, if practicable.

540 (3) The department shall allow a city or town to collect the energy use information
541 required under paragraph (1) in lieu of collection by the department and to require owners of
542 appropriate buildings within its borders to report the information to the city or town if the
543 municipality: (i) notifies the department by October 31 that it will assume the reporting
544 responsibilities required under this section; and (ii) utilizes an energy use benchmarking tool.
545 Annually, not later than April 1, a city or town that collects energy use information under this
546 paragraph shall collect and forward to the department, on a building-by-building basis, the
547 required energy use information from the previous calendar year. The department may designate
548 standardized units of measure and standardized formats to be utilized by a city or town in the
549 reporting and collection of building energy use information. The department shall make
550 reasonable efforts to streamline reporting requirements in a city or town that collects energy use
551 information under this paragraph.

552 (4) If an occupied building subject to the requirements of this section is transferred, the
553 buyer shall make reasonable efforts to report energy use information for the building for the
554 entire calendar year, if practicable.

555 (d) Annually, not later than October 1, the department shall make available on its website
556 energy use information and data for the preceding calendar year for each building subject to this
557 section. For each building, the information made available shall include, but not be limited to: (i)
558 the municipality in which the building is located; (ii) the building's total energy use in MMBTU,
559 total greenhouse gas emissions in pounds of carbon dioxide equivalent, total square footage,
560 energy intensity in kBtu per square foot and greenhouse gas emissions per square foot in
561 pounds of carbon dioxide equivalent per square foot; (iii) the breakdown of the building's energy
562 use by electricity, gas, steam and other sources; and (iv) an energy performance rating or
563 assessment score, where available, as determined by the energy use benchmarking tool. The
564 department shall maintain a privacy and quality assurance process to improve the accuracy and
565 completeness of the available information, including, but not limited to, an opportunity for the
566 owner to review and comment on the information. The department shall provide owners with the
567 opportunity to submit contextual information related to energy use in their buildings and shall
568 disclose such information upon request by the owner. The department shall annually publish
569 summary statistics at the zip code or census tract level on its website.

570 (e) The department shall prepare an annual comprehensive report on the energy
571 performance of buildings utilizing the information and data collected pursuant to this section.
572 The report shall be protective of privacy information and include, but not be limited to, an
573 analysis of energy performance and greenhouse gas emissions by building size, occupancy, use,
574 energy source, region and, when available, energy performance and greenhouse gas emissions
575 over time. The department shall make available to a regional planning agency, municipality or
576 other public agency requesting such information any data set forth in this section, utilizing such
577 practices as are necessary to prevent the public disclosure of personal information regarding

578 owners and tenants. The report shall be posted on the department's website and filed with the
579 house and senate committees on ways and means and the joint committee on telecommunication,
580 utilities and energy not later than December 31.

581 (f) On the basis of the comprehensive reports prepared by the department pursuant to
582 subsection (e) and other information and data as deemed necessary by the secretary of energy
583 and environmental affairs, the secretary shall conduct annual reviews of improvements or the
584 lack thereof in the energy performance of buildings specified in subsection (c). If the reviews
585 indicate a lack of substantial improvement from year to year in the energy performance of a
586 building subject to this section, the secretary may recommend energy actions, assessments,
587 audits and performance standards to improve the energy performance of the building.

588 (g) The department shall ensure that electric distribution companies and municipal
589 aggregators provide to owners subject to this section up-to-date information regarding energy
590 efficiency opportunities or actions available to increase energy efficiency, including incentives in
591 utility-administered or other energy efficiency programs and changes in energy assessment
592 technology. The department shall prioritize those buildings that have not displayed improvement
593 year-to-year in reducing energy usage.

594 (g) Nothing in this section shall preempt a city or town from maintaining an energy use
595 benchmarking program or from setting and enforcing energy performance standards for
596 buildings.

597 SECTION 34. Chapter 29 of the General Laws is hereby amended by inserting after
598 section 2GGGGG the following section:-

599 Section 2HHHHH. There is hereby established and set up on the books of the
600 commonwealth an expendable trust to be known as the Low-Income Support Service Solar
601 Program. The secretary of energy and environmental affairs shall establish a grant program to
602 provide solar energy technology to nonprofit organizations offering support services related to
603 food security, homelessness and emergency shelter. The amounts credited to the trust shall be
604 available for expenditure, subject to appropriation, not to exceed \$500,000 in a fiscal year for the
605 costs associated with purchasing and installing solar energy generating equipment for nonprofit
606 organizations that meet criteria set forth by the secretary.

607 SECTION 35. Section 93 of chapter 143 of the General Laws, as appearing in the 2018
608 Official Edition, is hereby amended by striking out, in line 6, the word “eleven” and inserting in
609 place thereof the following figure:- 15.

610 SECTION 36. Said section 93 of said chapter 143, as so appearing, is hereby further
611 amended by striking out, in line 8, the word “both” and inserting in place thereof the following
612 words:- 1 of whom shall be the commissioner of energy resources or a designee and all 3.

613 SECTION 37. Said section 93 of said chapter 143, as so appearing, is hereby further
614 amended by striking out, in line 9, the word “nine” and inserting in place thereof the following
615 figure:- 12.

616 SECTION 38. Said section 93 of said chapter 143, as so appearing, is hereby further
617 amended by inserting after the word “department”, in line 17, the following words:- , 1 of whom
618 shall be an expert in commercial building energy efficiency, 1 of whom shall be an expert in
619 residential building energy efficiency, 1 of whom shall be an expert in advanced building
620 technology.

621 SECTION 39. The second paragraph of said section 93 of said chapter 143, as so
622 appearing, is hereby further amended by adding the following sentence:- The board shall keep
623 detailed and accurate minutes of its meetings and shall publish such minutes within 30 days of
624 each meeting.

625 SECTION 40. Said section 93 of said chapter 143, as so appearing, is hereby further
626 amended by inserting after the word “designee”, in line 46, the following words:- , in
627 consultation with the commissioner of energy resources,

628 SECTION 41. Section 94 of said chapter 143, as so appearing, is hereby amended by
629 striking out, in lines 110 to 113, inclusive, the words “as part of the state building code, together
630 with any more stringent energy-efficiency provisions that the board, in consultation with the
631 department of energy resources, concludes are warranted” and inserting in place thereof the
632 following words:- and any amendments thereto as part of the state building code, in consultation
633 with the department of energy resources.

634 SECTION 42. Section 96 of said chapter 143, as so appearing, is hereby amended by
635 inserting, in line 7, after the word “to” the following words:- , the specialized stretch energy code
636 developed and adopted by the department of energy resources.

637 SECTION 43. Section 97 of said chapter 143, as so appearing, is hereby amended by
638 striking out, in line 22, the words “a reasonable time” and inserting in place thereof the following
639 words:- 45 days.

640 SECTION 44. Section 94 of chapter 164 of the General Laws, as so appearing, is hereby
641 amended by inserting after the word “charge”, in line 54, the following words:- or the impact of
642 said rate, price or charge on statewide greenhouse gas emissions and on the ability of the

643 commonwealth to achieve greenhouse gas emission limits and sublimits imposed by statute or
644 regulation.

645 SECTION 45. Said section 94 of said chapter 164, as so appearing, is hereby further
646 amended by inserting after the word “contract”, in line 71, the following words:- , or the
647 emissions impacts of such contract,

648 SECTION 46. Section 94A of said chapter 164, as so appearing, is hereby amended by
649 inserting after the word “review”, in line 17, the following words:- , taking into account the
650 impact of the contract on statewide greenhouse gas emissions and on the ability of the
651 commonwealth to achieve greenhouse gas emission limits and sublimits imposed by statute or
652 regulation.

653 SECTION 47. The second paragraph of subsection (b) of section 134 of said chapter 164,
654 as so appearing, is hereby amended by striking out the first sentence and inserting in place
655 thereof the following 3 sentences:-

656 Notwithstanding any other general or special law to the contrary, a municipality or group
657 of municipalities with a certified energy plan shall not be prohibited from proposing an energy
658 plan that contains enhancements that are more specific, detailed or comprehensive or that cover
659 additional subject areas than those contained in a jointly prepared energy plan submitted in
660 accordance with section 21 of chapter 25. Enhancements may be funded by any funding source
661 authorized by subsection (a) of section 19 of said chapter 25. The department shall not withhold
662 approval of an energy plan submitted under this subsection due to considerations of cost
663 efficiency or ratepayer impact if such enhancements are cost effective in accordance with the
664 department’s cost effectiveness screening.

665 SECTION 48. Section 138 of said chapter 164, as so appearing, is hereby amended by
666 inserting after the word “less”, in line 37, the following words:- ; provided, however, that a
667 “Class I net metering facility” of a municipality or other governmental entity may have a
668 generating capacity of less than or equal to 60 kilowatts per unit.

669 SECTION 49. Said section 138 of said chapter 164, as so appearing, is hereby further
670 amended by striking out, in line 120, the figure “II” and inserting in place thereof the following
671 figures:- I, II.

672 SECTION 50. Section 16 of chapter 298 of the acts of 2008 is hereby amended by
673 striking out the words “, and shall expire on December 31, 2020”.

674 SECTION 51. Section 11 of chapter 75 of the acts of 2016 is hereby amended by adding
675 the following 2 subsections:-

676 (d) For any solar incentive program developed pursuant to this section, the department of
677 energy resources shall set aside a portion of each capacity block to be allocated to solar tariff
678 generation units that primarily serve low-income customers, including, but not limited to, low-
679 income solar tariff generation units, low-income property solar tariff generation units and low-
680 income community solar tariff generation units, as defined by the department, respectively. In
681 implementing the set-aside required by this section, the department shall also maintain solar
682 incentives that benefit solar tariff generation units primarily serving low-income customers.

683 (e) In implementing the set-aside required by subsection (d), the department of energy
684 resources shall hold not less than 3 public hearings in communities with a high proportion of
685 low-income customers, as defined by the department. The department shall develop and execute
686 an outreach program to educate and inform low-income customers and residents of low-income

687 and moderate-income housing about the benefits and savings associated with participation in the
688 solar incentive programs established pursuant to this section. The department shall ensure that
689 the outreach program is readily accessible, transparent and user-friendly to all users and potential
690 users, including residents of communities whose primary language is not English. In developing
691 an outreach program pursuant to this section, the department shall engage and consult with low-
692 income residents and underserved customers and communities.

693 SECTION 52. The department of public utilities may, upon application of a gas company
694 as defined in section 1 of chapter 164 of the General Laws, authorize 1 or more pilot projects for
695 the development of utility-scale renewable thermal energy. Such application shall be filed with
696 the department on or before Jan. 1, 2023. The department may, under a pilot, approve recovery
697 of costs for projects situated in the commonwealth that demonstrate the costs and benefits of: (i)
698 utility-scale renewable thermal energy sources, systems or technologies capable of substituting
699 for fossil-based natural gas; or (ii) utility-scale renewable thermal energy replacements for, or
700 alternative uses of, infrastructure constructed originally to generate, transmit or distribute fossil-
701 based natural gas; provided, however, that such substitute renewable thermal energy sources,
702 systems or technologies, and such replacements or alternative uses, have a reasonable likelihood
703 of facilitating substantial reductions in greenhouse gas emissions that satisfy the mandates of
704 greenhouse gas reductions set forth in chapter 21N of the General Laws; and provided further,
705 that the pilots shall not include the blending of other fuels with fossil-based natural gas. The
706 department may, within such a pilot, permit a gas company to bill for thermal energy. The
707 department shall ensure transparency and validity of the outcomes of the pilot projects through a
708 third-party evaluation and report by the department of energy resources. In determining whether
709 to approve a pilot project, the department shall consider the reasonableness of the size, scope and

710 scale of the pilot project and related budget and whether the benefits of the proposed pilot justify
711 the proposed cost to both participating and non-participating customers; provided, however, that
712 the calculation of benefits shall include calculations of the social value of greenhouse gas
713 emissions reductions. The department may promulgate rules or regulations to implement this
714 section.

715 SECTION 53. The Massachusetts clean energy technology center shall administer a heat
716 pump market development program to fund and offer training, which shall include, but not be
717 limited to, heating oil dealers, for the purpose of expanding markets for space and water heating
718 using efficient heat pump technology. The Massachusetts clean energy technology center may
719 draw upon the Massachusetts Renewable Energy Trust Fund for such purpose if sufficient funds
720 are available. The Massachusetts clean energy technology center may stop offering such program
721 after January 1, 2026.

722 SECTION 54. To develop the specialized stretch energy code required by section 6 of
723 chapter 25A of the General Laws, the department of energy resources shall: (i) hold not less than
724 5 public hearings in geographically diverse locations throughout the commonwealth that shall
725 represent the distinguishing characteristics of rural, suburban and urban households, 1 of which
726 shall be held in an underserved community or community with a high percentage of low-income
727 households; and (ii) consider the development of a tiered implementation plan for the adoption of
728 the stretch energy code including, but not limited to, phasing in requirements based on building
729 type or uses. The specialized stretch energy code required by said section 6 of said chapter 25A
730 shall be developed, adopted and incorporated as an appendix to the state building code not later
731 than 1 year after the passage of this act.

732 SECTION 55. If the commonwealth participates in a market based mechanism adopted
733 pursuant to chapter 21N of the General Laws, the commonwealth may continue to comply with
734 the terms of the market based mechanism notwithstanding any change in membership of the
735 market based mechanism.

736 SECTION 56. The secretary of energy and environmental affairs shall set the first goal
737 required by section 3B of chapter 21N of the General Laws not later than February 1, 2021.

738 SECTION 57. The 2025 and 2030 statewide greenhouse gas emission limits required by
739 subsection (b) of section 3 of chapter 21N of the General Laws, the 2025 and 2030 sector-based
740 emissions sublimits required by section 3A of said chapter 21N and the 2030 emissions reduction
741 plan required by said section 3 of said chapter 21N to realize the 2025 and 2030 limit and
742 sublimits shall be adopted and published not later than January 1, 2022.

743 SECTION 58. The 2035 statewide greenhouse gas emissions limit required by subsection
744 (b) of section 3 of chapter 21N of the General Laws, the 2035 sector-based emissions sublimits
745 required by section 3A of said chapter 21N and the emissions reduction plan required by said
746 section 3 of said chapter 21N to realize the 2035 limit and sublimits shall be adopted and
747 published not later than January 1, 2028.

748 SECTION 59. The 2040 statewide greenhouse gas emissions limit required by subsection
749 (b) of section 3 of chapter 21N of the General Laws, the 2040 sector-based emissions sublimits
750 required by section 3A of said chapter 21N and the emissions reduction plan required by said
751 section 3 of said chapter 21N to realize the 2040 limit and sublimits shall be adopted and
752 published not later than January 1, 2033.

753 SECTION 60. The 2045 statewide greenhouse gas emissions limit required by subsection
754 (b) of section 3 of chapter 21N of the General Laws, the 2045 sector-based emissions sublimits
755 required by section 3A of said chapter 21N and the emissions reduction plan required by said
756 section 3 of said chapter 21N to realize the 2045 limit and sublimits shall be adopted and
757 published not later than January 1, 2038.

758 SECTION 61. The 2050 sector-based emissions sublimits required by section 3A of
759 chapter 21N of the General Laws and the emissions reduction plan required by subsection (b) of
760 section 3 of said chapter 21N to realize the 2050 limit and sublimits shall be adopted and
761 published not later than January 1, 2023; provided, however, that the sublimits and plan shall be
762 subject to revision and improvement by emissions reduction sublimits and plans adopted and
763 published for 2030, 2035, 2040 and 2045.

764 SECTION 62. The regulations required pursuant to clause (i) of subsection (a) of section
765 7 of chapter 21N of the General Laws shall be promulgated and in effect not later than January 1,
766 2022.

767 SECTION 63. The regulations required pursuant to clause (ii) of subsection (a) of section
768 7 of chapter 21N of the General Laws shall be promulgated and in effect not later than January 1,
769 2025.

770 SECTION 64. The regulations required pursuant to clause (iii) of subsection (a) of
771 section 7 of chapter 21N of the General Laws shall be promulgated and in effect not later than
772 January 1, 2030.

773 SECTION 65. Not later than June 30, 2021, the department of energy resources shall: (i)
774 create, procure or designate the energy use benchmarking tool required by subsection (b) of

775 section 18 of chapter 25A of the General Laws; and (ii) commence providing technical assistance
776 and support to owners of buildings covered by said subsection (b) of said section 18 of said
777 chapter 25A.

778 SECTION 66. The first year of energy use reporting required by subsection (c) of section
779 18 of chapter 25A of the General Laws shall be for the calendar year beginning on January 1,
780 2022. In said reporting year, the department of energy resources may make available on its
781 website limited energy use information, including, but not limited to, whether the information
782 provided for a given building is accurate and complete.

783 SECTION 67. Notwithstanding section 2 of chapter 21Q of the General Laws, 3
784 members of the climate policy commission shall be initially appointed for terms of 1 year, 3
785 members shall be appointed for terms of 3 years and 3 members shall be appointed for terms of 5
786 years, with the length of each term to be determined by the elected chair.

787 SECTION 68. Not later than December 31, 2025, the secretary of energy and
788 environmental affairs shall publish a comprehensive energy plan, as required under Executive
789 Order 569. The plan may be prepared in accordance with other requirements of this act, shall be
790 based upon reasonable projections and shall include: (i) the commonwealth's energy demands
791 for electricity, transportation and thermal conditioning; and (ii) strategies for meeting these
792 demands in a regional context. The plan shall prioritize meeting energy demand through
793 conservation, energy efficiency and other demand-reduction resources in a manner that
794 contributes to the commonwealth meeting the limits and sublimits established pursuant to
795 chapter 21N of the General Laws.

796 SECTION 69. Section 45 shall only apply to contracts entered into on or after the
797 effective date of this act.

798 SECTION 70. The department of energy resources shall implement the requirements of
799 subsection (d) of section 11 of chapter 75 of the acts of 2016 for the capacity block immediately
800 succeeding the capacity block available on the effective date of this act.

801 SECTION 71. Sections 11, 37 and 38 shall take effect 90 days after the effective date of
802 this act.

803 SECTION 72. Section 31 shall take effect on January 1, 2028.