

SENATE 1925:

AN ACT SETTING NEXT GENERATION CLIMATE POLICY
(summary reflects text as redrafted, title as changed and accompanied by S1935, S1929, S524, S1957, S1926 and S2011)

SPONSORS:

Senators Barrett, Comerford, Pacheco, Eldridge, Brownsberger, Rausch and Crighton

LEGISLATIVE

HISTORY:

1/18/2019 Petition filed
1/22/2019 Referred to the Committee on Telecommunications, Utilities and Energy, House concurred
5/20/2019 Hearing held
7/1/2019 Bill reported favorably by Committee and referred to the Committee on Senate Ways and Means

EXISTING LAWS

AFFECTED:

M.G.L. c. 21N § 1-7; c. 23J § 9; c. 25 § 19, 21 & 22; c. 25A § 6 & 10; c. 143 § 93, 94, 96 & 97; c. 164 § 1, 94 & 94A; Chapter 298 of the Acts of 2008; and Chapter 75 of the Acts of 2016

PROPOSED

LEGISLATION:

- Requires that the Secretary of Energy and Environmental Affairs set a limit of net-zero emissions by 2050 accompanied by a comprehensive plan to achieve the net-zero emission limit.
- Requires the Secretary of Energy and Environmental Affairs to adopt greenhouse gas emission limits for 2025, 2030, 2035, 2040 and 2045 and requires that each limit be accompanied by a comprehensive plan to achieve the limit.
- Requires the Secretary of Energy and Environmental Affairs, in consultation with the Secretary of Housing and Economic Development and the Secretary of Transportation, to adopt sector-based statewide greenhouse gas emissions sublimits as components of each statewide greenhouse gas emissions limit.
- Requires the 2030 statewide greenhouse gas emissions limit to be not less than 50 per cent below the 1990 emissions level and the 2040 statewide greenhouse gas emissions limit to be not less than 75 per cent below the 1990 emissions level.
- Requires the Secretary of Energy and Environmental Affairs to conduct public hearings on the proposed 2025, 2030, 2035, 2040, 2045 and 2050 statewide greenhouse gas emissions limits and the accompanying plans for realizing the limits.

- Requires the Secretary of Energy and Environmental Affairs to file, not more than 18 months after the last day of 2020, 2025, 2030, 2035, 2040, and 2050, a formal certificate of compliance certifying the Commonwealth's compliance with, or failure to comply with, each corresponding emissions limit.
- Requires the Secretary of Energy and Environmental Affairs to promulgate regulations to achieve the greenhouse gas emissions reductions limits.
- Requires the Secretary of Energy and Environmental Affairs to promulgate regulations establishing market-based compliance mechanisms for: (i) the transportation sector; (ii) the commercial, industrial and institutional sectors; and (iii) the residential building sector.
- Establishes a permanent Climate Policy Commission responsible for tracking and assessing public and private sector progress towards meeting greenhouse gas emissions reductions limits, goals and milestones.
- Allows the Massachusetts Renewable Energy Trust Fund to fund research, design and evaluation of pilots to promote energy innovation.
- Creates a statutory mission for the Department of Public Utilities that requires it to prioritize safety, security, reliability of service, affordability and reductions in greenhouse gas emissions.
- Requires the Department of Public Utilities, when determining cost-effectiveness of energy efficiency programs, to include in the calculation of benefits the social value of greenhouse gas reductions.
- Requires that each 3-year energy efficiency plan include an estimate of the social value of greenhouse gas reductions that will result from the plan, including a numerical value of the plan's contribution to meeting each emissions limit and sublimit.
- Allows a 3-year energy efficiency plan to prioritize projects that have substantial benefits in reducing greenhouse gas emissions.

- Requires the Department of Energy Resources, not later than 15 months after the conclusion of the final year of each 3-year energy efficiency plan, to issue a formal certificate of compliance that certifies and quantifies the degree to which the activities undertaken pursuant to each plan contributed to meeting greenhouse gas emission limits.
- Requires that the quarterly reports provided to the Energy Efficiency Advisory Council by the electric and natural gas distribution companies and municipal aggregators include a quantification of the degree to which the activities undertaken pursuant to each 3-year energy efficiency plan contribute to meeting greenhouse gas emission limits.
- Requires the Department of Energy Resources, within 1 year, to develop and adopt, in consultation with the Board of Building Regulation and Standards, a municipal opt-in specialized stretch energy code that includes a definition of net-zero building.
- Requires the Department of Energy Resources to undertake energy use benchmarking to compare energy utilization and greenhouse gas emission of certain large buildings of comparable size and occupancies.
- Increases the membership of the Board of Building Regulation and Standards from 11 to 15 members.
- Requires the Commissioner of Professional Licensure to consult with the Commissioner of Energy Resources in overseeing the Board of Building Regulation and Standards.
- Adds an expert in commercial building energy efficiency, an expert in residential building energy efficiency and an expert in advanced building technology to the Board of Building Regulation and Standards.
- Requires the Board of Building Regulation and Standards to keep meeting minutes and publish meeting minutes within 30 days of each meeting.
- Requires the Department of Public Utilities to take into consideration the impact of a contract on statewide greenhouse gas emissions when approving a gas or electric contract.

- Eliminates the sunset on the Department of Environmental Protection's regulations establishing a desired level of declining annual aggregate emission limits for sources or categories of sources that emit greenhouse gas emissions.
- Requires that the statewide solar incentive program ensure that a portion of each solar capacity block to be allocated to solar tariff generation units that primarily serve low-income customers.
- Allows the Department of Public Utilities to authorize, upon application of a gas company, 1 or more pilot projects for the development of utility-scale renewable thermal energy.
- Requires the 2050 sector-based sublimits and emissions reduction plan be set and published not later than June 30, 2022.
- Requires the regulations to implement a market-based compliance mechanism for the transportation sector be promulgated and in effect not later than January 1, 2022.
- Requires the regulations to implement a market-based compliance mechanism for the commercial, industrial and institutional sectors be promulgated and in effect not later than January 1, 2025.
- Requires the regulations to implement a market-based compliance mechanism for the residential sector be promulgated and in effect not later than January 1, 2030.
- Requires municipalities to opt into the specialized stretch energy code by January 1, 2028 as part of the Green Communities certification process.

ESTIMATED

FISCAL
IMPACT:

The cost of this legislation in fiscal year 2020 will be borne through existing appropriation.

(AHC)