

The Commonwealth of Massachusetts



In the Year Two Thousand and Nine.

AN ACT TO CREATE A REPOWER MASSACHUSETTS EMERGENCY TASK FORCE

Whereas, Global climatic disruption will severely undermine and imperil the economic, political, and social stability of the Commonwealth of Massachusetts, the United States of America, and the nations of the world by decreasing the availability of food and water to people across the world; and

Whereas, Decreased availability of food and water will lead to increased conflict around the world;

Whereas, Massachusetts has a strong history of leadership on global climatic disruption, including its participation in the Regional Greenhouse Gas Initiative and its passage of the Green Communities Act;

Whereas, When the scientific consensus indicated that a stabilization of atmospheric levels of carbon dioxide at or below 450 parts per million (PPM) was sufficient to hold the risk of ruinous climate change at an acceptably low level, Massachusetts responded with the passage of the Global Warming Solutions Act to aim us towards this goal;

Whereas, Leading scientists now state that 350 parts per million (PPM) is the highest safe level of carbon dioxide in the atmosphere;

Whereas, Current global levels of carbon dioxide are approximately 390 parts per million;

Whereas, The fact that we have exceeded the safe threshold is evident through the major losses of ice around the world, including in the Arctic, as well as the World Health Organization's estimations that hundreds of thousands of people already die every year from the direct and indirect effects of climate change;

Whereas, Massachusetts has a moral obligation to as soon as possible eliminate its

contribution to global destabilization as a result of rapid climatic disruption;

Whereas, This body has previously endorsed the goal of 100% clean electricity in the next 10 years by calling on Congress to Repower America through a joint resolution passed by both houses in the spring of 2009;

Whereas By beginning this rapid transition earlier than most, the Commonwealth will attract industrial investment in renewable energy and sustainable technology and green jobs that will facilitate the transition of the rest of the nation and world to a sustainable economy; and

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide *forthwith* for the utilization of 100% renewable, alternative and nuclear energy in the commonwealth in order to demonstrate global leadership and to avoid global climatic disruption, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 21N of the General Laws is hereby amended by inserting after section 9 the following section 10:

Section 10. Repower Massachusetts Emergency Task Force

(a) Within two weeks of the bill's passage, the Governor, in consultation with the Secretary, shall appoint and immediately assemble a RePower Massachusetts Emergency Task Force "Task Force" comprised of 12 members to assist in implementing this chapter. The Task Force shall consist of the Secretary or a designee, who shall be the chair of the Task Force; the commissioner of energy resources or a designee, the commissioner of environmental protection or a designee, the commissioner of the department of public utilities or a designee, and 1 representative from each of following communities: the religious community, the student climate advocacy community, the environmental justice community, renewable energy and energy efficiency businesses,

electric utilities, academic institutions, climate advocacy organizations, and the businesses community.

(b) Within six months of its convening, the Task Force shall develop a plan and make recommendations to the Secretary and the legislature for meeting the target of 100% emission reductions by January 1, 2020, which shall include interim and longer-term actions necessary for implementation.

(c) The Task Force shall file a report with its finding, including any legislative and regulatory recommendations, with the Governor, the Secretary, clerks of the senate and house of representatives, the joint committee on telecommunications, utility, and energy, and the senate and house committees on ways and means not later than six months and two weeks after the effective date of this act.

(d) The Task Force shall specifically consider, but not be limited to, evaluating the following actions:

(1) amendments to the commonwealth's participation in the Regional Greenhouse Gas Initiative

(2) amendments to the commonwealth's renewable energy portfolio standard to conform to the goals of this Act,

(3) options for phasing out by January 1, 2020, the use of alternative renewable energy sources that have positive net greenhouse gas emissions during their operating cycles.

(4) amendments to reinstate authority to the executive that was removed during utility deregulation.

(e) When respectively making recommendations, the Task Force shall consider, but not be limited to, the following:

(1) That the goal of 100% emissions reductions in the electricity sector should be primarily achieved by (a) reducing electricity demand through efficiency and appropriate economic incentives, and (b) by building new renewable energy generation.

(2) That coal is the most carbon-intensive fossil fuel, and interim recommendations towards zero emissions in the electricity sector should prioritize reducing electricity consumption from coal before other fossil fuels, with a goal of a complete phase-out of coal-powered electricity by January 1st, 2015.

(3) That due consideration should be given to low-income communities and individuals to make sure that they are not forced to endure disproportionate hardship during the transition to a clean energy economy.

(4) That due consideration should be given to the needs of the industrial sector to make sure that they are not encouraged to move their industrial processes out of state without resulting in actual emissions reductions.

(5) That carbon emissions reductions are most valuable in the short-term, and that any energy source using fuel that claims to be carbon-neutral over a span of years

or decades should be not be considered a net zero carbon emissions source of electricity, unless it is deemed to be sustainable and carbon neutral by an independent panel of scientists.

(f) The Task Force shall engage in studies of the following areas, and the Secretary shall appoint and assemble subcommittees as needed to specifically evaluate each of the following:

(1) Siting Reform

(2) Challenge of intermittency & smart grid, battery storage, and other solutions

(3) Accurate Carbon Pricing

(4) Investments in retrofits and energy efficiency

(5) The needs of low-income communities and communities of color

(6) The health, job creation, and other benefits of eliminating carbon emissions from electricity generation

(7) The opportunity to eliminate further emissions from the transportation sector through electric vehicles, and through the heating sector through electric heating.

(g) The subcommittees shall be composed of agency staff and representatives the same communities represented on the Task Force, as well as other relevant communities the Task Force votes to include at its first or later meetings.

(h) The Task Force shall not meet any less than once every two weeks, and staff from the Executive Office of Energy and Environmental Affairs, the Department of Environmental Protection, the Department of Public Utilities, and the Department of Energy Resources shall assist the Task Force in their studies as required for their successful completion.

(i) Upon the completion of the Task Force's recommendations, the Secretary shall appoint a Repower Massachusetts Advisory Council "Advisory Council" that shall consist of 12 representatives of the same agencies and communities as the Task Force to periodically review implementation of recommendations and advise the Governor, the Secretary, clerks of the senate and house of representatives, the joint committee on telecommunications, utility, and energy, and the senate and house committees on ways and means with annual reports on adjustments necessary for meeting the target of 100% reduction of greenhouse gas emissions associated with the electric sector by January 1, 2020.

(1) If the goal of 100% reduction of greenhouse gas emissions associated with the electric sector is not achieved by January 1st, 2020, the Advisory Council will continue its work, including but not limited to its annual reports, until such date that the goal is achieved.