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COMMONWEALTH OF MASSACHUSETTS
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MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

September 11, 2024

To the Honorable Senate and House of Representatives:

I am filing for your consideration a bill entitled *An Act Making Appropriations for Fiscal Year 2024 (FY24) to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects*.

The proposal filed today would allocate $714.1 million gross / $149.1 million net toward FY24 deficiencies and critical needs and enable the Commonwealth to close the books on the fiscal year that ended on July 1.

Our administration is also proposing here ways to rebuild our reserves through the replenishment of the Transitional Escrow Fund and continued deposits in the Stabilization Account that will ensure Massachusetts remains on solid financial footing and has the resources on hand to manage through the current fiscal year and beyond.

In total, this legislation proposes to appropriate $679 million toward deficiencies incurred over the course of the prior fiscal, the largest of which can be found in our MassHealth program where caseload exceeded initial expectations. This budget recommends $565.4 million gross for MassHealth at a net new cost of zero dollars to the state thanks to the availability of federal reimbursement to cover payments for services already provided over the course of Fiscal Year 2024.

This budget would also allocate:

- $46 million for a reserve to cover costs accrued by sheriffs
- $14 million to support treatment for substance and alcohol use disorder
- $8.7 million for Universal School Meals
- $7.3 million for Residential Assistance to Families in Transition (RAFT)
- $5.1 million for support to public health hospitals
- $1.3 million for Department of Unemployment Assistance caseload
- $690,000 for the Chief Medical Examiner
- $622,000 for the Massachusetts Emergency Management Agency for state match to flood victims
- $200,000 for National Guard death gratuity benefits and support for military suicide prevention programming

Our administration is also recommending $33.9 million in new spending to advance key priorities and cover critical needs for our state, including the seeding of the new Disaster Relief and Resiliency Fund and additional funding for mosquito spraying to address the rise in detected Eastern Equine Encephalitis. This bill would put $11 million toward the Disaster Relief and Resiliency Fund to immediately make resources available in the event they should be needed to support communities before the end of the fiscal year. This would complement the $14 million in consolidated net surplus earmarked for the fund, but unavailable until the end of fiscal year 2025.

We are also recommending:

- $11 million to municipalities to increase FY25 tax abatement reimbursements
- $10 million for the Massachusetts Clean Energy Center to keep funding level in FY25 at $30 million and on track for a $300 million investment over the next 10 years to keep pace with our climate and job creation goals
- $10 million for the Massachusetts Life Sciences Center
- $2.5 million for iLottery start-up and implementation costs over two years
- $400,000 for aerial and mobile mosquito spraying to address Eastern Equine Encephalitis

As we know, FY24 presented some budgetary challenges that required a mid-year revision to our revenue estimates and emergency budget reductions to ensure that we would be able to balance our budget at the end of the year without undoing the hard work that has gone into building up our Stabilization Fund.

In total, FY24 revenue came in at $40.8 billion, $967 million above revised benchmarks. This was primarily due to the performance of surtax collections, which at $2.199 billion exceeded the $1 billion in budgeted surtax revenue by $1.2 billion. After adjusting for surtax, FY24 revenues were $233 million below the FY24 revised benchmark, and $322 million below FY23 collections.

In order to balance the FY24 budget and prepare for the continuation of economic headwinds in Fiscal Year 2025, our administration is proposing several solutions in this legislation that will allow us to continue to build our reserves and invest in our shared priorities.

First, we are proposing to use $225 million in surplus surtax collections to support spending currently funded through the General Fund and Commonwealth Transportation Fund. The use of this money would align with the approach already taken by our administration and the Legislature in the FY25 budget and go toward programs such Commonwealth Cares for Children (C3) grants through the replenishment of the EEC Affordability Fund, universal school meals, Early Education and Care provider rates and MassDOT operations. It would also leave a substantial surplus of unappropriated funds that we look forward in the coming session to working with the Legislature to allocate in the most efficient and impactful way.

The Transitional Escrow Fund has also proven to be a valuable tool for the state to manage spending throughout the fiscal year, which is why we are proposing to transfer $265 million in excess capital gains collections to the fund to begin to rebuild that balance. This would still allow for a separate deposit of $265 million to the Stabilization Fund to continue to grow both these reserve accounts. Additionally, I've already made clear my intention to use the forthcoming tobacco settlement funds secured by the Attorney General to further build back the balance of the Transitional Escrow Fund. We view these steps to be critical to managing available resources for FY25 and beyond.

An additional $366.4 million in prior unspent authorizations from Fiscal Year 2024 would be carried over into Fiscal Year 2025 through this legislation. These represent critical funds that, in some cases, must be managed across fiscal years and give us flexibility moving into FY25 to maintain services and programs authorized as part of the FY25 General Appropriations Act. These include $117.6 million for the MBTA Workforce and Safety Reserve, $22.8 million for projected expenses at the Department of Correction, and $12 million for a teacher diversity initiative. Of this total, $69 million in unspent FY24 surtax appropriations is being made available going into the new fiscal year.

We are also filing several not-yet-ratified collective bargaining agreements and the necessary language to establish the FY25 collective bargaining reserve, which our administration and the Legislature all accounted for in the recently signed FY25 GAA. This will ensure that our union workers have timely access to the raises negotiated in good faith with our administration.

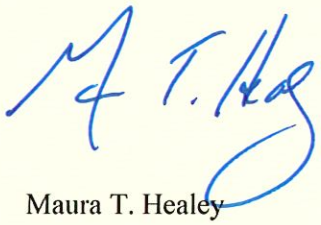
Furthermore, I am filing a number of outside sections that provide for some technical corrections and deadline extensions necessary for the effective implementation of policy enacted in recent legislation. These include sections amending the HERO Act to allow veterans to receive specialty license plates without paying an additional fee, as intended, and granting eligibility to tribes in Massachusetts for the Municipal Vulnerability Preparedness program.

I want to reiterate my support for legislation previously submitted by our administration and encourage senators and representatives to continue to work on reaching a compromise on the MassLeads Act, our bill authorizing funds to be used for federal matching commitments to maximize our ability to compete for and win federal grants, and the mid-year supplemental budget first filed in March. These bills are critical to our economic competitiveness and future growth and we are confident that together we can get these done before the end of the legislative session in December.

In that spirit, I am also submitting for your consideration several essential and timely provisions related to clean energy siting, permitting and procurement that were the subject of debate in the Legislature as part of a climate bill at the close of formal sessions in July. While a final bill has not yet reached my desk, these issues remain before a conference committee and I respectfully ask that you consider advancing these items in the coming weeks so that we can capitalize on the potential to grow our clean energy sector and advance our climate goals.

Sufficient revenues are available to finance the appropriations and other measures proposed in this bill. I urge you to enact this legislation promptly to facilitate the closing of the books for Fiscal Year 2024 and address the other urgent and time sensitive matters described above.

Respectfully Submitted,



Maura T. Healey

Governor

The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2024 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2024 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, 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. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2024, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2024. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available through the fiscal year ending June 30, 2025.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Department of Revenue

1233-2000 Tax Abatements for Veterans, Widows, Blind Persons and the Elderly.....$11,077,209

Reserves

1599-0026 Municipal Regionalization and Efficiencies Incentive Reserve $12,673,961

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary of Energy and Environmental Affairs

1595-6232 Transfer to MassCEC $10,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services

4000-0300 EOHHS and Medicaid Administration $7,563,044

4000-0700 MassHealth Fee for Service Payments $565,417,349

Department of Public Health

4590-0915 Public Health Hospitals $5,055,887

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Office of the Secretary of Labor and Workforce Development

7003-0101 Labor and Workforce Development Shared Services $1,310,000

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary of Housing and Livable Communities

7004-9316 Residential Assistance for Families in Transition $7,325,156

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7053-1925 School Breakfast Program $8,700,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Office of the Chief Medical Examiner

8000-0105 Office of the Chief Medical Examiner $689,902

Military Division

8700-0001 Military Division $200,000

Massachusetts Emergency Management Agency

8800-0001 Massachusetts Emergency Management Agency.....$622,624

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2024. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2025.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-1214 For a reserve for expansion, upgrades or enhancements to staffing, operations or infrastructure for new and existing facilities that treat men with an alcohol or substance use disorder under sections 1 and 35 of chapter 123 of the General Laws; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws $14,000,000

1599-8910 For a reserve to support costs associated with the 14 county sheriffs' offices; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws..... $46,000,000

1599-0640 For start-up costs associated with implementation of online lottery; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws; and provided further, that funds in this item shall be made available until June 30, 2026 ..... $2,500,000

1599-6263 For a reserve to support efforts that eradicate and prevent mosquito-borne diseases, including but not limited to eastern equine encephalitis; provided, that the secretary of administration and finance may transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General Laws $400,000

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Office of the Secretary of Economic Development

7002-0024 For a transfer to the Massachusetts Life Sciences Center established by section 3 of chapter 23I of the General Laws.....$10,000,000

SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2024, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for an

alteration of purpose for current intragovernmental chargeback authorizations and to meet certain requirements of law, the sum set forth in this section is hereby authorized from the Intragovernmental Service Fund for the several purposes specified in this section or in the appropriation acts and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2024. This sum shall be in addition to any amounts previously authorized and made available for the purposes of this item.

EXECUTIVE OFFICE OF VETRANS' SERVICES

Office of the Secretary of Veterans' Services

1410-0110 Central Services Chargeback.....$1,698,000

EXECUTIVE OFFICE OF EDUCATION

Office of the Secretary of Education

7009-1701 Chargeback for Education Information Technology Costs..... $486,352

SECTION 2C.I. For the purpose of making available in fiscal year 2025 balances of appropriations which otherwise would revert on June 30, 2024, the unexpended balances of the appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2F of chapter 28 of the acts of 2023. However, for items which do not appear in section 2 or 2F of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 or 2F of said chapter 28; provided, however, that for items which do not appear in section 2 or 2F of said chapter 28, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 through 2F of this act or in prior appropriation acts. The unexpended balance of each appropriation in the Massachusetts management accounting and reporting system with a secretariat code of 01 or 17 is hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in said section 2 of said chapter 28. The sums reappropriated in this section shall be in addition to any amounts available for said purposes.

JUDICIARY

Supreme Judicial Court

0320-0003 Supreme Judicial Court $150,000

Board of Bar Examiners

0321-0100 Board of Bar Examiners.....$100,000

TREASURER AND RECEIVER-GENERAL

Treasurer and Receiver-General

0610-2000 Welcome Home Bill Bonus Payments $800,000

State Lottery Commission

0640-0000 State Lottery Commission $104,000

STATE ETHICS COMMISSION

0900-0100 State Ethics Commission $66,500

CANNABIS CONTROL COMMISSION

1070-0840 Cannabis Control Commission $200,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Health Policy Commission

1450-1200 Health Policy Commission $350,000

Reserves

1599-0054 Hinton Lab Reserve $56,000

1599-1971 MBTA Workforce and Safety Reserve $117,582,748

1599-4448 Collective Bargaining Reserve $59,000,000

Bureau of the State House

1102-3331 Office of the State House Superintendent $400,000

EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

1790-1700 Core Technology Services and Security $317,262

EXECUTIVE OFFICE OF ENERGY AND EVIRONMENTAL AFFAIRS

Department of Public Utilities

2100-0013 Transportation Oversight Division $256,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services

1599-6903 Chapter 257 and Human Service Reserve $28,465,994

Department of Public Health

4512-0200 Bureau of Substance Addiction Services $7,000,000

4512-2020 DPH Public Safety Reform Matching Grants $3,146,536

Department of Mental Health

5011-0100 Department of Mental Health Administration and Operations $105,000

Department of Youth Services

4200-0300 Department of Youth Services Residential Services $8,000,000

Massachusetts Commission for the Blind

4110-2000 Turning 22 Program and Services $350,000

Massachusetts Rehabilitation Commission

4120-2000 Vocational Rehabilitation for People with Disabilities $100,000

4120-6000 Head Injury Treatment Services $34,496

EXECUTIVE OFFICE OF VETERANS' SERVICES

Office of the Secretary of Veterans' Services

1410-1700 Department of Veterans' Services IT $300,000

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Department of Transportation

1596-2401 Federal Matching Funds $24,500,000

1596-2406 Regional Transit Grants and Equity $23,800,000

EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

Office of Consumer Affairs and Business Regulation

7006-0000 Office of Consumer Affairs and Business Regulation $73,000

Division of Banks

7006-0010 Division of Banks $1,900,000

Division of Insurance

7006-0020 Division of Insurance $1,950,000

Division of Occupational Licensure

7006-0040 Division of Occupational Licensure $250,000

7006-0142 Office of Public Safety and Inspections $334,000

Division of Standards

7006-0060 Division of Standards $223,000

Department of Telecommunications and Cable

7006-0071 Department of Telecommunications and Cable $175,000

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

Office of the Secretary of Housing and Livable Communities

7004-0102 Homeless Individual Shelters $4,627,529

EXECUTIVE OFFICE OF EDUCATION

Department of Early Education and Care

3000-4060 Income-Eligible Child Care $13,619,274

3000-7000 Children's Trust Fund $350,000

Department of Elementary and Secondary Education

7061-9805 Teacher Diversity Initiative $12,000,000

Department of Higher Education

1596-2425 DHE Endowment Match $1,900,000

1596-2432 Scholarships for Nursing Students at Community Colleges $9,700,000

1596-2433 Capacity Building for Free Community College $9,100,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Office of the Secretary of Public Safety and Security

8000-0601 Project Safe Neighborhood Initiative $1,000,000

8000-0605 Human Trafficking Prevention $431,000

Massachusetts State Police

8100-0515 New State Police Class $5,974,741

Department of Fire Services

8324-0000 Department of Fire Services Administration $133,489

Department of Corrections

8900-0001 Department of Corrections Facility Operations $22,771,552

8900-1100 Re-Entry Programs $827,819

Parole Board

8950-0001 Parole Board $500,000

SECTION 2C.II. For the purpose of making available in fiscal year 2025 balances of retained revenue and intragovernmental chargeback authorizations which otherwise would revert on June 30, 2024, the unexpended balances of the authorizations listed below, not to exceed the amount specified below for each item, are hereby re-authorized for the purposes of and subject to the conditions stated for the corresponding item in sections 2 through 2F of chapter 28 of the acts of 2023. However, for items which do not appear in sections 2 through 2F of said chapter 28, the amounts in this section are re-authorized for the purposes of and subject to the conditions stated for the corresponding item in sections 2 through 2F of this act or in prior appropriation acts. Amounts in this section are re-authorized from the fund or funds designated for the corresponding item in sections 2 through 2F of the general appropriation act; however, for items which do not appear in sections 2 through 2F of the general appropriation act, the amounts in this section are re-authorized from the fund or funds designated for the corresponding item in sections 2 through 2F of this act or in prior appropriation acts. The sums re-authorized in this section shall be in addition to any amounts available for those purposes.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

0940-0103 Equal Employment Opportunity Commission Retained Revenue $2,200,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Operational Services Division

1775-0800 Chargeback for Purchase Operation and Repair of State Vehicles $400,000

SECTION 3. Chapter 21A of the General Laws is hereby amended by adding the following 2 sections:-

Section 29. There shall be an office of environmental justice and equity within the executive office of energy and environmental affairs, which shall be administered by an undersecretary of environmental justice and equity who shall be appointed and may be removed by the secretary. The office shall be responsible for implementing environmental justice principles, as defined in section 62 of chapter 30, in the operation of each office and agency under the executive office. The office shall develop standards and guidelines governing the potential use and applicability of: (i) community benefit plans and agreements; and (ii) cumulative impact analyses in developing energy infrastructure with input from representatives from utilities, the renewable energy industry, local government, environmental justice community organizations, environmental sectors and other representatives as deemed appropriate by the office.

Section 30. The executive office of energy and environmental affairs shall establish and periodically update a methodology for determining the suitability of sites for clean energy generation facilities, clean energy storage facilities and clean transmission and distribution infrastructure facilities in newly established public rights of way. The methodology shall include multiple geospatial screening criteria to evaluate sites for: (i) development potential; (ii) climate change resilience; (iii) carbon storage and sequestration; (iv) biodiversity; and (v) social and environmental benefits and burdens. The executive office shall require facility development project proponents to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate siting impacts and environmental and land use concerns. The executive office shall develop and periodically update guidance to inform state, regional and local regulations, ordinances, by-laws

and permitting processes on ways to avoid, minimize or mitigate impacts on the environment and people to the greatest extent practicable.

SECTION 4. Subsection (c) of section 18 of chapter 23N of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 22 to 24, the words “and (iv) provide English language learning programs to promote access to the workforce” and inserting in place thereof the following words:- (iv) provide English language learning programs to promote access to the workforce; or (v) facilitate work permits, professional credentialing, or other workforce opportunities for non-citizens permanently residing under color of law or otherwise lawfully present in the commonwealth

SECTION 5. Chapter 25 of the General Laws is hereby amended by striking out section 12N as appearing in the 2022 Official Edition and inserting in place thereof the following section:-

Section 12N. There is hereby established within the department, and under the general supervision and control of the commission, a facility siting division, which shall be under the charge of a director appointed by the commission. The facility siting division, hereinafter referred to as the division, shall perform such functions as the commission deems necessary for the administration, implementation and enforcement of sections 69G to 69W, inclusive, of chapter 164 imposed upon the department and the energy facilities siting board by said sections.

The division shall maintain a real-time, online clean energy infrastructure dashboard. The division shall, in cooperation with the executive office of energy and environmental affairs and its affiliated departments and offices, create, maintain and update the dashboard by collecting, facilitating the collection of, and reporting comprehensive data and information related to: (i) accelerating the responsible deployment of clean energy infrastructure through siting and permitting reform in a manner consistent with applicable legal requirements, including, but not limited to, greenhouse gas emissions limits and sublimits set under chapter 21N; (ii) facilitating community input into the siting and permitting of clean energy infrastructure; and (iii) ensuring that the benefits of clean energy deployment are shared equitably among all residents of the commonwealth; provided, however, that the dashboard shall, at a minimum, report for the most recent reporting period and in the aggregate the number of facility applications filed, decided or pending information, including, but not limited to: (a) the number of applications deemed

incomplete and the number of applications constructively approved; (b) the average duration of application review; and (c) average staffing levels delineated by job classification. The dashboard shall make use of bar charts, line charts and other visual representations to facilitate public understanding of both recent performance and long-term and cumulative trends and outcomes of clean energy deployment. The division shall convene a stakeholder process for the purpose of developing and informing the design and content of the dashboard; provided, however, that said comprehensive data and information shall be made publicly available in a machine-readable format.

SECTION 6. The first paragraph of section 12Q of said chapter 25, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The department shall credit to the fund: (i) appropriations or other money authorized or transferred by the general court and specifically designated to be credited to the fund; (ii) a portion of assessments collected pursuant to section 18, as determined by the department; (iii) a portion of application fees, as determined by the department, collected pursuant to section 69J1/2 of chapter 164; and (iv) income derived from the investment of amounts credited to the fund.

SECTION 7. Said chapter 25 is hereby further amended by inserting after section 12R, as so appearing, the following 2 sections:-

Section 12S. There shall be a Department of Public Utilities and Energy Facilities Siting Board Intervenor Support Fund. The department shall credit to the fund: (i) appropriations or other money authorized or transferred by the general court and specifically designated to be credited to the fund; (ii) a portion of assessments collected pursuant to section 18, as determined by the department; (iii) a portion of application fees, as determined by the department, collected pursuant to sections 69J1/2, 69T, 69U, 69V and 69W of chapter 164; (iv) any non-ratepayer funded sources obtained through gifts, grants, contributions and bequests of funds from any department, agency or subdivision of federal, state or municipal government or any individual, foundation, corporation, association or public authority; and (v) income derived from the investment of amounts credited to the fund. All amounts credited to the fund shall be held in trust and shall be expended solely, without further appropriation, for the purposes set forth in section 149 of chapter 164, consistent with the requirements set forth in said section 149 of said chapter 164 and any regulations promulgated thereunder. Any unexpended balance in the fund at the

close of a fiscal year shall remain in the fund and shall not revert and shall be available for expenditure in subsequent fiscal years.

Section 12T. There shall be a division of public participation within the department and under the general supervision and control of the commission, which shall be under the charge of a director appointed by the commission. The division of public participation, hereinafter referred to as the division, shall perform such functions as the commission may determine and shall be responsible for assisting individuals, local governments, community organizations and other entities before the department or the energy facilities siting board. With respect to matters before the department, the division shall assist such parties with navigating filing requirements, opportunities to provide comment and intervene and facilitating dialogue among parties to proceedings. With respect to siting and permitting matters under the jurisdiction of the energy facilities siting board, the division shall assist individuals, local governments, community organizations, project applicants and other entities with navigating pre-filing consultation and engagement requirements, clarifying filing requirements, identifying opportunities to intervene and facilitating dialogue among stakeholders involved in the permitting process and shall assist with coordinating with other state, regional and local officials, including the office of environmental justice and equity established by section 29 of chapter 21A, involved in the pre-filing consultation process, pre-filing engagement process and the permitting process generally. The director and staff of the division shall not participate as adjudicatory staff in matters before the department or in reviewing applications submitted to the energy facilities siting board, nor shall they serve as legal counsel to or otherwise represent any party before the department or the energy facilities siting board. The director shall be responsible for making final determinations with respect to intervenor funding support requests made pursuant to section 149 of chapter 164 and administering all aspects of the intervenor support grant program established pursuant to said section 149 of said chapter 164.

SECTION 8. Section 18 of said chapter 25, as so appearing, is hereby amended by inserting after the third paragraph the following 2 paragraphs:-

The commission may make an assessment against each electric company under the jurisdictional control of the department, based upon the intrastate operating revenues subject to the jurisdiction of the department of each such company derived from sales within the

commonwealth of electric service, as shown in the annual report of each such company to the department. The assessments shall be made at a rate not exceeding 0.1 per cent of such intrastate operating revenues, as shall be determined and certified annually by the commission as sufficient to reimburse the commonwealth for: (i) funds appropriated by the general court for the operation and general administration of the energy facilities siting board, exclusive of the cost of fringe benefits established by the comptroller pursuant to section 5D of chapter 29, including group life and health insurance, retirement benefits, paid vacations, holidays and sick leave; and (ii) funds for a clean energy infrastructure dashboard, as required to be maintained by the facility siting division pursuant to section 12N. The funds may be used by the energy facilities siting board to compensate consultants in hearings on petitions filed by companies subject to assessment under this section. Assessments made under this section may be credited to the normal operating cost of each company. Each company shall pay the amount assessed against it not later than 30 days after the date of the notice of assessment from the department. The department shall collect such assessments and credit a portion of said assessments to the department of public utilities energy facilities siting board trust fund established by section 12Q and the Department of Public Utilities and Energy Facilities Siting Board Intervenor Support Fund established by section 12S. Any funds unexpended in any fiscal year for the purposes for which such assessments were made shall be credited against the assessment to be made in the following fiscal year and the assessment in the following fiscal year shall be reduced by any such unexpended amount.

For the purpose of providing the department with funds to be used to provide support to intervenors in the department or energy facilities siting board proceedings consistent with section 149 of chapter 164, the commission may make a separate assessment proportionally against each electric and gas company under the jurisdictional control of the department, based upon the intrastate operating revenues subject to the jurisdiction of the department of each of such companies derived from sales within the commonwealth of electric and gas service, as shown in the annual report of each of such companies to the department. Such assessments shall be made at a rate as shall be determined and certified annually by the commission as sufficient to produce an annual amount of not more than $3,500,000. The amount of the assessment may be increased by the commission annually by a rate not to exceed the most recent annual consumer price index as calculated for the northeast region for all urban consumers; provided, however, that the assessment may be increased by the commission by a rate exceeding such index upon a finding

that additional funding is necessary to meet the demand for grant funding from prospective grantees. Assessments made under this section may be credited to the normal operating cost of each company. Each company shall pay the amount assessed against it not later than 30 days after the date of the notice of assessment from the department. Such assessments shall be collected by the department and credited to the department of public utilities and energy facilities siting board intervenor support trust fund established by section 12S. Any funds unexpended in any fiscal year and remaining in the fund shall be credited against the assessment to be made in the following fiscal year and the assessment in the following fiscal year shall be reduced by any such unexpended amount.

SECTION 9. Section 2 of chapter 25A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

There shall be within the department 4 divisions: (i) a division of energy efficiency, which shall work with the department of public utilities regarding energy efficiency programs; (ii) a division of renewable and alternative energy development, which shall oversee and coordinate activities that seek to maximize the installation of renewable and alternative energy generating sources that will provide benefits to ratepayers, advance the production and use of biofuels and other alternative fuels as the division may define by regulation and administer the renewable portfolio standard and the alternative portfolio standard; (iii) a division of green communities, which shall serve as the principal point of contact for local governments and other governmental bodies concerning all matters under the jurisdiction of the department of energy resources, with the exception of matters involving the siting and permitting of small clean energy infrastructure facilities; and (iv) a division of clean energy siting and permitting, which shall establish standard conditions, criteria and requirements for the siting and permitting of small clean energy infrastructure facilities by local governments and provide technical support and assistance to local governments, small clean energy infrastructure facility project proponents and other stakeholders impacted by the siting and permitting of small clean energy infrastructure facilities at the local government level. Each division shall be headed by a director appointed by the commissioner and who shall be a person of skill and experience in the field of energy efficiency, renewable energy or alternative energy, energy regulation or policy and land use and planning, respectively. The directors shall be the executive and administrative heads of their

respective divisions and shall be responsible for administering and enforcing the law relative to their division and to each administrative unit thereof under the supervision, direction and control of the commissioner. The directors shall serve at the pleasure of the commissioner, shall receive such salary as may be determined by law and shall devote full time during regular business hours to the duties of the office. In the case of an absence or vacancy in the office of any director, or in the case of disability as determined by the commissioner, the commissioner may designate an acting director to serve as director until the vacancy is filled or the absence or disability ceases. The acting director shall have all the powers and duties of the director and shall have similar qualifications as the director.

SECTION 10. Section 6 of said chapter 25A, as so appearing, is hereby amended by striking out, in line 56, the word “and”.

SECTION 11. Said section 6 of said chapter 25A, as so appearing, is hereby further amended by striking out, in line 63, the words “chapter 21N.” and inserting in place thereof the following words:- chapter 21N; and

(15) develop and promulgate, regulations, criteria, guidelines, and standard conditions, criteria, and requirements that establish parameters for the siting, zoning, review and permitting of small clean energy infrastructure facilities by local government pursuant to section 21.

SECTION 12. Said chapter 25A is hereby further amended by adding the following section:-

Section 21. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Anaerobic digestion facility”, a facility that: (i) generates electricity from a biogas produced by the accelerated biodegradation of organic materials under controlled anaerobic conditions; and (ii) has been determined by the department, in coordination with the department of environmental protection, to qualify under department of energy resources regulations as a Class I renewable energy generating source under section 11F.

“Local government”, a municipality or regional agency, inclusive of the Cape Cod Commission, established by chapter 716 of the acts of 1989, and the Martha’s Vineyard

Commission, established by chapter 831 of the acts of 1977, that has permitting authority over small clean energy infrastructure facilities.

"Small clean energy generation facility", energy generation infrastructure with a nameplate capacity of less than 25 megawatts that is an anaerobic digestion facility, solar facility or wind facility, including any ancillary structure that is an integral part of the operation of the small clean energy generation facility or, following a rulemaking by the department in consultation with the energy facilities siting board in which the facility type is added to the regulatory definition of a small clean energy generation facility, any other type of generation facility that produces no greenhouse gas emissions or other pollutant emissions known to have negative health impacts; provided, however, that the nameplate capacity for solar facilities shall be calculated in direct current.

"Small clean energy infrastructure facility", a small clean energy generation facility, small clean energy storage facility or small clean transmission and distribution infrastructure facility.

"Small clean energy storage facility", an energy storage system as defined in section 1 of chapter 164 with a rated capacity of less than 100 megawatt hours, including any ancillary structure that is an integral part of the operation of the small clean energy storage facility.

"Small clean transmission and distribution infrastructure facility", electric transmission and distribution infrastructure and related ancillary infrastructure, including: (i) electric transmission line reconductoring or rebuilding projects; (ii) new or substantially altered electric transmission lines located in an existing transmission corridor that are not more than 10 miles long, including any ancillary structure that is an integral part of the operation of the transmission line; (iii) new or substantially altered electric transmission lines located in a new transmission corridor that are not more than 1 mile long, including any ancillary structure that is an integral part of the operation of the transmission line; (iv) any other electric transmission infrastructure, including standalone transmission substations and upgrades and any ancillary structure that is an integral part of the operation of the transmission line and that does not require zoning exemptions; and (v) electric distribution-level projects that meet a certain threshold, as determined by the department; provided, however, that the "small clean transmission and distribution infrastructure facility" shall be: (A) designed, fully or in part, to directly interconnect

or otherwise facilitate the interconnection of clean energy infrastructure to the electric grid; (B) designed to ensure electric grid reliability and stability; or (C) designed to help facilitate the electrification of the building and transportation sectors; and provided further, that a "small clean transmission and distribution infrastructure facility" shall not include new transmission and distribution infrastructure facilities that solely interconnect new or existing generation powered by fossil fuels to the electric grid on or after January 1, 2026.

"Solar facility", a ground mounted facility that uses sunlight to generate electricity.

"Wind facility", an onshore or offshore facility that uses wind to generate electricity.

(b) The department shall establish standards, requirements and procedures governing the siting and permitting of small clean energy infrastructure facilities by local governments that shall include: (i) uniform sets of public health, safety, environmental and other standards, including zoning criteria, that local governments shall require for the issuance of permits for small clean energy infrastructure facilities; (ii) a common standard application for small clean energy infrastructure facility project applicants submitting a permit application to local governments; (iii) uniform pre-filing requirements for small clean energy infrastructure facilities, which shall include specific requirements for public meetings and other forms of outreach that must occur in advance of an applicant submitting an application; (iv) standards for applying site suitability guidance developed by the executive office of energy and environmental affairs pursuant to section 30 of chapter 21A to evaluate the social and environmental impacts of proposed small clean energy generation facilities, small clean energy storage facilities and small clean transmission and distribution infrastructure facilities in new rights of way, which shall include a mitigation hierarchy to be applied during the permitting process to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate negative impacts of siting on the environment, people and the commonwealth's goals and objectives for climate mitigation, resilience, biodiversity and protection of natural and working lands, to the extent practicable; (v) common conditions and requirements for a single permit consolidating all necessary local approvals to be issued for different types of small clean energy infrastructure facilities in the event that constructive approval is triggered through the non-issuance of a final decision by a local government pursuant to subsection (d); (vi) guidance for procedures and potential extensions of time should an applicant fail to respond to a request for information within a

specified timeframe or proposes a significant revision to a proposed project; provided, however, that the department shall solicit public input in the development of such guidance; and (vii) responsible parties subject to enforcement actions, including in the event of sale of small clean energy infrastructure facilities after permitting. The department may promulgate rules and regulations allowing local governments to set fees for compensatory environmental mitigation for the restoration, establishment, enhancement or preservation of comparable environmental resources through funds paid to the local government or to a non-profit entity to be used at the election of an applicant to satisfy the standard of mitigation to the maximum extent practicable. Local governments acting in accordance with the standards established by the department for small clean energy generation facilities and small clean energy storage facilities pursuant to this subsection shall be considered to have acted consistent with the limitations on solar facility and small clean energy storage facility zoning under section 3 of chapter 40A. The department shall establish a transition or concurrency period for the effective date of any standards that it establishes.

(c) The proponent of a small clean energy infrastructure facility may submit a consolidated small clean energy infrastructure facility permit application seeking a single permit consolidating all necessary local permits and approvals. To initiate the permitting of a small clean energy infrastructure facility, an applicant may elect to submit an application, with supporting information in the form developed by the department pursuant to subsection (b), for the local government to conduct a consolidated review pursuant to the criteria and standards set forth in subsection (b) and using the process set forth in subsection (d). Local governments shall determine whether such consolidated small clean energy infrastructure facility permit application is complete not later than 30 days of receipt. If an application is deemed incomplete, the applicant shall have 30 days, and any additional time as determined by the local government, to cure any deficiencies before the application is rejected. In the event of a rejection of the application, the local government shall provide a detailed reasoning for the rejection.

(d)(1) Local governments shall issue a single, final decision on a consolidated small clean energy infrastructure facility permit application submitted pursuant to subsection (c), including all decisions necessary for a project to proceed with construction within 12 months of the receipt of a complete permit application; provided, however, that the permit shall not include any state permits that may be required to proceed with construction and operation of said facility. All local

government authorities, boards, commissions, offices or other entities that may be required to issue a decision on 1 or more permits in response to the application for the small clean energy infrastructure facility may conduct reviews separately and concurrently. Such permits shall adhere to any requirements established by the department pursuant to subsection (b).

(2) If a final decision is not issued within 12 months of the receipt of a complete permit application, a constructive approval permit shall be issued by the local government that includes the common conditions and requirements established by the department for the type of small clean energy infrastructure facility under review.

(e) Individual decisions of local government authorities, boards, commissions, offices or other entities that would otherwise be required to issue 1 or more permits to the small clean energy infrastructure facility may not be appealed or reviewed independently. The only decision of a local government that is subject to further review is the single, final decision issued by the local government that is inclusive of all individual decisions necessary for a project to proceed with construction, exclusive of any state permits that may be required, which shall be reviewable via a de novo adjudication of the permit application by the director of the energy facilities siting division of the department of public utilities, as provided in subsection (f).

(f) Within 30 days of the single, final decision on a consolidated permit application by a local government described in subsections (d) and (e), project proponents and other individuals or entities substantially and specifically affected by a proposed small clean energy infrastructure facility may file a petition to request in writing a de novo adjudication of the permit application by the director of the facilities siting division pursuant to section 69W of chapter 164 following permit issuance, including constructive approval permits issued pursuant to subsection (d), or denials by a local government.

(g) If a local government lacks the resources, capacity or staffing to review a small clean energy infrastructure facility permit application within 12 months, it may, not later than 60 days after receipt of such application or at any time thereafter with the consent of the applicant, request in writing a de novo adjudication of such application by the director pursuant to section 69W of chapter 164.

(h) The department shall promulgate regulations to implement this section in consultation with the Massachusetts Municipal Association, Inc., the department of public utilities, the

department of environmental protection, the department of fish and game, the department of conservation and recreation, the department of agricultural resources, an office within the executive office of environmental affairs designated by the secretary for review of compliance with the Massachusetts environmental policy act, the office of environmental justice and equity, the executive office of health and human services, the executive office of housing and livable communities and the executive office of public safety and security.

(i) Nothing in subsections (c) to (g), inclusive, shall apply to a comprehensive permit pursuant to sections 20 to 23, inclusive, of chapter 40B. For the purpose of this section, the procedures and standards for filing and review of an application for a comprehensive permit that includes a small clean energy infrastructure facility shall be in accordance with said sections 20 to 23, inclusive, of said chapter 40B.

SECTION 13. The second paragraph of section 62A of chapter 30 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- This section and sections 62B to 62L, inclusive, shall not apply to the energy facilities siting board established under section 69H of chapter 164 or to any proponent or owner of a large clean energy infrastructure facility, as defined in section 69G of chapter 164, or small clean energy infrastructure facility, as defined in section 21 of chapter 25A, in relation to an application for a consolidated permit or petition for a de novo adjudication filed under sections 69T to 69W, inclusive, of chapter 164.

SECTION 14. Chapter 40 of the General Laws is hereby amended by adding the following section:-

Section 70. (a) a city or town may enter into an agreement with a housing developer or residential development owner to provide a preference for affordable housing to low- or moderate-income veterans, as defined in clause Forty-third of section 7 of chapter 4 if the residential development is subject to any of the following: (i) inclusionary zoning, (ii) incentive zoning, or (iii) a density bonus ordinance or by-law . The preference shall be for up to 10 per cent of the affordable units in a particular development.

(b) The preference under this section shall be established in the applicant selection process for available affordable units. Applicants who are veterans and who apply within 90 days of the initial marketing period of the development shall receive preference for the rental of up to

10 per cent of the affordable units. After the first 90 days of the initial marketing period, if any of the units subject to the preference remain available, applicants from the general public shall be considered for occupancy. Following the initial marketing period, qualified applicants who are veterans shall be placed on a waiting list for the preference-occupied units for veterans and on any general waiting list. The veterans on the preference-occupied waiting list shall be given preference for affordable units, as the units become available, whenever the percentage of preference-occupied units falls below 10 per cent.

(c) Any agreement to provide affordable housing preferences for veterans pursuant to this section shall not affect a municipality's ability to receive credit for the unit for affordable housing pursuant to chapter 40B; provided, that such unit or development meets all other eligibility criteria for inclusion on the subsidized housing inventory, pursuant to 706 CMR 56.00 and any applicable federal or state subsidy program requirements. The agreement may be monitored by a third party assigned by the municipality.

(d) This section shall not require an increase in the existing amount of affordable units set by the city or town.

(e) The city or town may require proof of veteran status and income eligibility as the city or town deems necessary.

SECTION 15. Section 1A of chapter 40A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the definition of "Permit granting authority" the following definition:-

"Public service corporation", (i) a corporation or other entity duly qualified to conduct business in the commonwealth that owns or operates or proposes to own or operate assets or facilities to provide electricity, gas, telecommunications, cable, water or other similar services of public need or convenience to the public directly or indirectly, including, but not limited to, an entity that owns or operates or proposes to own or operate electricity generation, storage, transmission or distribution facilities, or natural gas facilities including pipelines, manufacturing, and storage facilities; (ii) any transportation company that owns or operates or proposes to own or operate railways and related common carrier facilities; (iii) any communications company, including a wireless communications company or cable company that owns or operates or

proposes to own or operate communications or cable facilities; and (iv) any water company that owns or operates or proposes to own or operate facilities necessary for its operations.

SECTION 16. Section 3 of said chapter 40A, as so appearing, is hereby amended by striking out, in line 65, and lines 74 and 82, the words “department of public utilities”, each time they appear, and inserting in place thereof, in each instance, the following words:- energy facilities siting board.

SECTION 17. Section 1 of chapter 40V of the General Laws, as most recently amended by chapter 7 of the acts of 2023, is hereby amended by inserting after the word “residential” the following words:- new construction or.

SECTION 18. Section 4 of said chapter 40V, as appearing in the 2022 Official Edition, is hereby amended by inserting, in line 9, after the word “the”, the following words:- new construction or.

SECTION 19. Subsection (q) of section 6 of chapter 62 of the General Laws, as most recently amended by section 19 chapter 50 of the acts of 2023, is hereby amended by striking out, in paragraph (5), the words “awarded by EOHLC in a calendar year shall not be applied to awards in a subsequent year” and inserting in place thereof the following words:- authorized by EOHLC during a calendar year shall be added to the amount EOHLC may authorize in subsequent years.

SECTION 20. Paragraph (xii) of subsection (d) of section 2A of chapter 63 of the General Laws, as most recently amended by section 28 of chapter 50 of the acts of 2023, is hereby further amended by striking out the words “and paragraph (xii).”

SECTION 21. Section 38 of chapter 63 of the General Laws, as most recently amended by section 31 of chapter 50 of the acts of 2023, is hereby further amended by striking out subsection (g) and inserting in place thereof the following subsection:-

(g) If the sales factor is inapplicable, the corporation’s taxable net income shall be apportioned to the commonwealth based on the corporation’s property and payroll in the commonwealth. The sales factor shall not be applicable if: (i) both its numerator and denominator are zero; (ii) the denominator is less than 10 per cent of one third of the taxable net income; or (iii) it is otherwise determined by the commissioner to be insignificant in producing

income. The sales factor shall not be deemed to be inapplicable merely because the numerator is zero. The commissioner shall adopt regulations providing for such method of apportionment.

SECTION 22. Section 38BB of chapter 63 of the General Laws, as most recently amended by section 33 of chapter 50 of the acts of 2023, is hereby further amended by striking out, in subdivision (5), the words “awarded by EOHLC in a calendar year shall not be applied to awards in a subsequent year” and inserting in place thereof the following words:- authorized by EOHLC during a calendar year shall be added to the amount EOHLC may authorize in subsequent years.

SECTION 23. Subsection (b) of section 2A of chapter 71B of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following sentence:- Notwithstanding chapter 66A, section 2A of chapter 71B, section 2A and any special or general law to the contrary, the department of elementary and secondary education and the bureau of special education appeals may share with each other personal data regarding students and other individuals for- the purposes of carrying out their respective responsibilities under state and federal laws and regulations.

SECTION 24. Section 11A of said chapter 71B, as so appearing, is hereby amended by adding the following sentence:- Notwithstanding chapter 66A, or any special or general law to the contrary, the department of elementary and secondary education and each of the county houses of correction may share with each other, school districts, and educational service providers, personal data of individuals incarcerated in county houses of correction, for the purposes of facilitating prompt access to special education services for individuals incarcerated in county houses of correction.

SECTION 25. Section 2 of chapter 90 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 172 to 186, inclusive, as so appearing, the words “pleasure passenger vehicles owned by veterans who, according to the records of the United States Veterans’ Administration, has been determined to have a service-connected disability rating of 60 per cent or greater and by reason of service in the armed forces of the United States have suffered loss or permanent loss of use of one or both feet; or loss or permanent loss of use of one or both hands; or permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective

glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye, or any other disability or handicap of such veterans which may be determined by the medical advisory board as established by section eight C, and".

SECTION 26. The seventh paragraph of said section 2 of said chapter 90, as so appearing, is hereby amended by striking out the third and fourth sentences.

SECTION 27. Said section 2 of said chapter 90, as so appearing, is hereby further amended by striking out, in lines 246 to 258, inclusive, as so appearing, the words "and the words "Disabled Veteran" for a pleasure passenger vehicle or a pick-up truck owned or leased by and used by a veteran who, according to the records of the United States Veterans' Administration, by reason of service in the armed forces of the United States has suffered loss or permanent loss of use of one or both feet; or loss or permanent loss of use of one or both hands; or permanent impairment of vision of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater that 20 degrees in the better eye, or any other disability or handicap".

SECTION 28. Said section 2 of said chapter 90, as so appearing, is hereby further amended by striking out the twelfth paragraph, as so appearing.

SECTION 29. Said section 2 of said chapter 90, as so appearing, is hereby further amended by striking out the fifteenth through seventeenth paragraphs, inclusive, and nineteenth through twenty-second paragraphs, inclusive.

SECTION 30. Chapter 90 of the General Laws, as so appearing, is hereby further amended by inserting after section 2I the following section:-

Section 2J. (a) The registrar shall design and maintain a series of distinct and individual license plates recognizing those who have served in the military and for those who deserve special recognition relating to or deriving from military service.

(b) Any veteran meeting the definition of a veteran in clause forty-third of section 7 of chapter 4 or section 1 of chapter 115, or who is eligible for the annuity provided under section

6C of chapter 115, shall be eligible and entitled to a veteran plate which shall carry the denotation “VETERAN”, upon presentation of satisfactory evidence of such status as determined by the registrar.

(c) The series of distinct and individual license plates recognizing those who have served in the military and for those who deserve special recognition relating to or deriving from military service shall include the license plates described in the following paragraphs:

(1) Veterans ranked as at least 60 per cent disabled by the United States Department of Veterans Affairs, including those who have suffered the loss of a limb, permanent visual acuity loss of 20/200 in an eye, or are otherwise determined to be disabled or handicapped by the medical advisory board established in section 8C, shall be entitled to a distinctive disabled veteran plate.

(2) Veterans who have been captured and incarcerated by foreign forces in conflict or held as prisoners of war shall be entitled to a distinctive plate recognizing that status.

(3) Veterans who are members of the Legion of Valor of the United States of America, Incorporated shall be entitled to a distinctive plate recognizing that status.

(4) Veterans awarded the Congressional Medal of Honor shall be entitled to a distinctive plate recognizing that status, including, subject to availability, the use of the initials of the award recipient followed by CMH signifying their award.

(5) Veterans awarded the Order of the Purple Heart shall be entitled to a distinctive plate indicating that status which shall include the words “COMBAT WOUNDED.”

(6) Survivors of the attack upon Pearl Harbor shall be entitled to a distinctive plate reflecting that status and bearing the word “VETERAN” thereupon.

(7) Residents of the commonwealth serving in any branch of the national guard shall be entitled to a distinctive plate reflecting that status.

(8) Residents of the commonwealth awarded the Medal of Liberty under section 67A of chapter 33 shall be entitled to a distinctive plate reflecting that status.

(9) The next of kin of a member of the armed forces, in possession of a Gold Star Lapel Button under the regulations of the United States Secretary of Defense, shall be entitled to a

Gold Star Family distinctive plate. Said button shall not be an eligibility requirement for those who have presented other satisfactory evidence of their status, as determined by the registrar.

(d) A veteran who has served in the armed forces and is entitled to a veteran license plate shall also be entitled to the issuance of a decal or emblem denoting their branch of service. Residents of the commonwealth identifying as a woman veteran who served in any branch shall be entitled to a distinctive decal which the registry of motor vehicles shall design and issue.

(e) The following individuals shall be entitled to a distinctive plate, emblem or decal denoting their award status:

(1) Owners of private vehicles awarded 1 of the following decorations for valor or gallantry: the Silver Star, the Bronze Star, the Distinguished Flying Cross, the Distinguish Service Cross, the Navy Cross, the Air Force Cross, or any other similar award designated by the secretary of veterans' services.

(2) A resident of the commonwealth qualifying as a Gold Star parent, child, sibling, grandchild or spouse. A distinctive plate, under this paragraph, may not be used in conjunction with a motor vehicle that has promotional or advertising material thereupon.

(f) Veterans entitled to a distinctive plate shall be entitled to have a distinctive emblem or decal reflecting service in Operation Enduring Freedom or the receipt of the Iraqi Freedom Campaign Ribbon, an Afghanistan Campaign Ribbon, a Persian Gulf Campaign Ribbon, the Armed Forces Expeditionary Medal, the Southwest Asia Service Medal, the Inherent Resolve Campaign Medal, the Global War on Terrorism Expeditionary Medal, the Vietnam Service Medal, the Kosovo Campaign Medal, or the Prisoner of War Medal.

(g) Under any special recognition or status recognized in this section, a widowed person shall not be compelled to surrender their distinctive plate, emblem or decal unless they remarry, cancel or fail to renew registration. If the deceased person was entitled to recognition under any portion of this section but did not apply for special status under this section, a widowed person may nonetheless apply in the stead of their deceased spouse.

(h) Any special status under this section shall entitle the bearer to only 1 special plate, emblem or decal; provided, however, that such person may, at their option, have the distinctive

plate, emblem or decal issued in a form suitable for use on a motorcycle rather than a passenger car.

(i) Any plate to which an individual is entitled under this section shall be issued without fee other than the established registration fee for private passenger motor vehicles and motorcycles. The registrar may provide individuals the option of paying an additional fee. Any funds related to the additional fee generated under this section shall be distributed to the state operated veterans' homes on an equal basis, to their special account, up to $500,000 for each home. Any excess fee over $500,000 for each state-operated veterans' home shall be placed in the special trust fund subject to the control of the secretary of veterans' services.

SECTION 31. Section 69G of said chapter 164, as so appearing, is hereby amended by striking out, in line 1, the words "sixty-nine H to sixty-nine R" and inserting in place thereof the following words:- 69H to 69W.

SECTION 32. Said section 69G of said chapter 164, as so appearing, is hereby further amended by striking out the definition of "Applicant" and inserting in place thereof the following 2 definitions:-

"Anaerobic digestion facility", a facility that: (i) generates electricity from a biogas produced by the accelerated biodegradation of organic materials under controlled anaerobic conditions; and (ii) has been determined by the department of energy resources, in coordination with the department of environmental protection, to qualify under the department of energy resources regulations as a Class I renewable energy generating source under section 11F of chapter 25A.

"Applicant", a person or group of persons who submits to the department or board a long-range plan, a petition to construct a facility, a petition for a consolidated permit for a large clean energy infrastructure facility or small clean energy infrastructure facility, a petition for a certificate of environmental impact and public need, a notice of intent to construct an oil facility or any application, petition or matter referred by the chair of the department to the board pursuant to section 69H.

SECTION 33. Said section 69G of said chapter 164, as so appearing, is hereby further amended by inserting after the definition of "Certificate" the following definition:-

"Consolidated permit", a permit issued by the board to a large clean energy infrastructure facility or a small clean energy infrastructure facility that includes all municipal, regional and state permits that the large or small clean energy infrastructure facility would otherwise need to obtain individually, with the exception of certain federal permits that are delegated to specific state agencies, as determined by the board.

SECTION 34. Said section 69G of said chapter 164, as so appearing, is hereby further amended by striking out the definition of "Department" and inserting in place thereof the following 3 definitions:-

"Cumulative impact analysis", a written report produced by the applicant assessing impacts and burdens, including but not limited to any existing environmental burden and public health consequences impacting a specific geographical area in which a facility, large clean energy infrastructure facility or small clean energy infrastructure facility is proposed from any prior or current private, industrial, commercial, state or municipal operation or project; provided, that if the analysis indicates that such a geographical area is subject to an existing unfair or inequitable environmental burden or related health consequence, the analysis shall identify any: (i) environmental and public health impact from the proposed project that would likely result in a disproportionate adverse effect on such geographical area; (ii) potential impact or consequence from the proposed project that would increase or reduce the effects of climate change on such geographical area; and (iii) proposed potential remedial actions to address any disproportionate adverse impacts to the environment, public health and climate resilience of such geographical area that may be attributable to the proposed project. Said cumulative impact analysis shall be developed in accordance with guidance established by the office of environmental justice and equity established pursuant to section 29 of chapter 21A and regulations promulgated by the board.

"Department", the department of public utilities.

"Director", the director of the facilities siting division appointed pursuant to section 12N of chapter 25, who shall serve as the director of the board; provided, however, that the director shall have authority to issue decisions on de novo adjudications of local permit applications pursuant to section 69W of chapter 164.

SECTION 35. Said section 69G of said chapter 164, as so appearing, is hereby further amended by inserting after the word “capacity”, in line 46, the following words:- ; provided, however, that “facility” shall not include a large clean energy infrastructure facility or small clean energy infrastructure facility.

SECTION 36. Said section 69G of said chapter 164, as so appearing, is hereby further amended by striking out, in line 48, the words “and liquified natural gas”, and inserting in place thereof the following words:- liquified natural gas, renewable natural gas and hydrogen.

SECTION 37. Said section 69G of said chapter 164, as so appearing, is hereby further amended by striking out, in line 61, the figure “100” and inserting in place thereof the following figure:- 25.

SECTION 38. Said section 69G of said chapter 164, as so appearing, is hereby further amended by inserting after the definition of “Generating facility” the following 4 definitions:-

“Large clean energy generation facility”, energy generation infrastructure with a nameplate capacity of not less than 25 megawatts that is an anaerobic digestion facility, solar facility or wind facility, including any ancillary structure that is an integral part of the operation of the large clean energy generation facility, or, following a rulemaking by the board in consultation with the department of energy resources that includes the facility within the regulatory definition of a large clean energy generation facility, any other type of generation facility that does not emit greenhouse gas; provided, however, that the nameplate capacity for solar facilities shall be calculated in direct current.

“Large clean energy infrastructure facility”, a large clean energy generation facility, large clean energy storage facility or large clean transmission and distribution infrastructure facility.

“Large clean energy storage facility”, an energy storage system as defined under section 1 with a rated capacity of not less than 100 megawatt hours, including any ancillary structure that is an integral part of the operation of the large clean energy storage facility.

“Large clean transmission and distribution infrastructure facility”, electric transmission and distribution infrastructure and related ancillary infrastructure that is: (i) a new electric transmission line having a design rating of not less than 69 kilovolts and that is not less than 1 mile in length on a new transmission corridor, including any ancillary structure that is an integral

part of the operation of the transmission line; (ii) a new electric transmission line having a design rating of not less than 115 kilovolts that is not less than 10 miles in length on an existing transmission corridor except reconductored or rebuilt transmission lines at the same voltage, including any ancillary structure that is an integral part of the operation of the transmission line; (iii) any other new electric transmission infrastructure requiring zoning exemptions, including standalone transmission substations and upgrades and any ancillary structure that is an integral part of the operation of the transmission line; and (iv) facilities needed to interconnect offshore wind to the grid; provided, however, that the large clean transmission and distribution facility: (A) is designed, fully or in part, to directly interconnect or otherwise facilitate the interconnection of clean energy infrastructure to the electric grid; (B) is approved by the regional transmission operator in relation to interconnecting clean energy infrastructure; (C) is proposed to ensure electric grid reliability and stability; or (D) will help facilitate the electrification of the building and transportation sectors; and provided further, that a "large clean transmission and distribution infrastructure facility" shall not include new transmission and distribution infrastructure that solely interconnects new and existing energy generation powered by fossil fuels on or after January 1, 2026.

SECTION 39. Said section 69G of said chapter 164, as so appearing, is hereby further amended by striking out the definition of "Significant portion of his income" and inserting in place thereof the following 6 definitions:-

"Significant portion of their income", 10 per cent of gross personal income for a calendar year; provided, however, that it shall mean 50 per cent of gross personal income for a calendar year if the recipient is over 60 years of age and is receiving such portion pursuant to retirement, pension or similar arrangement. Income includes retirement benefits, consultants' fees and stock dividends. Income shall not be received directly or indirectly from permit holders or applicants for a permit where it is derived from mutual fund payments or from other diversified investments over which the recipient does not know the identity of the primary sources of income.

"Small clean energy generation facility", as defined in section 21 of chapter 25A.

"Small clean energy infrastructure facility", as defined in section 21 of chapter 25A.

"Small clean energy storage facility", as defined in section 21 of chapter 25A.

"Small clean transmission and distribution infrastructure facility", as defined in section 21 of chapter 25A.

"Solar facility", a ground mounted facility that uses sunlight to generate electricity.

SECTION 40. Said section 69G of said chapter 164, as so appearing, is hereby further amended by adding the following definition:-

"Wind facility", an onshore or offshore facility that uses wind to generate electricity.

SECTION 41. Section 69H of said chapter 164, as amended by section 292 of chapter 7 of the acts of 2023, is hereby further amended by striking out the first 3 paragraphs and inserting in place thereof the following 4 paragraphs:-

There shall be an energy facilities siting board within the department, but not under the supervision or control of the department. The board shall implement the provisions contained in sections 69H to 69Q, inclusive, and sections 69S to 69W, inclusive, to: (i) provide a reliable, resilient and clean supply of energy consistent with the commonwealth's climate change and greenhouse gas reduction policies and requirements; (ii) ensure that large clean energy infrastructure facilities, small clean energy infrastructure facilities, facilities and oil facilities avoid or minimize or, if impacts cannot be avoided or minimized, mitigate environmental impacts and negative health impacts to the extent practicable; (iii) ensure that large clean energy infrastructure facilities, small clean energy infrastructure facilities, facilities and oil facilities are, to the extent practicable, in compliance with energy, environmental, land use, labor, economic justice, environmental justice and equity and public health and safety policies of the commonwealth, its subdivisions and its municipalities; and (iv) ensure large clean energy infrastructure facilities, small clean energy infrastructure facilities, facilities and oil facilities are constructed in a manner that avoids or minimizes costs. The board shall review: (A) the need for, cost of and environmental and public health impacts of transmission lines, natural gas pipelines, facilities for the manufacture and storage of gas, oil facilities, large clean transmission and distribution infrastructure facilities and small clean transmission and distribution infrastructure facilities; and (B) the environmental and public health impacts of generating facilities, large clean energy generation facilities, small clean energy generation facilities, large clean energy storage facilities and small clean energy storage facilities.

Any determination made by the board shall describe the environmental and public health impacts, if any, of the large clean energy infrastructure facility, small clean energy infrastructure facility, facility or oil facility and shall include findings, including, but not be limited to, findings that: (i) efforts have been made to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate environmental impacts; (ii) due consideration has been given to the findings and recommendations of local governments; (iii) in the case of large clean transmission and distribution infrastructure facilities, small clean transmission and distribution infrastructure facilities and natural gas pipelines, due consideration has been given to advanced transmission technologies, grid enhancement technologies, non-wires or non-pipeline alternatives, the repair or retirement of pipelines and other alternatives in an effort to avoid or minimize costs; (iv) in the case of large clean transmission and distribution infrastructure facilities and small clean transmission and distribution infrastructure facilities, the infrastructure or project will increase the capacity of the system to interconnect large electricity customers, electric vehicle supply equipment, clean energy generation, clean energy storage or other clean energy generation sources that qualify under any clean energy standard regulation established by the department of environmental protection pursuant to subsection (d) of section 3 of chapter 21N or will facilitate the electrification of the building and transportation sectors; and (v) due consideration has been given to any cumulative burdens on host communities and efforts that must be taken to avoid or minimize or, if impacts cannot be avoided or minimized, efforts to mitigate such burdens. In considering and issuing a decision, the board shall also consider reasonably foreseeable climate change impacts, including additional greenhouse gas or other pollutant emissions known to have negative health impacts, predicted sea level rise, flooding and any other disproportionate adverse effects on a specific geographical area. Such reviews shall be conducted consistent with section 69J1/4 for generating facilities, section 69T for large clean energy infrastructure facilities, sections 69U to 69W, inclusive, for small clean energy infrastructure facilities and section 69J for all other types of facilities.

The board shall be composed of: the secretary of energy and environmental affairs or a designee, who shall serve as chair; the secretary of economic development or a designee; the commissioner of environmental protection or a designee; the commissioner of energy resources or a designee; the chair of the department of public utilities or a designee; the commissioner of fish and game or a designee; the commissioner of public health or a designee; and 4 public

members to be appointed by the governor for a term coterminous with that of the governor, 1 of whom shall be a representative of the Massachusetts Association of Regional Planning Agencies, 1 of whom shall be a representative of the Massachusetts Municipal Association, Inc. with expertise in municipal permitting matters, 1 of whom shall be experienced in environmental justice issues or indigenous sovereignty and 1 of whom shall be experienced in labor issues; provided, however, that the public members shall not have received, within the 2 years immediately preceding appointment, a significant portion of their income directly or indirectly from the developer of an energy facility or an electric, gas or oil company. The public members shall serve on a part-time basis, receive $100 per diem of board service and be reimbursed by the commonwealth for all reasonable expenses actually and necessarily incurred in the performance of official board duties. Upon the resignation of any public member, a successor shall be appointed in a like manner for the unexpired portion of the term. Appointees shall serve for not more than 2 consecutive full terms.

In the event of the absence, recusal or disqualification of the chair, the commissioner of energy resources shall appoint an acting chair from the remaining members of the board. The board shall meet at such time and place as the chair may designate or upon the request of 3 members. The board shall render a final decision on an application by a majority vote of the members in attendance at a meeting and 6 members shall constitute a quorum.

SECTION 42. The fifth paragraph of said section 69H of said chapter 164, as appearing in the 2022 Official Edition, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:-

(1) To adopt and publish rules and regulations consistent with the purposes of sections 69H to 69S, inclusive, and to amend the same from time to time, including, but not limited to, rules and regulations for the conduct of the board’s public hearings under sections 69H1/2, 69J, 69J1/4, 69M and 69T to 69W, inclusive.

SECTION 43. Said section 69H of said chapter 164, as amended by section 292 of chapter 7 of the acts of 2023, is hereby further amended by adding the following 2 paragraphs:-

The board shall promulgate regulations, in consultation with the office of environmental justice and equity and the Massachusetts environmental policy act office, for cumulative impact analysis as part of its review of facilities, large clean energy infrastructure facilities and small

clean energy infrastructure facilities which shall be informed by the cumulative impact analysis standards and guidelines developed pursuant to section 29 of chapter 21A.

The board and any proponent or owner of a large clean energy infrastructure facility or small clean energy infrastructure facility shall not be subject to any provisions of sections 61 to 62L, inclusive, of chapter 30 in relation to an application or petition for a comprehensive permit or de novo adjudication filed under sections 69T to 69W, inclusive. This section shall apply to any state agency issuing, in relation to an application or petition under said sections 69T to 69V, inclusive, a federal permit that is delegated to that agency and determined by the board to be excluded from the definition of consolidated permit in section 69G.

SECTION 44. The third paragraph of section 69I of said chapter 164, as appearing in the 2022 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Neither the board nor any other person, in taking any action pursuant to sections 69J to 69J1/4, inclusive, or sections 69T to 69W, inclusive, shall be subject to sections 61 to 62H, inclusive, of chapter 30.

SECTION 45. Section 69J of said chapter 164, as so appearing, is hereby amended by inserting after the words “a facility”, in lines 1 and 2, the following words:- that is not a large clean energy infrastructure facility or small clean energy infrastructure facility.

SECTION 46. Said section 69J of said chapter 164, as so appearing, is hereby further amended by striking out the second to fourth paragraphs, inclusive, and inserting in place thereof the following paragraph:-

A petition to construct a facility shall include, in such form and detail as the board shall from time to time prescribe: (i) a description of the facility, site and surrounding areas; (ii) an analysis of the need for the facility, either within or outside, or both within and outside the commonwealth, including a description of the energy benefits of the facility; (iii) a description of the alternatives to the facility, such as other methods of transmitting or storing energy, other site locations, other sources of electrical power or gas or a reduction of requirements through load management; (iv) a description of the environmental impacts of the facility, including both environmental benefits and burdens, that includes a description of efforts to avoid, minimize and mitigate burdens and efforts to enhance benefits, such as shared use, recreational paths or access to nature; (v) evidence that all pre-filing consultation and community engagement requirements

established by the board have been satisfied and, if not, the applicant shall demonstrate good cause for a waiver of the requirements that could not be satisfied by the applicant; and (vi) a cumulative impact analysis. The board may issue and revise filing guidelines after public notice and a period for comment. Said filing guidelines shall require the applicant to provide minimum data for review related to climate change impact, land use impact, water resource impact, air quality impact, fire and other public safety risks, solid waste impact, radiation impact, noise impact and other public health impacts as determined by the board.

SECTION 47. Said section 69J of said chapter 164, as so appearing, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

This section shall not apply to petitions submitted under sections 69U to 69W, inclusive, or petitions to construct a generating facility or a large clean energy infrastructure facility, which shall be subject to sections 69J 1/4 and 69T, respectively.

SECTION 48. Section 69J 1/4 of said chapter 164, as so appearing, is hereby amended by inserting after the word “facility”, in line 2, the following words:- that is not a large clean energy infrastructure facility or small clean energy infrastructure facility.

SECTION 49. Said section 69J 1/4 of said chapter 164, as so appearing, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

A petition to construct a generating facility shall include, in such form and detail as the board shall from time to time prescribe, the following information: (i) a description of the proposed generating facility and any ancillary structures and related facilities, including a description of the energy benefits of the generating facility; (ii) a description of the environmental and public health impacts of the facility, including both environmental and public health benefits and burdens that includes a description of efforts to avoid or minimize or, if impacts cannot be avoided or minimized, efforts to mitigate the burdens and enhance the benefits, and the costs associated with the mitigation, control or reduction of the environmental and public health impacts of the proposed generating facility; (iii) a description of the project development and site selection process used in choosing the design and location of the proposed generating facility; (iv) either: (A) evidence that the expected emissions from the facility meet

the technology performance standard in effect at the time of filing; or (B) a description of the environmental impacts, costs and reliability of other fossil fuel generating technologies and an explanation of why the proposed technology was chosen; (v) evidence that all pre-filing consultation and community engagement requirements established by the board have been satisfied and, if not, the applicant shall demonstrate good cause for a waiver of the requirements that could not be satisfied by the applicant; (vi) a cumulative impact analysis; and (vii) any other information necessary to demonstrate that the generating facility meets the requirements for approval specified in this section.

SECTION 50. Said chapter 164 is hereby further amended by striking out section 69J 1/2, as so appearing, and inserting in place thereof the following section:-

Section 69J 1/2. Notwithstanding any general or special law to the contrary, the department may charge a fee as specified by its regulations for each application to construct a facility that generates electricity, a large clean energy generation facility, a small clean energy generation facility, a large clean energy storage facility, a small clean energy storage facility, a non-utility owned large clean transmission and distribution infrastructure facility or a small clean transmission and distribution infrastructure facility. If the application to construct any such facility is accompanied by an application to construct 1 additional facility that does not generate electricity, the department may charge a fee as specified by its regulations for the combined application. If an application to construct a facility that generates electricity is accompanied by applications to construct 2 additional facilities that do not generate electricity, the department may charge a fee as specified by its regulations for the combined application. If an application to construct a facility that does not generate electricity is filed separately, the department may charge a fee as specified by its regulations for each such application; provided, however, that, the department may charge a lower fee for applications to construct facilities that do not generate electricity and that are below a size to be determined by the department. Said fees shall be payable upon issuance of the notice of adjudication and public hearing.

The department may retain said fees for the purpose of reviewing applications to construct or consolidated permit applications for large clean energy infrastructure facilities, small clean energy infrastructure facilities or other facilities subject to this section and for the purpose of creating a clean energy infrastructure dashboard established under section 12N of chapter 25.

Any remaining balance of fees at the end of a fiscal year shall not revert to the General Fund but shall remain available to the department during the following fiscal year for the purposes of this section or section 12S of chapter 25.

The department shall issue an annual report summarizing the data and information required by this section, including, but not limited to: (i) the number of applications filed for facilities, large clean energy infrastructure facilities and small clean energy infrastructure facilities, decided and pending; (ii) the average duration of review; and (iii) the average staffing levels; provided, however, that the annual report shall make use of bar charts, line charts and other visual representations in order to facilitate public understanding of events of the immediate preceding year and of long-term and cumulative trends and outcomes. The board shall file the report with the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on telecommunications, utilities and energy not later than January 31.

Nothing contained in this section shall be interpreted as changing the statutory mandates of the department or board or the type of facilities that may be constructed by applicants that are not utilities. Nothing contained in this section shall be interpreted as changing the regulations or body of precedent of the department or board or interpreted as changing the rights of intervenors before the department or board.

SECTION 51. Section 69O of said chapter 164, as so appearing, is hereby amended by striking out, in lines 7 and 8, the words “sixty-one to sixty-two H, inclusive, of chapter thirty” and inserting in place thereof the following words:- 61 to 62L, inclusive, of chapter 30.

SECTION 52. Said chapter 164 is hereby further amended by striking out section 69P, as so appearing, and inserting in place thereof the following section:-

Section 69P. Any party in interest aggrieved by a final decision of the board or the director shall have a right to judicial review in the manner provided by section 5 of chapter 25. The scope of such judicial review shall be limited to whether the decision of the board or the director: (i) is in conformity with the constitution of the commonwealth and the constitution of the United States; (ii) was made in accordance with the procedures established under sections 69H to 69O, inclusive, and sections 69T to 69W, inclusive, and the rules and regulations of the board with respect to such sections; (iii) was supported by substantial evidence of record in the

board's proceedings; and (iv) was arbitrary, capricious or an abuse of the board's discretion under said sections 69H to 69O, inclusive, and said sections 69T to 69W, inclusive.

SECTION 53. Said chapter 164 is hereby further amended by striking out section 69R, as so appearing, and inserting in place thereof the following section:-

Section 69R. An electric or gas company, generation company or wholesale generation company may petition the board for the right to exercise the power of eminent domain with respect to a facility, large clean transmission and distribution infrastructure facility or small clean transmission and distribution infrastructure facility, specified and contained in a petition or application submitted in accordance with sections 69J, 69T or 69U, or a bulk power supply substation if such company is unable to reach an agreement with the owners of land for the acquisition of any necessary estate or interest in land. The applicant shall forward, at the time of filing such petition, a copy thereof to each city, town and property owner affected.

The company shall file with such petition or have annexed thereto: (i) a statement of the use for which such land is to be taken; (ii) a description of land to be taken sufficient for the identification thereof; (iii) a statement of the estate or interest in the land to be taken for such use; (iv) a plan showing the land to be taken; (v) a statement of the sum of money established by such utility to be just compensation for the land to be taken; and (vi) such additional maps and information as the board requires.

The board, after such notice as it may direct, shall hold at least 1 public hearing in the community in which the land to be taken is located. For facilities involving takings in several communities, the hearing shall be held in communities in proximity to the land to be taken, as determined by the board. The board may thereafter authorize the company to take by eminent domain under chapter 79 such lands necessary for the construction of the facility as are required in the public interest, convenience and necessity. The board shall transmit a certified copy of its order to the company and to the clerk of each affected municipality.

If the board dismisses the petition at any stage in the proceedings, no further action shall be taken thereon and the company may file a new petition not less than 1 year after the date of such dismissal.

Following a taking under this section, the electric or gas company may forthwith proceed to utilize such land. If the electric or gas company shall not utilize the lands so taken for the purpose or purposes authorized in the department's order within such time as the board shall determine, its rights under such taking shall cease and terminate.

No land, rights of way or other easements therein in any public way, public park, reservation or other land subject to Article 97 of the Amendments to the Constitution of the Commonwealth shall be taken by eminent domain under this section except in accordance with said Article 97.

This section shall not be construed as abrogating the board's jurisdiction described in section 72 in respect to transmission lines or the board's jurisdiction described in sections 75B to 75G, inclusive, in respect to natural gas transmission lines.

SECTION 54. The second paragraph of section 69S of said chapter 164, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The board, after such notice as it may direct, shall hold at least 1 public hearing in the city or town in which the greater portion of said land in question is located.

SECTION 55. Said chapter 164 is hereby further amended by inserting after section 69S the following 4 sections:-

Section 69T. (a) The energy facilities siting board may issue consolidated permits for large clean energy infrastructure facilities. No applicant shall commence construction of a large clean energy infrastructure facility at a site unless an application for a consolidated permit for such facility pursuant to this section has been approved by the board and no state agency shall issue a construction permit for any such facility unless the petition to construct such facility has been approved by the board. For the purposes of this section, construction shall not include contractual obligations to purchase facilities or equipment.

(b) The board shall establish the following criteria governing the siting and permitting of large clean energy infrastructure facilities: (i) a uniform set of baseline health, safety, environmental and other standards that apply to the issuance of a consolidated permit; (ii) a common standard application to be used when submitting an application to the board; (iii) pre-filing requirements commensurate with the scope and scale of the proposed large clean energy

infrastructure facility, which shall include specific requirements for pre-filing consultations with permitting agencies and the Massachusetts environmental policy act office, public meetings and other forms of outreach that must occur in advance of an applicant submitting an application; (iv) standards for applying site suitability criteria developed by the executive office of energy and environmental affairs pursuant to section 30 of chapter 21A to evaluate the social and environmental impacts of proposed large clean energy infrastructure project sites and which shall include a mitigation hierarchy to be applied during the permitting process to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate impacts of siting on the environment, people and goals and objectives of the commonwealth for climate mitigation, carbon storage and sequestration, resilience, biodiversity and protection of natural and working lands to the extent practicable; (v) standards for applying the cumulative impacts analysis standards and guidelines developed by the office of environmental justice and equity pursuant to section 29 of chapter 21A to evaluate and minimize the impacts of large clean energy infrastructure facilities in the context of existing infrastructure and conditions; (vi) standard permit conditions and requirements for a single permit consolidating all necessary local, regional and state approvals to be issued to different types of large clean energy infrastructure facilities in the event that constructive approval is triggered through the non-issuance of a permit by the board pursuant to subsection (i); and (vii) entities responsible for compliance and enforcement of permit conditions, including in the event of sale of large clean energy infrastructure facilities after permitting.

(c) An application for a consolidated permit for a large clean transmission and distribution infrastructure facility shall include, in such form and detail as the board shall from time to time prescribe: (i) a description of the large clean transmission and distribution infrastructure facility, site and surrounding areas; (ii) an analysis of the need for the large clean transmission and distribution infrastructure facility, either within or outside or both within and outside the commonwealth, including a description of energy benefits; (iii) a description of the alternatives to the large clean transmission and distribution infrastructure facility including siting and project alternatives to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate impacts; (iv) a description of the environmental impacts of the large clean transmission and distribution infrastructure facility, including both environmental benefits and burdens, such as shared use, recreational paths or access to nature; (v) evidence that all pre-filing consultation

and community engagement requirements established by the board have been satisfied and, if not, demonstrate good cause for a waiver of the requirements that could not be satisfied by the applicant; and (vi) a cumulative impact analysis. The board may issue and revise filing guidelines after public notice and a period for comment.

(d) An application for a consolidated permit for a large clean energy generation facility or large clean energy storage facility shall include, in such form and detail as the board shall from time to time prescribe: (i) a description of the large clean energy generation facility's or large clean energy storage facility's site and surrounding areas, including any ancillary structures and related facilities and a description of the energy benefits of the large clean energy generation facility or large clean energy storage facility; (ii) a description of the environmental impacts of the large clean energy generation facility or large clean energy storage facility, including both environmental benefits and burdens; (iii) a description of the project site selection process and alternatives analysis used in choosing the location of the proposed large clean energy generation facility or large clean energy storage facility to avoid or minimize or, if impacts cannot be avoided or minimized, mitigate impacts; (iv) evidence that all pre-filing consultation and community requirements established by the board have been satisfied and, if not, demonstrate good cause for a waiver of the requirements that could not be satisfied by the applicant; and (v) a cumulative impact analysis. The board may issue and revise filing guidelines after public notice and a period for comment.

(e) Review by the board of the application shall be an adjudicatory proceeding under chapter 30A. The authority of the board to conduct the adjudicatory proceeding under the provisions of this section may be delegated in whole or in part to the employees of the department. Pursuant to the rules of the board, such employees shall report back to the board with recommended decisions for final action thereon.

(f) The board shall determine whether a large clean energy infrastructure facility permit application is complete within 30 days of receipt of the application. If an application is deemed not complete, the applicant shall have 30 days to cure any deficiencies identified by the board before the application is rejected. The board may provide extensions of time to cure deficiencies if the applicant can demonstrate extenuating circumstances.

(g) The board shall conduct a public hearing in at least 1 of the affected cities or towns in which a large clean energy infrastructure facility would be located.

(h) Following a determination by the board that an application for a large clean energy infrastructure facility is complete, all municipal, regional and state agencies, authorities, boards, commissions, offices or other entities that would otherwise be required to issue at least 1 permit to the facility shall be deemed to be substantially and specifically affected by the proceeding and upon notification to the board shall have intervenor status in the proceeding to review the facility's application. All municipal, regional and state agencies, authorities, boards, commissions, offices or other entities that would otherwise be required to issue at least 1 permit to the facility shall be afforded an opportunity to submit statements of recommended permit conditions to the board relative to the respective permits that each agency, authority, board, commission, office or other entity would otherwise be responsible for issuing.

(i) The board shall establish timeframes for reviewing different types of large clean energy infrastructure facilities based on the complexity of the facility, the need for an exemption from local zoning requirements and community impacts, but in no instance shall the board take more than 15 months from the determination of application completeness to render a final decision on an application. The board shall have the authority to approve, approve with conditions or reject a consolidated permit application. If no final decision is issued within the deadline established by the board for the type of large clean energy infrastructure facility, the board shall issue a permit granting approval to construct that includes the common conditions and requirements established by the board through regulations for the type of large clean energy infrastructure facility under review, which shall be deemed a final decision of the board. A consolidated permit, if issued, shall be in the form of a composite of all individual permits, approvals or authorizations that would otherwise be necessary for the construction and operation of the large clean energy infrastructure facility and that portion of the consolidated permit that relates to subject matters within the jurisdiction of a municipal, regional or state agency, authority, board, commission, office or other entity shall be enforced by said agency, authority, board, commission, office or other entity under other applicable laws of the commonwealth as if the permit had been directly granted by the said agency, authority, board, commission, office or other entity.

Section 69U. (a) Upon request by an applicant and upon a showing of good cause, the board may issue a consolidated permit for a small clean transmission and distribution infrastructure facility that is not automatically subject to the jurisdiction of the board pursuant to section 69G, if the applicant petitions the board to be granted a consolidated permit for such facility. The board shall review such petition in accordance with subsections (b) and (c). The board may issue such consolidated permit upon finding that the small clean transmission and distribution infrastructure facility will serve the public convenience and is consistent with the public interest. Upon application for a consolidated permit under this section, no applicant shall commence construction of a small clean transmission and distribution infrastructure facility at a site unless a consolidated permit for construction of that small clean transmission and distribution infrastructure facility pursuant to this section has been approved by the board. For purposes of this section, construction shall not include contractual obligations to purchase such facilities or equipment.

(b) The board shall establish the same criteria governing the siting and permitting of small clean transmission and distribution infrastructure facilities eligible to submit an application under this section as it is required to establish for large clean energy infrastructure facilities pursuant to subsection (b) of section 69T. An application for a consolidated permit for a small clean transmission and distribution infrastructure facility shall include the same elements as required for large clean transmission and distribution infrastructure facilities under subsection (c) of section 69T. Subject to subsection (c), subsections (d) to (i), inclusive, of section 69T shall apply to the process followed by the board regarding the issuance of a consolidated permit to any small clean transmission and distribution infrastructure facility under this section.

(c) The board shall establish timeframes and procedures for reviewing different types of small clean transmission and distribution infrastructure facilities based on the complexity of the facility and the need for an exemption from local zoning requirements, but in no instance shall the board take more than 12 months from the determination of application completeness to render a final decision on an application. The board shall have the authority to approve, approve with conditions or reject a permit application. If no final decision is issued within the deadline for the type of small clean transmission and distribution infrastructure facility established by the board, the board shall issue a permit granting approval to construct that adopts the common conditions and requirements established by the board in regulation for the type of small clean

transmission and distribution infrastructure facility under review, which shall be deemed a final decision of the board. A consolidated permit, if issued, shall be in the form of a composite of all individual permits, approvals or authorizations that would otherwise be necessary for the construction and operation of the small clean transmission and distribution infrastructure facility and the portion of the consolidated permit that relates to subject matters within the jurisdiction of a municipal, regional or state agency, authority, board, commission, office or other entity shall be enforced by said agency, authority, board, commission, office or other entity under the other applicable laws of the commonwealth as if the permit had been directly granted by said agency, authority, board, commission, office or other entity.

Section 69V. (a) The board may issue a consolidated permit for a small clean energy generation facility or a small clean energy storage facility. An owner or proponent of a small clean energy generation facility or a small clean energy storage facility may submit an application to the board to be granted a consolidated permit that shall include all state permits necessary to construct the small clean energy generation facility or small clean energy storage facility. All local government permits and approvals for a small clean energy generation facility or a small clean energy storage facility shall be issued separately pursuant to section 21 of chapter 25A.

(b) The board shall establish the same criteria governing the siting and permitting of small clean energy generation facilities and small clean energy storage facilities eligible to submit an application under this section as it is required to establish for large clean energy infrastructure facilities pursuant to subsection (b) of section 69T. An application for a consolidated permit for a small clean energy generation facility or small clean energy storage facility eligible to submit an application under this section shall include the same elements as required for a large clean energy generation facility and a large clean energy storage facility under subsection (d) of section 69T. Subsections (e) to (g), inclusive, of section 69T shall apply to the issuance of a consolidated permit to any small clean energy generation facility or small clean energy storage facility under this section.

(c) The board shall not take more than 12 months from the determination of application completeness to render a final decision on an application. The board shall have the authority to approve, approve with conditions or reject a permit application. If no final decision is issued

within the deadline for the type of small clean energy generation facility or small clean energy storage facility established by the board, the board shall issue a permit granting approval to construct that adopts the common conditions and requirements established by the board in regulation for the type of small clean energy generation facility or small clean energy storage facility under review, which shall be deemed a final decision of the board. A consolidated permit shall be in the form of a composite of all individual permits, approvals or authorizations that would otherwise be necessary for the construction and operation of the small clean energy generation facility or small clean energy storage facility and that portion of the consolidated permit that relates to subject matters within the jurisdiction of a municipal, regional or state agency, authority, board, commission, office or other entity shall be enforced by said agency, authority, board, commission, office or other entity under the other applicable laws of the commonwealth as if the permit had been directly granted by said agency, authority, board, commission, office or other entity.

Section 69W. (a) An owner or proponent of a small clean energy infrastructure facility that has received a final decision on, or a constructive approval of, a local consolidated permit application from a local government, as defined in section 21 of chapter 25A, or other parties substantially and specifically affected by the decision of the local government may submit a request for a de novo adjudication of the local permit application by the director. Subject to subsection (g) of section 21 of chapter 25A, a local government may also submit a request for a de novo adjudication if their resources, capacity and staffing do not allow for review of a small clean energy infrastructure facility's permit application within the required maximum 12-month timeframe for local government review established in said section 21 of said chapter 25A. Review by the director of the request for de novo adjudication shall be deemed an adjudicatory proceeding under chapter 30A.

(b) A request for a de novo adjudication by an owner or proponent of a small clean energy infrastructure facility or other party substantially and specifically affected by a final decision of a local government shall be filed within 30 days of such decision.

(c) Upon determination that at least 1 party seeking a de novo adjudication is substantially and specifically affected, the director of the board shall review the request and the local government's final decision for consistency with the regulations adopting statewide

permitting standards for such facilities established by the department of energy resources pursuant to section 21 of chapter 25A. The director shall render a decision on the request within 6 months of receipt of the application and such decision shall be final. If the local government's decision is found to be inconsistent with the regulatory standards established by the department of energy resources, the director may issue a final decision that supersedes the local government's prior decision and imposes new local permit conditions that are consistent with the laws of the commonwealth.

(d) The board shall establish regulations governing the process the director shall follow to conduct the review of requests for de novo adjudication under this section.

SECTION 56. Said chapter 164 is hereby further amended by striking out sections 72 and 72A, as appearing in the 2022 Official Edition, and inserting in place thereof the following 2 sections:-

Section 72. An electric company, distribution company, generation company, transmission company or any other entity providing or seeking to provide transmission service may petition the energy facilities siting board for authority to construct and use, or to continue to use as constructed or with altered construction, a line for the transmission of electricity for distribution in some definite area or for supplying electricity to itself, another electric company or a municipal lighting plant for distribution and sale or to a railroad, street railway or electric railroad for the purpose of operating it and shall represent that such line will or does serve the public convenience and is consistent with the public interest. The company shall forward at the time of filing such petition a copy thereof to each municipality within such area. The company shall file with such petition a general description of such transmission line and a map or plan showing the municipalities through which the line will or does pass and its general location. The company shall also furnish an estimate showing in reasonable detail the cost of the line and such additional maps and information as the energy facilities siting board requires. The energy facilities siting board, after notice and a public hearing in at least 1 of the municipalities affected, may determine that said line is necessary for the purpose alleged, will serve the public convenience and is consistent with the public interest. If the electric company, distribution company, generation company or transmission company or any other entity providing or seeking to provide transmission service shall file with the energy facilities siting board a map or plan of

the transmission line showing the municipalities through which it will or does pass, the public ways, railroads, railways, navigable streams and tide waters in the municipality named in said petition that it will cross and the extent to which it will be located upon private land or upon, under or along public ways and places, the energy facilities siting board, after such notice as it may direct, shall hold a public hearing in at least 1 of the municipalities through which the line passes or is intended to pass. The energy facilities siting board may by order authorize an electric company, distribution company, generation company, transmission company or any other entity to take by eminent domain under chapter 79 such lands or such rights of way or widening thereof or other easements therein necessary for the construction and use or continued use as constructed or with altered construction of such line along the route prescribed in the order of the energy facilities siting board. The energy facilities siting board shall transmit a certified copy of its order to the company and the clerk of each affected municipality. The company may at any time before such hearing modify the whole or a part of the route of said line, either of its own motion or at the insistence of the energy facilities siting board or otherwise and, in such case, shall file with the energy facilities siting board maps, plans and estimates as aforesaid showing such changes. If the energy facilities siting board dismisses the petition at any stage in said proceedings, no further action shall be taken thereon and the company may file a new petition not less than 1 year after the date of such dismissal. When a taking under this section is effected, the company may forthwith, except as hereinafter provided, proceed to erect, maintain and operate thereon said line. If the company does not enter upon and construct such line upon the land so taken within 1 year thereafter, its right under such taking shall cease and terminate. No lands or rights of way or other easements therein shall be taken by eminent domain under the provisions of this section in any public way, public place, park or reservation or within the location of any railroad, electric railroad or street railway company except with the consent of such company and on such terms and conditions as it may impose or except as otherwise provided in this chapter and no electricity shall be transmitted over any land, right of way or other easement taken by eminent domain as herein provided until the electric company, distribution company, generation company, transmission company or any other entity shall have acquired from the select board, city council or such other authority having jurisdiction all necessary rights in the public ways or public places in the municipality or municipalities, or in any park or reservation, through which the line will or does pass. No land, rights of way or other easements therein in any public way, public park,

reservation or other land subject to Article 97 of the Amendments to the Constitution of the Commonwealth shall be taken by eminent domain under this section except in accordance with said Article 97. No entity shall be authorized under this section or section 69R or section 24 of chapter 164A to take by eminent domain any lands or rights of way or other easements therein held by an electric company or transmission company to support an existing or proposed transmission line without the consent of the electric company or transmission company.

No electric company, distribution company, generation company, transmission company or any other entity providing or seeking to provide transmission services shall be required to petition the energy facilities siting board under this section unless it is seeking authorization to take lands, rights of way or other easements under chapter 79.

Section 72A. The energy facilities siting board may upon petition authorize an electric company to enter upon lands of any person or corporation for the purpose of making a survey preliminary to eminent domain proceedings. The energy facilities siting board shall give notice of the authorization granted, by registered mail, to the landowners involved not less than 5 days prior to any entry by such electric company. The company entering upon any such lands shall be subject to liability for any damages occasioned thereby to be recovered under chapter 79.

SECTION 57. Said chapter 164 is hereby further amended by striking out section 75C and inserting in place thereof the following section:-

Section 75C. A natural gas pipeline company may petition the energy facilities siting board for the right to exercise the power of eminent domain under chapter 79. The natural gas pipeline company shall file with such petition a general description of such pipeline and a map or plan thereof showing the rights of way, easements and other interests in land or other property proposed to be taken for such use, the towns through which such pipeline will pass, the public ways, railroads, railways, navigable streams and tide waters in the town or towns named in the petition that it will cross and the extent to which it will be located upon private land and upon, under or along public ways, lands and places. Upon the filing of such petition, the energy facilities siting board, after such notice as it may direct, shall hold a public hearing in at least 1 of the towns through which the pipeline is intended to pass and may, by order, authorize the company to take by eminent domain under said chapter 79 such lands or such rights of way, easements or other interests in land or other property necessary for the construction, operation,

maintenance, alteration and removal of the pipeline, compressor stations, appliances, appurtenances and other equipment along the route described in the order of the energy facilities siting board. The energy facilities siting board shall: (i) provide notice to each municipality through which the pipeline is intended to pass; and (ii) transmit a certified copy of its order to the company and the town clerk of each affected town. The company may, at any time before such a public hearing, modify the whole or a part of the route of said pipeline, either of its own motion or at the insistence of the energy facilities siting board or otherwise, and, in such case, shall file with the energy facilities siting board maps, plans and estimates showing such changes. If the energy facilities siting board dismisses the petition at any stage in the proceedings, no further action shall be taken thereon and the company may file a new petition not sooner than 1 year after the date of such dismissal.

When a taking under this section is effected, the company may forthwith, except as hereinafter provided, proceed to construct, install, maintain and operate thereon said pipeline. If the company does not enter upon and construct such line upon the land so taken within 1 year thereafter, its right under such taking shall cease and terminate. No lands or rights of way or easements therein shall be taken by eminent domain under the provisions of this section in any public way, public place, park or reservation or within the location of any railroad, electric railroad or street railway company, except that such pipeline may be constructed under any public way or any way dedicated to the public use; provided, however, that the rights granted hereunder shall not affect the right or remedy to recover damages for an injury caused to persons or property by the acts of such company; provided further, that such company shall put all such streets, lanes and highways in as good repair as they were when opened by such company and the method of such construction and the plans and specifications therefor have been approved either generally or in any particular instance by the energy facilities siting board or, in the case of state highways, by the department of highways; and provided further, that a natural gas pipeline company may construct such lines under, over or across the location on private land of any railroad, electric railroad or street railway corporation subject to the provisions of section 73. Rights of way, buildings, structures or lands to be used in the construction of such pipelines over or upon the lands referred to therein shall be governed by section 34A of chapter 132.

SECTION 58. Said chapter 164 is hereby further amended by adding the following 3 sections:-

Section 149. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Director”, the director of the division of public participation.

“Division of public participation”, established in section 12T of chapter 25.

“Fund”, the Department of Public Utilities and Energy Facilities Siting Board Intervenor Support Fund established in section 12S of chapter 25.

“Governmental body”, a city, town, district, regional school district, county or agency, board, commission, authority, department or instrumentality of a city, town, district, regional school district or county.

“Grantee”, an organization, entity, governmental body, federally recognized tribe, state-acknowledged tribe or state-recognized tribe that has received a grant award under this section.

“Office of environmental justice and equity”, established in section 29 of chapter 21A.

“Prospective grantee”, an organization, entity, governmental body, federally recognized tribe, state-acknowledged tribe or state-recognized tribe that has applied or plans to apply for a grant under this section.

(b) The department may make available as grants funds deposited into the fund to parties that have been granted intervenor status by the department or the board pursuant to clause (4) of the second sentence of the first paragraph of section 10 of chapter 30A and corresponding department and board regulations, and that are: (i) organizations and entities that advocate on behalf of a relevant subset of residential customers defined geographically or based on specific shared interests; (ii) organizations and entities that advocate on behalf of low-income or moderate-income residential populations, residents of historically marginalized or overburdened and underserved communities; or (iii) governmental bodies, federally recognized tribes, state-acknowledged tribes or state-recognized tribes. Any grants awarded pursuant to this section may be used only in proceedings before the department or the board, and not for any judicial appeal of such agencies’ final decisions.

(c) The director, in consultation with the office of environmental justice and equity, shall establish criteria to determine whether, and to what extent, a prospective grantee shall be eligible to receive a grant award pursuant to this section. Such criteria shall include, but shall not be

limited to, whether the prospective grantee: (i) lacks the financial resources, supported by reasonable documentation, that would enable it to intervene and participate in a department or board proceeding absent a grant award pursuant to this section; and (ii) previously intervened in department or board proceedings prior to the establishment of the intervenor support grant program pursuant to this section; provided, however, that a municipality with a population of less than 7,500 that is a prospective grantee for a proceeding pertaining to a facility, large clean energy infrastructure facility or small clean energy infrastructure facility, as those terms are defined in section 69G, within its boundaries shall not be required to meet the criteria pursuant to this paragraph to receive a grant award.

(d) A prospective grantee seeking funding under this section shall submit a grant application as part of its petition to intervene in a form and manner developed by the director demonstrating that the prospective grantee meets the criteria established by the director in accordance with subsection (c). Such grant application shall include: (i) a statement outlining the prospective grantee's anticipated participation in the department or board proceeding, to the extent it is known at the time of grant application; (ii) a detailed estimate of costs and fees of anticipated attorneys, consultants and experts, including community experts, and all other costs related to the preparation for, and intervention and participation in, the department or board proceeding; and (iii) background information on the attorneys, consultants and experts, including community experts, that the prospective grantee plans to retain if awarded grant funding. The director may, at their discretion, make conditional grant awards to grant applicants that have not yet been granted intervenor status by the department or board; provided, however, that no grant shall be awarded until such intervenor status is granted.

(e) A grant awarded pursuant to this section shall not exceed $150,000 for any single department or board proceeding. The director shall, in the director's sole discretion, determine the amount of financial support being granted, considering the demonstrated needs of the intervenor and the complexity of the proceeding. The director may, in the director's sole discretion: (i) upon the petition of a prospective grantee, award a grant exceeding $150,000 only upon a demonstration of good cause, including the complexity of the proceeding in which the grantee is intervening; and (ii) upon the petition of a prospective grantee, provide grant funding in addition to the funding initially requested under section (c) upon a showing that new, novel or complex issues have arisen in the proceeding since the time the grant application was submitted

pursuant said subsection (c). The director shall consider the potential for intervenors to share costs through collaborative efforts with other parties to a proceeding as part of determining the amount of funding awarded to any prospective grantee and such intervenors shall be expected to reduce duplicative costs to the extent possible in instances where the position or positions of multiple intervenors align.

(f) The aggregate grant funding for any individual department or board proceeding shall not exceed $500,000; provided, however, that where the aggregate amount of funding being requested exceeds $500,000, funding shall be allocated to prospective grantees based on their relative financial hardship. The director may, at the director's discretion and upon a determination of good cause, provide funding exceeding $500,000 for any individual department or board proceeding.

(g) Ten per cent of grant funds awarded to a grantee, or a greater percentage as determined by the director at the director's sole discretion, may be expended on non-legal, non-expert and non-consultant administrative costs directly attributable to the intervention and participation in a proceeding before the department or board. All remaining grant funds may be expended to retain qualified legal counsel, experts and consultants to assist in proceedings before the department or board; provided, however, that such funds may be used to retain qualified community experts, which shall include residential ratepayers and residents with lived experience that can inform such proceedings. Such funding may be expended for administrative, legal, consultant and expert costs associated with an intervention petition submitted pursuant to clause (4) of the first paragraph of section 10 of chapter 30A or section 10A of said chapter 30A and any department or board regulations, if applicable.

(h) All grant payments to grantees shall be made from the fund. Such grant payments shall be made only for reasonable costs incurred and upon submission of a grant payment request by the grantee. Such grant payment requests shall be in a form and manner as prescribed by the director and grant payments shall be made within 30 days of receipt of such grant payment requests by the director to the grantee or to the entity designated by the grantee to receive grant payments. The director, at the director's discretion or as provided for in regulations promulgated pursuant to this section, may provide grant payments before such costs are incurred by the grantee upon a showing of financial hardship by the grantee.

(i) All decisions pertaining to the issuance of financial support shall be made solely by the director. The director shall have sole discretion to deny funding to a prospective grantee that demonstrates a pattern of repeatedly delaying or obstructing, or attempting to repeatedly delay or obstruct, proceedings or otherwise misuses or has misused funds. The director shall have full discretion as to whether to approve or deny a request for intervenor funding. Applicants shall have no legal right or privilege to funding and shall not be entitled to any further review if denied by the director.

(j) In the department's annual report required pursuant to section 2 of chapter 25, the director shall include a report describing all activities of the fund, including, but not limited to: (i) amounts credited to the fund, amounts expended from the fund and any unexpended balance; (ii) a summary of the intervenor support grant fund application process; (iii) the number of grant applications received, the number and amount of awards granted, and the number of grant applications rejected; (iv) the number of intervenors who participated in proceedings with and without support from the fund; (v) an itemization of costs incurred by and payments made to grantees; (vi) an evaluation of the impact and contribution of grantees in department and board proceedings; (vii) a summary of education and outreach activities conducted by the division of public participation related to the intervenor support grant program; and (viii) any recommended changes to the program.

(k) The director shall develop: (i) accessible, multi-lingual and easily comprehensible web-based educational materials, including forms and templates, to educate prospective grantees and the public on the intervenor support grant program; and (ii) a robust virtual and in-person outreach program to educate prospective grantees and the public about the intervenor support grant program.

(l) The department, in consultation with the board, shall promulgate regulations to implement this section.

SECTION 59. Chapter 166 of the General Laws is hereby amended by striking out section 28, as appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

Section 28. A company subject to this chapter, except a telegraph or telephone company, desiring to construct a line for the transmission of electricity that will, of necessity, pass through

at least 1 city or town to connect the proposed termini of such line, whose petition for the location necessary for such line has been refused or has not been granted within 3 months after the filing thereof by the city council or the select board of the town through which the company intends to construct such line, may apply to the energy facilities siting board for such location. The energy facilities siting board shall hold a public hearing thereon after notice to the city council or select board refusing or neglecting to grant such location and to all persons owning real estate abutting upon any way in the city or town where such location is sought, as such ownership is determined by the last assessment for taxation. The energy facilities siting board shall, if requested by the city council or select board, hold the hearing in the city or town where the location is sought. If it appears at the hearing that the company has already been granted, and has accepted, a location for such line in 2 cities or in 2 towns or in a city and town adjoining the city or town refusing or neglecting to grant a location or if it appears at the hearing that the company has already been granted, and has accepted, locations for such line in a majority of the cities or towns through which such line will pass and if the energy facilities siting board deems the location necessary for public convenience and in the public interest, the board may by order grant a location for such line in the city or town with respect to which the application is made and shall have and exercise the powers and authority conferred by section 22 upon the city council or select board and in addition to the provisions of law governing such company may impose such other terms, limitations and restrictions as it deems the public interest may require. The energy facilities siting board shall cause an attested copy of its order, with the certificate of its clerk endorsed thereon that the order was adopted after due notice and a public hearing, to be forwarded to the city or town clerk, who shall record the same and furnish attested copies thereof. The company in whose favor the order is made shall pay for such record and attested copies the fees provided by clauses 31 and 32, respectively, of section 34 of chapter 262.

SECTION 60. Subsection (b) of section 47XX of chapter 175 of the General laws, as inserted by section 44 of chapter 186 of the acts of 2024, is hereby amended by striking out the word “commission” and inserting in place thereof the following word:- carrier.

SECTION 61. Subsection (b) of section 8YY of chapter 176A of the General Laws, as inserted by section 45 chapter 186 of the acts of 2024, is hereby amended by striking out the word “commission” and inserting in place thereof the following words:- non-profit hospital service corporation.

SECTION 62. Subsection (b) of section 4YY of chapter 176B of the General Laws, as inserted by section 46 chapter 186 of the acts of 2024, is hereby amended by striking out the word “commission” and inserting in place thereof the following words:- medical service corporation.

SECTION 63. Subsection (b) of section 4QQ of chapter 176G of the General Laws, as inserted by section 47 of chapter 186 of the acts of 2024, is hereby amended by striking out the word “commission” and inserting in place thereof the following words:- health maintenance organization.

SECTION 64. Section 3A of chapter 185 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 35 to 37, inclusive, the words “either 25 or more dwelling units or the construction or alteration of 25,000 square feet or more of gross floor area or both” and inserting in place thereof the following words:- at least 1 of the following: (1) not less than 25 dwelling units; (2) the construction or alteration of not less than 25,000 square feet of gross floor area; (3) the construction or alteration of a Class I renewable energy generating source, as defined in subsection (c) of section 11F of chapter 25A; or (4) the construction or alteration of an energy storage system, as defined in section 1 of chapter 164.

SECTION 65. Said section 3A of said chapter 185, as so appearing, is hereby further amended by striking out the words “at least 1 of the following: (1) not less than 25 dwelling units; (2) the construction or alteration of not less than 25,000 square feet of gross floor area; (3) the construction or alteration of a Class I renewable energy generating source, as defined in subsection (c) of section 11F of chapter 25A; or (4) the construction or alteration of an energy storage system, as defined in section 1 of chapter 164,” inserted by section 64, and inserting in place thereof the following words:- either 25 or more dwelling units or the construction or alteration of 25,000 square feet or more of gross floor area or both.

SECTION 66. The fourth paragraph of section 7 of chapter 268A, as appearing in the 2022 Official Edition, is hereby amended by striking out, in lines 51and 52, the words “division of health care policy and finance” and inserting in place thereof the following words:- executive office of health and human services.

SECTION 67. The sixth paragraph of said section 7 of said chapter 268A, as so appearing, is hereby further amended by striking out, in line 66, the words “mentally ill or

mentally retarded persons” and inserting in place thereof the following words:- persons with mental health conditions or intellectual or developmental disabilities.

SECTION 68. Section 1 of chapter 268B of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word “reporting”, in lines 43 and 44, the following word:- person’s.

SECTION 69. Section 2 of said chapter 268B, as so appearing, is hereby amended by striking out, in lines 5, 33, 34 and 38, the word “chairman”, each time it appears, and inserting in place thereof the following word:- chair.

SECTION 70. Section 3 of said chapter 268B, as so appearing, is hereby amended by striking out, in lines 30 and 31, the words “home address of the filer”, and inserting in place thereof following words:- home address, personal email address, personal and home telephone number of the filer, and the name and home address of a family member of the filer.

SECTION 71. Section 6 of chapter 665 of the acts of 1956 is hereby amended by striking out, in line 3, the words:- “department of public utilities” and inserting in place thereof the following words:- "energy facilities siting board"

SECTION 72. The first paragraph of section 83B of chapter 169 of the acts of 2008, as inserted by section 12 of chapter 188 of the acts of 2016, and most recently amended by section 60 of chapter 179 of the acts of 2022, is hereby further amended by striking out the words and 83D” and inserting in place thereof the following words:- 83C, 83D, 83E.

SECTION 73. Said first paragraph of said section 83B of said chapter 169, as so amended, is hereby further amended by striking out the definition of “Clean energy generation” and inserting in place thereof the following definition:-

“Clean energy generation”, (i) firm service hydroelectric generation from hydroelectric generation alone; (ii) new Class I RPS eligible resources that are firmed up with energy storage or firm service hydroelectric generation; (iii) new Class I renewable portfolio standard eligible resources; or (iv) nuclear power generation that is located in the ISO-NE control area and commenced commercial operation before January 1, 2011.

SECTION 74. Said first paragraph of said section 83B of said chapter 169, as so amended, is hereby further amended by inserting after the definition of “Distribution company” the following 2 definitions:-

“Energy services”, operation of infrastructure that increases the deliverability or reliability of clean energy generation or reduces the cost of clean energy generation. Such infrastructure shall include, but not be limited to, transmission, energy storage systems, as defined in section 1 of chapter 164 of the General Laws, and demand response technologies.

“Environmental attributes”, all present and future attributes under any and all international, federal, regional, state or other law or market, including, but not limited to, all credits or certificates that are associated, either now or by future action, with clean energy generation, including, but not limited to, those attributes authorized and created by programs developed under subsection (c) section 3 of chapter 21N of the General Laws, and section 11F and section 17 of chapter 25A of the General Laws.

SECTION 75. Said first paragraph of said section 83B of said chapter 169, as so amended, is hereby further amended by striking out the definition of “Long-term contract” and inserting in place thereof the following definition:-

“Long-term contract”, a contract for a period of 15 to 30 years for offshore wind energy generation pursuant to section 83C or for clean energy generation pursuant to sections 83D or 83E or for energy storage systems pursuant to section 83F; provided, however, that a contract for offshore wind energy generation pursuant to said section 83C may include terms and conditions for renewable energy credits associated with the offshore wind energy generation that exceed the term of generation under the contract.

SECTION 76. Said first paragraph of said section 83B of said chapter 169, as so amended, is hereby further amended by striking out the definition of “Mid-duration energy storage system” and inserting in place thereof the following 2 definitions:-

“Mid-duration energy storage system”, an energy storage system, as defined in section 1of chapter 164 of the General Laws, that is capable of dispatching energy at its full rated capacity for a period equal to or greater than 4 hours and up to 10 hours.

"Multi-day energy storage," an energy storage system, as defined in section 1 of chapter 164 of the General Laws, that is capable of dispatching electricity at its full rated capacity for greater than 24 hours.

SECTION 77. Said chapter 169, as amended by chapter 188 of the acts of 2016, is hereby further amended by inserting after section 83D the following section:-

Section 83E. (a) In order to provide a cost-effective mechanism for facilitating the financing of beneficial, reliable energy storage systems, as defined in section 1 of chapter 164 of the General Laws, on a long-term basis, taking into account the factors outlined in this section, every distribution company shall, in coordination with the department of energy resources, jointly and competitively solicit proposals for energy storage systems and, provided that reasonable proposals have been received, shall enter into cost-effective long-term contracts for up to 5,000 megawatts of energy storage systems, of which 3,500 megawatts shall be mid-duration energy storage; 750 megawatts shall be long-duration energy storage; and 750 megawatts shall be multi-day energy storage; provided, that existing energy storage systems shall be eligible to participate in any procurement issued under this section. Long-term contracts executed pursuant to this section shall be subject to the approval of the department of public utilities and shall be apportioned among the distribution companies pursuant to this section.

(b) The timetable and method for solicitation of long-term contracts shall be proposed by the department of energy resources in coordination with the distribution companies using a competitive bidding process and shall be subject to review and approval by the department of public utilities. The department of energy resources shall consult with the distribution companies and the office of the attorney general regarding the choice of solicitation methods. A solicitation may be coordinated and issued jointly with other New England states or entities designated by those states. The distribution companies, in coordination with the department of energy resources, may conduct 1 or more competitive solicitations through a staggered procurement schedule developed by the department of energy resources; provided, however, that approximately 1,500 megawatts shall be procured not later than July 31, 2025, of which approximately 250 megawatts shall be multi-day storage; approximately 1,000 megawatts not later than July 31, 2026, of which approximately 250 megawatts shall be multi-day storage; and approximately 1,000 megawatts not later than July 31, 2027, of which approximately 250

megawatts shall be multi-day storage; provided further, that the schedule shall ensure that the distribution companies enter into cost-effective long-term contracts for energy storage systems up to approximately 5,000 megawatts not later than July 31, 2028. The solicitations must require proposals to include the following certification and disclosure requirements:

(i) documentation reflecting the applicant's demonstrated commitment to workforce or economic development within the commonwealth;

(ii) a statement of intent concerning efforts that the applicant and its contractors and subcontractors will make to promote workforce or economic development through the project;

(iii) documentation reflecting the applicant's demonstrated commitment to expand workforce diversity, equity and inclusion in its past projects within the commonwealth;

(iv) documentation as to whether the applicant and its contractors and subcontractors participate in a state or federally certified apprenticeship program and the number of apprentices the apprenticeship program has trained to completion for each of the last 5 years;

(v) a statement of intent concerning how or if the applicant and its contractors and subcontractors intend to utilize apprentices on the project, including whether each of its contractors and subcontractors on the project participates in a state or federally certified apprenticeship program;

(vi) documentation relative to the applicant and its contractors and subcontractors regarding their history of compliance with chapters 149, 151, 151A, 151B and 152, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws;

(vii) documentation that the applicant and its contractors and subcontractors are currently, and will remain, in compliance with chapters 149, 151, 151A, 151B, and 152, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws for the duration of the project;

(viii) detailed plans for assuring labor harmony during all phases of the construction, reconstruction, renovation, development, and operation of the project, including documentation of the applicant's history with picketing, work stoppages, boycotts or other economic actions against the applicant and a description or plan of how the applicant intends to prevent or address such actions;

(ix) documentation relative to whether the applicant and its contractors have been found in violation of State or Federal safety regulations in the previous 10 years.

Proposals received pursuant to a solicitation pursuant to this section shall be subject to review by the department of energy resources and the executive office of economic development in consultation with the independent evaluator. The electric distribution companies shall offer technical advice. If the department of energy resources, in consultation with the independent evaluator, determines that reasonable proposals were not received pursuant to a solicitation, the department may terminate the solicitation and may require additional solicitations to fulfill the requirements of this section.

(c) The department may give preference to proposals for environmental attributes or energy services from energy storage systems that provide additional benefits or value to the electric power grid or communities, including, but not limited to: (i) supporting grid resiliency and transmission needs in specific geographic locations; (ii) providing economic opportunities or public health benefits to environmental justice or disadvantaged communities; or (iii) creating economic opportunities in transitioning fossil fuel communities. The department shall give preference to proposals that demonstrate compliance with the provisions of sections 26 to 27F, inclusive, of chapter 149, and have a history of participation with state or federally certified apprenticeship programs.

(d) In developing proposed long-term contracts, the distribution companies shall consider long-term contracts for energy services, for environmental attributes, and for a combination of both energy services and environmental attributes. A distribution company may decline to pursue a contract if the contract's terms and conditions would require the contract obligation to place an unreasonable burden on the distribution company's balance sheet after consultation with the department of energy resources; provided, however, that the distribution company shall take all reasonable actions to structure the contracts, pricing or administration of the products purchased under this section to prevent or mitigate an impact on the balance sheet or income statement of the distribution company or its parent company, subject to the approval of the department of public utilities; and provided further, that mitigation shall not increase costs to ratepayers. If a distribution company deems all contracts to be unreasonable, the distribution company shall consult with the department of energy resources and, not later than 20 days of the date of its

decision, submit a filing to the department of public utilities. The filing shall include, in the form and detail prescribed by the department of public utilities, documentation supporting the distribution company's decision to decline the contract. Following a distribution company's filing, and not later than 4 months of the date of filing, the department of public utilities shall approve or reject the distribution company's decision and may order the distribution company to reconsider any contract. The department of public utilities shall take into consideration the department of energy resources' recommendations on the distribution company's decision. The department of energy resources may require additional solicitations to fulfill the requirements of this section.

(e) The department of public utilities shall promulgate regulations consistent with this section. The regulations shall: (i) allow developers or owners of energy storage systems to submit proposals for long-term contracts; (ii) require that contracts executed by the distribution companies under such proposals are filed with, and approved by, the department of public utilities before they become effective; (iii) require associated transmission costs to be incorporated into a proposal; provided, however, that to the extent there are regional or project-specific transmission costs included in a bid, the department of public utilities may, if it finds such recovery to be in the public interest, authorize or require the contracting parties to seek recovery of such transmission costs from other states or from benefitted entities or populations in other states through federal transmission rates, consistent with policies and tariffs of the Federal Energy Regulatory Commission; and (iv) require that the energy storage systems used by a developer or owner under the proposal meet the following criteria: (A) are cost effective to electric ratepayers in the commonwealth over the term of the contract taking into consideration costs and benefits to the ratepayers, including economic and environmental benefits and the equitable allocation of costs to, and the equitable sharing of costs with other states and populations within other states that may benefit from energy storage systems procured by the commonwealth; (B) if applicable, adequately demonstrate project viability in a commercially reasonable timeframe; (C) include benefits to environmental justice populations and low-income ratepayers in the commonwealth; and (D) include opportunities for diversity, equity and inclusion, including, at a minimum, a workforce diversity plan and supplier diversity program plan.

(f) A proposed long-term contract shall be subject to the review and approval of the department of public utilities and shall be apportioned among the distribution companies. As part of its approval process, the department of public utilities shall consider recommendations by the attorney general, which shall be submitted to the department not later than 45 days following the filing of a proposed long-term contract with the department. The department of public utilities shall take into consideration the department of energy resources' recommendations on the costs and benefits to the rate payers the equitable allocation and sharing of costs to and with other states and populations within other states that may benefit from energy storage systems procured by the commonwealth and the requirements of chapter 298 of the acts of 2008 and statewide greenhouse gas emissions limits under chapter 21N of the General Laws. The department of public utilities shall consider the costs and benefits of the proposed long-term contract and shall approve a proposed long-term contract if the department finds that the proposed contract is in the public interest and is a cost-effective mechanism for procuring beneficial, reliable energy storage systems on a long-term basis, taking into account the factors outlined in this section. A distribution company shall be entitled to cost recovery of payments made under a long-term contract approved under this section.

(g) The department of energy resources and the attorney general shall jointly select, and the department of energy resources shall contract with, an independent evaluator to monitor and report on the solicitation and bid selection process in order to assist the department of energy resources in determining whether a proposal received pursuant to subsection (b) is reasonable and to assist the department of public utilities in its consideration of long-term contracts or filed for approval. To ensure an open, fair and transparent solicitation and bid selection process is not unduly influenced by an affiliated company, the independent evaluator shall: (i) issue a report to the department of public utilities analyzing the timetable and method of solicitation and the solicitation process implemented by the distribution companies and the department of energy resources under subsection (b) and include recommendations, if any, for improving the process; and (ii) upon the opening of an investigation by the department of public utilities into a proposed long-term contract for a winning bid proposal, file a report with the department of public utilities summarizing and analyzing the solicitation and the bid selection process and providing its independent assessment of whether all bids were evaluated in a fair and non-discriminatory manner. The independent evaluator shall have access to all information and data related to the

competitive solicitation and bid selection process necessary to fulfill the purposes of this subsection but shall ensure all proprietary information remains confidential. The department of public utilities shall consider the findings of the independent evaluator and may adopt recommendations made by the independent evaluator as a condition for approval. If the independent evaluator concludes in the findings that the solicitation and bid selection of a long-term contract was not fair and objective and that the process was substantially prejudiced as a result, the department of public utilities shall reject the contract.

(h) The distribution companies shall each enter into a contract with the winning bidders for their apportioned share of the long term contract costs. The apportioned share shall be calculated and based upon the total energy demand from all distribution customers in each service territory of the distribution companies.

(i) An electric distribution company may elect to use or retain any environmental attributes to meet any applicable annual portfolio standard requirements, including section 11F of chapter 25A of the General Laws, and other clean energy compliance standards as applicable. If the environmental attributes are not so used, such companies shall sell such purchased environmental attributes attributed to any applicable portfolio standard eligible resources to minimize the costs to ratepayers under the contract. The department of energy resources shall conduct periodic reviews to determine the impact on the environmental attributes markets of the disposition of environmental attributes under this section and may issue reports recommending legislative changes if it determines that actions are being taken that will adversely affect the environmental attributes markets.

(j) If a distribution company sells the environmental attributes as described in this section, the distribution company shall net the cost of payments made to projects under the long-term contracts against the net proceeds obtained from the sale of environmental attributes, and the difference shall be credited or charged to all distribution customers through a uniform, fully reconciling annual factor in distribution rates, subject to review and approval of the department of public utilities.

(k) A long-term contract procured under this section for energy storage systems shall utilize an appropriate tracking system to ensure a unit specific accounting of the delivery of environmental attributes, to enable the department of environmental protection, in consultation

with the department of energy resources, to accurately measure progress in achieving the commonwealth's goals under chapter 298 of the acts of 2008 or the statewide greenhouse gas emissions limits under chapter 21N of the General Laws.

(l) The department of energy resources and the department of public utilities may jointly develop requirements for a bond or other security to ensure performance with requirements under this section.

(m) The department of energy resources may promulgate regulations necessary to implement this section.

(n) If this section is subjected to a legal challenge, the department of public utilities may suspend the applicability of the challenged provision during the pendency of the action until a final resolution, including any appeals, is obtained and shall issue an order and take other actions as are necessary to ensure that the provisions not subject to the challenge are implemented expeditiously to achieve the public purposes of this section.

(o) Nothing in subsections (c) to (g), inclusive, shall apply to a comprehensive permit pursuant to sections 20 to 23, inclusive, of chapter 40B of the General Laws. For the purpose of this section, the procedures and standards for filing and review of an application for a comprehensive permit that includes a small clean energy infrastructure facility shall be in accordance with said sections 20 to 23, inclusive, of said chapter 40B.

(p) A request for proposal or solicitation under this section shall include the following certification and disclosure requirements:-

(i) documentation reflecting the applicant's demonstrated commitment to workforce or economic development within the commonwealth;

(ii) a statement of intent concerning efforts that the applicant and its contractors and subcontractors will make to promote workforce or economic development through the project;

(iii) documentation reflecting the applicant's demonstrated commitment to expand workforce diversity, equity and inclusion in its past projects within the commonwealth;

(iv) documentation as to whether the applicant and its contractors and subcontractors participate in a state or federally certified apprenticeship program and the number of apprentices the apprenticeship program has trained to completion for each of the last 5 years;

(v) a statement of intent concerning how or if the applicant and its contractors and subcontractors intend to utilize apprentices on the project, including whether each of its contractors and subcontractors on the project participates in a state or federally certified apprenticeship program;

(vi) documentation relative to the applicant and its contractors and subcontractors regarding their history of compliance with chapters 149, 151, 151A, 151B and 152 of the General Laws, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws;

(vii) documentation that the applicant and its contractors and subcontractors are currently, and will remain, in compliance with chapters 149, 151, 151A, 151B, and 152 of the General Laws, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws for the duration of the project;

(viii) detailed plans for assuring labor harmony during all phases of the construction, reconstruction, renovation, development, and operation of the project, including documentation of the applicant's history with picketing, work stoppages, boycotts or other economic actions against the applicant and a description or plan of how the applicant intends to prevent or address such actions;

(ix) documentation relative to whether the applicant and its contractors have been found in violation of state or federal safety regulations in the previous 10 years.

(q) The department may require a wage bond or other comparable form of insurance in an amount to be set by the department to ensure compliance with law, certifications or department obligations.

(r) A proposal or solicitation issued by the department shall notify applicants that applicants shall be disqualified from the project if the applicant has been debarred by the federal government or commonwealth for the entire term of the debarment.

(s) An applicant shall, in a timely manner, provide documentation and certifications as required by law or otherwise directed by the department. Incomplete or inaccurate information

may be grounds for disqualification, dismissal or other action deemed appropriate by the department.

(t) The department shall give added weight to applicants that demonstrate compliance with the provisions of sections 26 to 27F, inclusive, of chapter 149 of the General Laws, and have a history of participation with state or federally certified apprenticeship programs.

SECTION 78. Chapter 68 of the acts of 2011 is hereby amended by striking out section 152.

SECTION 79. Item 2000-7081 of section 2A of chapter 209 of the acts of 2018, as amended by section 12 of chapter 42 of the acts of 2022, is hereby amended by inserting after the words “cities and towns” the following words:- and tribal governments.

SECTION 80. Said item 2000-7081 of said section 2A of said chapter 209 is hereby further amended by inserting after the words “federal agencies” the following words:- tribal governments,.

SECTION 81. Said item 2000-7081 of said section 2A of said chapter 209 is hereby further amended by inserting after the words “used for municipal” the following words:- tribal government,.

SECTION 82. Item 1599-0026 of section 2 of chapter 28 of the acts of 2023 is hereby amended by inserting the following words:- provided further, that not less than $12,673,961 shall be expended to support missed prior year payments to municipalities and local education agencies pursuant to items 1233-2350 and 7061-0008; and provided further, that such funds shall be made available until June 30, 2025.

SECTION 83. Item 3000-1042 of section 2 of chapter 28 of the acts of 2023 is hereby amended by striking out the word “between” and inserting in place thereof the following words:- from this item to.

SECTION 84. Section 50 of chapter 77 of the acts of 2023 is hereby amended by striking the figure “2024” and inserting in place thereof the following figure:- 2025.

SECTION 85. Item 0610-2000 of section 2 of chapter 140 of the acts of 2024 is hereby amended by striking out the figure “$300,000” and inserting in place thereof the following figure:- $1,100,000.

SECTION 86. Said section 2 of said chapter 140 is hereby further amended by inserting after item 1599-4417 the following item:-

1599-4448 For a reserve to meet the costs of salary adjustments and other economic benefits authorized by the ratified collective bargaining agreements .....$200,000,000.

SECTION 87. Item 7006-0011 of said section 2 of said chapter 140 is hereby amended by inserting after the figure “255F” the second time it appears, the following words:- provided further, that the division may expend from such revenue an amount to be determined by the commissioner of banks as grants for the operation of a program for best lending practices, first-time homeowner counseling for nontraditional loans and 10 or more foreclosure education centers under section 16 of chapter 206 of the acts of 2007 and that the grants shall be awarded through a competitive application process under criteria established by the division.

SECTION 88. Item 4000-0103 of section 2B of said chapter 140 is hereby amended by striking out the figure "$31,489,176" and inserting in place thereof the following figure:- $45,489,176.

SECTION 89. Said Item 1595-1068 of said section 2E of said chapter 140 is hereby further amended by striking out the figure “$433,000,000 ” and inserting in place thereof the following figure:- $444,250,000.

SECTION 90. Said item 1595-1068 of section 2E of chapter 140 of the acts of 2024 is hereby amended by striking out the figure “$682,202,000” and inserting in place thereof the following figure:- $837,827,000.

SECTION 91. Section 57 of said chapter 140 is hereby amended by striking out the first sentence of proposed subsection (f) of section 2BBBBBB of chapter 29 of the General Laws and inserting in place thereof the following sentence:- Annual expenditures from the fund shall not exceed that year's spending threshold, less the dedicated transportation income surtax revenue amount. Each year's spending threshold shall be equal to the prior year spending threshold plus an adjustment factor equal to the 10-year rolling rate of growth of income subject to the tax specified in subsection (d) of section 4 of chapter 62 as certified by the commissioner of revenue.

SECTION 92. Said chapter 140 of the acts of 2024 is hereby amended by striking out section 250 and inserting in place thereof the following 2 sections:

Section 250. Sections 80 to 99, inclusive, shall take effect on July 1, 2025.

Section 250A. Section 88 shall only apply to land purchased or taken under a tax title on or after July 1, 2025.

SECTION 93. Section 136 of chapter 150 of the acts of 2024 is hereby amended by striking out the words “and section 101 of chapter 143 of the General Laws”

SECTION 94. Chapter 150 of the acts of 2024 is hereby amended by adding the following section:-

Section 144A. The executive office of housing and livable communities shall promulgate guidance or regulations pursuant to section 101 of chapter 143 of the General Laws not later than June 15, 2025.

SECTION 95. Notwithstanding any general or special law to the contrary, employees of the Berkshire County Regional Emergency Communications Center, employed by the Berkshire county sheriff, are hereby transferred to the state 911 department. The transfer, including any change in an employee’s title or duties resulting from the transfer, shall not: (i) interrupt an employee’s service; (ii) impair an employee’s seniority, retirement or other statutory rights; (iii) result in an employee’s loss of accrued rights to holidays, sick leave or vacation; or (iv) reduce an employee’s compensation or salary grade. Such employees shall not be considered new employees for salary, wage, tax, health insurance, Medicare or any other federal or state purposes. Upon transfer, the secretary of administration and finance shall become the employer within the meaning of chapter 150E of the General Laws, and the transferred employees shall become members of statewide collective bargaining unit 2, as certified by the department of labor relations. Nothing in this section shall continue any obligation under any expired collective bargaining agreement or any agreement made pursuant to an expired collective bargaining agreement and any such agreement shall expire pursuant to its terms. Nothing in this section shall be construed to confer upon any transferred employee any right not held immediately before the date of transfer to the state 911 department or to prohibit any reduction of salary grade, transfer, reassignment, suspension, discharge, layoff or abolition of position not prohibited before such date.

SECTION 96. Notwithstanding any general or special law to the contrary, an increase in the annual rate of regular compensation that results from an increase in hours of employment, from overtime wages, from a bona fide change in position, from a modification in the salary or salary schedule negotiated for bargaining unit members under chapter 760 of the acts of 1962 which occurred between March 1, 2020 and July 1, 2024 shall not apply to the provisions of paragraph (f) of subdivision (2) of section 5 of chapter 32 of the General Laws.

SECTION 97. Notwithstanding any general or special law to the contrary, the department of energy resources may coordinate with one or more New England states to consider competitive solicitations for long-term clean energy generation, associated environmental attributes, transmission or capacity for the benefit of residents of the commonwealth and the region. If the department of energy resources, determines, not later than December 31, 2027, that a project would satisfy all of the benefits listed below, the electric distribution companies shall enter into cost-effective long-term contracts. In its determination, the department of energy resources shall determine if any proposals (i) provide cost-effective clean energy generation to electric ratepayers in the commonwealth and the region over the term of the contract; (ii) provide the benefits of clean energy and associated transmission towards meeting the commonwealth's decarbonization goals; (iii) where possible, avoid, minimize, or mitigate, to the maximum extent practicable, environmental impacts, and impacts to low-income populations; (iv) or reduce ratepayer costs in winter months and improve energy security during winter months. For purposes of this section, a long-term contract shall be a contract with a term of 10 to 20 years. Eligible clean energy generation must contribute towards achieving compliance with limits and sublimits established pursuant to sections 3 and 3A of chapter 21N of the General Laws. Associated transmission costs must be incorporated into a proposal. All proposed contracts shall be subject to the review and approval of the department of public utilities. The department of public utilities shall consider both potential costs and benefits of such contracts and shall only approve a contract upon a finding that it is cost-effective, taking into account the factors outlined in this section.

SECTION 98. (a) Notwithstanding any general or special law to the contrary, the department of energy resources shall conduct a review to determine the effectiveness of the commonwealth's existing solicitations and procurements required by sections 83 to 83E of chapter 169 of the acts of 2008, and shall make recommendations regarding the future

procurement of clean energy resources for the purposes of ensuring compliance with statewide greenhouse gas emissions limits and sublimits under chapter 21N of the General Laws.

(b) The department's recommendations shall include a review of: (i) prior clean energy solicitations; (ii) best practices and models utilized by other states to procure clean energy; (iii) authorizing surplus interconnection service as an available transmission option in future solicitations and procurements required by section 83C of chapter 169 of the acts of 2008; and (iv) strategies to minimize total carbon emissions generated by vessels during both the construction phase and the operation and maintenance phase of a project and any legislative recommendations needed to amend or replace existing statutory authority. The department shall consult with the clean energy industry, the office of the attorney general, the Massachusetts clean energy technology center, environmental justice organizations, labor organizations representing workers in the offshore wind industry and other impacted stakeholders as part of this review process. Such review and recommendations shall be submitted to the joint committee on telecommunications, utilities and energy not later than July 1, 2025.

SECTION 99. (a) Notwithstanding any general or special law to the contrary, an energy storage system, as defined in section 1 of chapter 164 of the General Laws, that is not less than 100 megawatt hours and has received a compre66hensive exemption from local zoning by-laws from the department of public utilities pursuant to section 3 of chapter 40A of the General Laws, may petition the energy facilities siting board to obtain a certificate of environmental impact and public interest if the petition is filed prior to the date when regulations are promulgated pursuant to section 52.

(b) The energy facilities siting board shall consider a petition pursuant to subsection (a) if the applicant is prevented from building the energy storage system because: (i) the applicant is unable to meet standards imposed by a state or local agency with reasonable and commercially available equipment; (ii) the processing or granting by a state or local agency of any approval, consent, permit or certificate has been unduly delayed for any reason; (iii) the applicant believes there are inconsistencies among resource use permits issued by such state or local agencies; (iv) the applicant believes that a nonregulatory issue or condition has been raised or imposed by such state or local agencies, including, but not limited to, aesthetics and recreation; (v) the generating facility cannot be constructed due to any disapprovals, conditions or denials by a state or local

agency or body, except with respect to any lands or interests therein, excluding public ways, owned or managed by any state agency or local government; or (vi) the facility cannot be constructed because of delays caused by the appeal of any approval, consent, permit or certificate.

(c) The energy facilities siting board shall, upon petition, consider an application for a certificate of environmental impact and public interest if it finds that any state or local agency has imposed a burdensome condition or limitation on any license or permit. An energy storage system, with respect to which a certificate is issued by the energy facilities siting board, shall thereafter be constructed, maintained and operated in conformity with such certificate and any terms and conditions contained therein.

(d) Notwithstanding any general or special law to the contrary, such certificate may be so issued; provided, however, that when so issued no state agency or local government shall require any approval, consent, permit, certificate or condition for the construction, operation or maintenance of the energy storage system with respect to which the certificate is issued and no state agency or local government shall impose or enforce any law, ordinance, by-law, rule or regulation nor take any action nor fail to take any action that would delay or prevent the construction, operation or maintenance of such energy storage system except as required by federal law; and provided further, that the energy facilities siting board shall not issue a certificate, the effect of which would be to grant or modify a permit, approval or authorization, which, if so granted or modified by the appropriate state or local agency, would be invalid because of a conflict with applicable federal water or air standards or requirements. A certificate, if issued, shall be in the form of a composite of all individual permits, approvals or authorizations that would otherwise be necessary for the construction and operation of the energy storage system and that portion of the certificate that relates to subject matters within the jurisdiction of a state or local agency shall be enforced by said agency under the other applicable laws of the commonwealth as if it had been directly granted by the said agency.

(e) Energy storage systems that have not petitioned the department of public utilities for a comprehensive exemption from local zoning by-laws pursuant to section 3 of chapter 40A of the General Laws prior to March 1, 2026 shall not be eligible to petition the energy facilities siting board to obtain a certificate of environmental impact and public interest under this section.

SECTION 100. (a) For purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Approval”, except as otherwise provided in subsection (b), any permit, certificate, order, excluding enforcement orders, license, certification, determination, exemption, variance, waiver, building permit or other approval or determination of rights from any municipal, regional or state governmental entity, including any agency, department, commission or other instrumentality of the municipal, regional or state governmental entity, concerning the use or development of real property, including certificates, licenses, certifications, determinations, exemptions, variances, waivers, building permits or other approvals or determination of rights issued or made under chapter 21 of the General Laws or chapter 21A of the General Laws; provided, however “approval” shall not mean any permit, certificate, order, excluding enforcement orders, license, certification, determination, exemption, variance, waiver, building permit or other approval or determination of rights issued or made under section 16 of chapter 21D of the General Laws, sections 61 to 62H, inclusive, of chapter 30 of the General Laws, chapters 30A, 40 and 40A to 40C, inclusive, of the General Laws, chapters 40R, 41 and 43D of the General Laws, section 21 of chapter 81 of the General Laws, chapters 91, 131, 131A and 143 of the General Laws, sections 4 and 5 of chapter 249 of the General Laws or chapter 258 of the General Laws or chapter 665 of the acts of 1956 or any local by-law or ordinance.

“Clean energy infrastructure project”, a project involving the construction, reconstruction, conversion, relocation or enlargement of any renewable energy generating source, as defined in subsection (c) of section 11F of chapter 25A of the General Laws, any energy storage system, as defined in section 1 of chapter 164 of the General Laws, any transmission facility or distribution facility, as defined in said section 1 of said chapter 164, or related infrastructure, including substations and any other project that may be so designated as a clean energy infrastructure project by the department of energy resources.

(b)(1) Notwithstanding any general or special law to the contrary, any approval granted for a clean energy generation or storage project that was in effect at any point between October 22, 2020 to August 1, 2024, inclusive, shall be extended to August 1, 2029.

(2) A clean energy infrastructure project shall be governed by the applicable provisions of any state, regional or local statute, regulation, ordinance or by-law, if any, in effect at the time of

the initial approval granted for such project, unless the owner or petitioner of such project elects to waive this section.

(3) Nothing in this section shall extend or purport to extend: (i) a permit or approval issued by the government of the United States or an agency or instrumentality of the government of the United States or to a permit or approval of which the duration of effect or the date or terms of its expiration are specified or determined by or under law or regulation of the federal government or any of its agencies or instrumentalities; or (ii) a permit, license, privilege or approval issued by the division of fisheries and wildlife under chapter 131 of the General Laws for hunting, fishing or aquaculture.

(4) If an owner or petitioner sells or otherwise transfers a property or project to receive approval for an extension, the new owner or petitioner shall agree to assume all commitments made by the original owner or petitioner under the terms of the approval, otherwise the approval shall not be extended under this section.

SECTION 101. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds for fiscal year 2024 to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall transfer $11,000,000 from the General Fund to the Disaster Relief and Resiliency Fund established in section 2HHHHHH of said chapter 29.

SECTION 102. Notwithstanding any general or special law to the contrary, in fiscal year 2024, the comptroller shall make $225,000,000 available from the Education and Transportation Fund established in subsection (b) of section 2BBBBBB of chapter 29 of the General Laws to satisfy the funding requirements for items 3000-1041, 3000-1042, 3000-1045 and 7053-1925 in section 2 of chapter 28 of the acts of 2023 and 1595-6368 in section 2E of said chapter 28. The secretary of administration and finance shall determine the amounts designated from the Education and Transportation Fund for each of these items. as well as the corresponding adjustments to the amounts from each fund originally made available to support these items in said chapter 28.

SECTION 103. Notwithstanding any general or special law to the contrary, in fiscal year 2024, the comptroller shall transfer $150,000,000 from income surtax revenue as defined by

subsection (a) of section 2BBBBBB of chapter 29 of the General Laws to the High-Quality Early Education & Care Affordability Fund established in section 2YYYYY of said chapter 29.

SECTION 104. Notwithstanding subsection (c) of section 2BBBBBB of chapter 29 of the General Laws, in fiscal year 2024, the comptroller shall transfer $250,000,000 from the Education and Transportation Fund established in subsection (b) of section 2BBBBBB of chapter 29 of the General Laws to the Education and Transportation Reserve Fund established in section 2CCCCCC of said chapter 29.

SECTION 105. Notwithstanding any general or special law to the contrary, the comptroller shall transfer the fiscal year 2024 consolidated net surplus, pursuant to section 5C of chapter 29 of the General Laws, to the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022.

SECTION 106. Notwithstanding any general or special law to the contrary, tax revenue collected from capital gains income above the threshold established in section 5G of chapter 29 of the General Laws shall be transferred as follows for fiscal year 2024: (i) 45 per cent shall be transferred to the Commonwealth Stabilization Fund established in section 2H; (ii) 45 per cent shall be transferred to the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022; (iii) 5 per cent shall be transferred to the State Retiree Benefits Trust Fund established in section 24 of chapter 32A; and (iv) 5 per cent shall be transferred to the Commonwealth's Pension Liability Fund established in subsection (e) of subdivision 8 of section 22 of chapter 32.

SECTION 107. Notwithstanding any general or special law to the contrary, for the fiscal years ending June 30, 2024 and June 30, 2025, the secretary of administration and finance may allocate any unexpended federal funds held in the federal COVID-19 response fund established in section 2JJJJJ of Chapter 29 of the General Laws for items funded from the General Fund and reduce the allocation from the General Fund appropriated for the purposes of said items in a corresponding amount. Items appropriated in chapter 102 of the acts of 2021 and chapter 268 of the acts of 2022 may be funded from the General Fund at the direction of the secretary. If applicable, federal funds allocated from this section shall be treated as General Fund revenues by municipalities and regional school districts and can be expended in compliance with net school spending requirements as defined by section 2 of chapter 70 of the General Laws.

SECTION 108. The department of public utilities shall commission a management study to assess: (i) the likely workload of the energy facilities siting board based on the new requirements of this act and the commonwealth's clean energy and climate plans; (ii) the workforce qualifications needed to implement this act; (iii) the cost associated with the hiring and retention of qualified professionals and consultants to successfully complete that work required pursuant to this act; and (iv) the design, population and maintenance of a real-time, online clean energy infrastructure dashboard, as required to be maintained by the facility siting division pursuant to section 12N of chapter 25 of the General Laws. The funding and staffing resource requirements identified in the management study shall be reported to the joint committee on ways and means, the joint committee on telecommunications, utilities and energy, the secretary of energy and environmental affairs and the secretary of administration and finance not later than July 1, 2025. The secretary of energy and environmental affairs and the secretary of administration and finance shall not later than 60 days of their receipt of the study provide recommendations to the chairs of the house and senate committees on ways and means and the joint committee on telecommunications, utilities and energy on options to implement any proposed recommendations of the study.

SECTION 109. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(1) the agreement between the Commonwealth of Massachusetts and the Massachusetts Correction Officers Federated Union, Unit 04, effective from July 1, 2024 through June 30, 2025;

(2) the agreement between the Commonwealth of Massachusetts and the Massachusetts Nurses Association, Unit 07, effective from January 1, 2024 through December 31, 2024;

(3) the agreement between the Commonwealth of Massachusetts Department of the Treasurer and the Coalition of Public Safety Alcoholic Beverage Control Commission Investigators Association, Unit 5, effective from July 1, 2024 through June 30, 2025;

(4) the agreement between the Massachusetts Board of Higher Education and the Massachusetts Community College Council, Unit MCC, effective from July 1, 2023 through June 30, 2025;

(5) the agreement between the Sheriff of Bristol County and the National Correctional Employees' Union, Local 135 (Ad - Tech Unit), Unit SA1, effective from July 1, 2023 through June 30, 2024;

(6) the agreement between the Sheriff of Bristol County and the Massachusetts Correction Officers Federated Union, Unit SA4, effective from July 1, 2023 through June 30, 2024;

(7) the agreement between the Sheriff of Bristol County and the National Correctional Employees' Union, Local 103 (K-9 Unit), Unit SA7, effective from July 1, 2023 through June 30, 2024;

(8) the agreement between the Sheriff of Essex County and the International Brotherhood of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local R1-71, Unit SE9, effective from July 1, 2023 through June 30, 2024;

(9) the agreement between the Sheriff of Middlesex County and the National Correctional Employees Union, Local 116, Unit SM6, effective from July 1, 2023 through June 30, 2024;

(10) the agreement between the Sheriff of Essex County and the Essex County Correctional Officer Association, Unit SE2, effective from July 1, 2024 through June 30, 2025;

(11) the agreement between the Sheriff of Middlesex County and the New England Benevolent Association, Local 525, Unit SM5, effective from July 1, 2024 through June 30, 2025;

(12) the agreement between the Sheriff of Dukes County and the Massachusetts Correction Officers Federated Union, Unit SD1, effective from July 1, 2024 through June 30, 2025.

SECTION 110. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(1) the agreement between the Commonwealth of Massachusetts and the National Association of Government Employees (NAGE), Units 1,3, and 6, effective from July 1, 2024 through June 30, 2027;

(2) the agreement between the Commonwealth of Massachusetts and the Alliance, AFSCME-SEIU-Local 888, Unit 2, effective from July 1, 2024 through June 30, 2027;

(3) the agreement between the Sheriff of Essex County and the National Correctional Employees Union Local 121, Unit SE7, effective from July 1, 2024 through June 30, 2027;

(4) the agreement between the Sheriff of Essex County and the International Brotherhood of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local R1-71, Unit SE9, effective from July 1, 2024 through June 30, 2027;

(5) the agreement between the Massachusetts State Lottery Commission and the Service Employees International Union, Local 888, Unit LT1, effective from July 1, 2024 through June 30, 2027;

(6) the agreement between the Commonwealth of Massachusetts and the Massachusetts Organization of State Engineers and Scientists, Unit 9, effective from July 1, 2024 through June 30, 2027;

(7) the agreement between the Court Administrator of the Trial Court of the Commonwealth of Massachusetts and the National Association of Government Employees International Union, Local 5000, Units J2C and J2P, effective from July 1, 2024 through June 30, 2027;

(8) the agreement between the Commonwealth of Massachusetts and the Service Employees International Union (SEIU) Local 509, Units 8 and 10, effective from January 1, 2024 through December 31, 2026;

(9) the agreement between the Massachusetts Department of Transportation and the National Association of Government Employees, Local R1-292, Unit A, Unit D01, effective from July 1, 2024 through June 30, 2027;

(10) the agreement between the Massachusetts Department of Transportation and the Coalition of MassDOT Unions, Unit D, Unit D06, effective from July 1, 2024 through June 30, 2027;

(11) the agreement between the Sheriff of Bristol County and the National Correctional Employees Union, Local 407, Unit SA3, effective from July 1, 2024 through June 30, 2027;

(12) the agreement between the Sheriff of Bristol County and the National Correctional Employees Union, Local 135, Unit SA1, effective from July 1, 2024 through June 30, 2027;

(13) the agreement between the Sheriff of Bristol County and the National Association of Government Employees, Unit C, RI-1478, Unit SA2, effective from July 1, 2024 through June 30, 2027;

(14) the agreement between the Sheriff of Worcester County and the New England Police Benevolent Association, Local 515, Unit SW5, effective from July 1, 2024 through June 30, 2027;

(15) the agreement between the Sheriff of Franklin County and the National Correctional Employees Union, Local 106, Unit SF1, effective from July 1, 2024 through June 30, 2027;

(16) the agreement between the Sheriff of Franklin County and the National Correctional Employees Union, Local 141, Unit SF2, effective from July 1, 2024 through June 30, 2027;

(17) the agreement between the Sheriff of Franklin County and the Franklin Sheriff's Office Non-Unit Employer's Association, Unit SF3, effective from July 1, 2024 through June 30, 2027;

(18) the agreement between the Sheriff of Worcester County and NAGE, R1-255 (Professional Employees Unit), Unit SW4, effective from July 1, 2024 through June 30, 2027;

(19) the agreement between the Sheriff of Worcester County and NEPBA, Local 275 (Superior Officers Unit), Unit SW2, effective from July 1, 2024 through June 30, 2027;

(20) the agreement between the Sheriff of Suffolk County and the National Association of Government Employees, Local 298, Unit SS2, effective from July 1, 2024 through June 30, 2027;

(21) the agreement between the Massachusetts Board of Higher Education and the American Federation of State and County and Municipal Employees, Council 93, Local 1067, AFL-CIO, Unit 106, effective from July 1, 2024 through June 30, 2027;

(22) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93, Local 3643, Unit SS5, effective from July 1, 2024 through June 30, 2027;

(23) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93, Local 3967, Unit SS6, effective from July 1, 2024 through June 30, 2027;

(24) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93, Local 419, Unit SS0, effective from July 1, 2024 through June 30, 2027;

(25) the agreement between the Sheriff of Suffolk Couty and the Jail Officers and Employees Association, Unit SS4, effective from July 1, 2024 through June 30, 2027;

(26) the agreement between the Court Administrator of the Trial Court of the Commonwealth of Massachusetts and Office and Professional Employees International Union, Local 6, AFL-CIO, Units J6C and J6P, effective from July 1, 2024 through June 30, 2027.

SECTION 111. The office of environmental justice and equity established pursuant to section 29 of chapter 21A of the General Laws, established in section 3, shall establish standards and guidelines for community benefit plans and agreements as required by said section 29 of said chapter 21A not later than July 1, 2026 and shall establish the cumulative impacts analysis guidance pursuant to said section 29 of said chapter 21A before the energy facilities siting board regulations pursuant to section 115 are promulgated.

SECTION 112. The executive office of energy and environmental affairs shall coordinate and convene a stakeholder process with the agencies and offices under its jurisdiction and any other relevant local, regional and state agencies with a permitting role in energy related infrastructure to establish the methodology for determining the suitability of sites and associated guidance pursuant to section 30 of chapter 21A of the General Laws, inserted by section 3, not later than July 1, 2026.

SECTION 113. The department of energy resources shall promulgate regulations to implement section 21 of chapter 25A of the General Laws, inserted by section 9, not later than March 1, 2026.

SECTION 114. The energy facilities siting board shall promulgate regulations to implement the changes to sections 69G to 69J1/4, inclusive, sections 69O and 69P, sections 69R and 69S of chapter 164 of the General Laws and sections 69T to 69W, inclusive, of said chapter 164, as inserted by section 55, not later than July 1, 2026. In promulgating said regulations, the board shall consult with the department of public utilities, the department of energy resources,

the department of environmental protection, the department of fish and game, the department of conservation and recreation, the department of agricultural resources, the Massachusetts environmental policy act office, the Massachusetts Department of Transportation, the executive office of public safety and security and all other agencies, authorities and departments whose approval, order, order of conditions, permit, license, certificate or permission in any form is required prior to or for construction of a facility, small clean energy infrastructure facility or large clean energy infrastructure facility.

SECTION 115. The department of public utilities and the energy facilities siting board, in consultation with the office of environmental justice and equity established by section 29 of chapter 21A of the General Laws, inserted by section 3, and the office of the attorney general, shall promulgate regulations to implement section 149 of chapter 164 of the General Laws, inserted by section 40, not later than July 1, 2026.

SECTION 116. Not later than June 1, 2029, the director of the division of public participation, as established by section 12T of chapter 25 of the General Laws, as inserted by section 4, shall complete a review of the intervenor support grant program established pursuant to section 149 of chapter 164 of the General Laws, as inserted by section 58, and provide an opportunity for public comment to determine whether the program and corresponding regulations should be amended.

SECTION 117. Section 64 of this act is hereby repealed.

SECTION 118. Sections 65 and 117 shall take effect on July 1, 2027.

SECTION 119. Sections 45 to 49, inclusive, 51 to 59, inclusive, 64, 71, 99, 100, 108, and 111 to 114, inclusive, shall take effect on July 1, 2026.