



Environmental League of Massachusetts

January 2017 (In formation)

Legislative Agenda 2017-18

Building on Past Successes and Continuing to Lead the Nation

I. Top Priorities

Budget

Severe cuts to environmental agency budgets and staff reductions are preventing Massachusetts from adequately protecting the environment and public health. Currently, only about half of a penny of every dollar in the state operating budget goes toward environmental agencies. It is crucial that the Governor and Legislature allocate sufficient funding for our state environmental agencies. ELM leads the Green Budget Coalition, which has grown to include 100 organizations and businesses from around the state.

Energy & Climate Change

An Act relative to Home Energy Efficiency

The energy costs associated with operating major purchases like cars and homes should be transparent. We are all familiar with the stickers on cars clearly indicating the efficiency of the car as expressed in miles per gallon. Homebuyers should have as much information about the costs of operating homes, as car buyers do for vehicles. ELM supports legislation that would require home sellers to obtain an energy efficiency rating and disclose it to potential buyers. This could be accomplished via the existing home inspection process or an electric utility program that offers free home energy audits. Such a requirement would incentivize homeowners to make cost-effective energy efficiency improvements, and provide consumers with critical information on what to expect for their future utility bills.

Lift the Cap on Solar Net Metering

In order to meet the requirements of the Global Warming Solutions Act, provide stable and long-term incentives for the development of renewable resources, and continue robust growth in renewable energy sector jobs, ELM supports removing the existing caps on solar net metering (currently set at 7% of a utility's peak load).

Increase the Renewable Portfolio Standard (RPS)

ELM supports increasing the current annual percentage of renewable energy that utilities must obtain for their customers. The current RPS statute requires that utilities increase by 1% each year the amount of renewable power they provide. This annual increase is insufficient and should be doubled from 1% per year to 2% to help ensure that Massachusetts meets its legally binding greenhouse gas emission reduction requirements, increase the number of jobs in the renewable energy sector, and provide stable and long-term incentives for the development of new renewable resources.

An Act Combating Climate Change (Carbon Fee & Rebate)

ELM supports the development of a fuel-based carbon fee and rebate system designed to reduce the carbon content of the fuels we use in our homes, businesses, and vehicles. Here, modest fees would be charged on the sale of fossil fuels that would increase over time. The carbon fees would be collected in a special fund and rebated directly to all residents and businesses. The rebates would be designed to minimize the economic impact on low and moderate income residents and rural residents who typically drive longer distances.

Land Protection

Community Preservation Act Trust Fund

The Community Preservation Act was enacted in 2000 to provide funding for open space protection, affordable housing and historic preservation. Since that time 172 communities have voted to adopt CPA, voluntarily increasing their property taxes for these uses and receiving a state match. This legislation would establish a permanent adjustment to the current funding source for the CPA Trust Fund (state matching dollars). The Trust derives its revenue from fees collected at the Registries of Deeds for real estate transactions. These fees have not been adjusted since CPA was signed into law. The legislation calls for the Department of Revenue to calculate what the fee would need to be so that all CPA communities would receive a stabilized percentage match going forward.

Smart Growth

An Act Promoting the Planning and Development of Sustainable Communities

Through our work with the Massachusetts Smart Growth Alliance, ELM supports updates to our state's outmoded zoning, subdivision, and planning laws. The goal of the legislation is to encourage balanced development and land preservation that will meet the needs of the Commonwealth's communities now and for the next generation. These changes would give our cities and towns the tools they need to make their vision for the future a reality; provide more certainty to property owners and developers; and realize better land use outcomes – jobs and homes in the right places, less spending on excess infrastructure, and important natural resources protected.

Transportation

Transportation Funding

Investment in our crumbling transportation infrastructure is crucial to our economic competitiveness and quality of life. Through our work with Transportation for Massachusetts, we will support legislation that would put in place additional reforms and increase revenue for transportation with an emphasis on transit, biking and walking and other innovative mobility options that would reduce greenhouse gases from the transportation sector.

Water

Drought Legislation

The very serious drought we have been experiencing has illustrated some weaknesses in the state's Drought Management Plan. These issues need to be addressed so we can better respond to future droughts. This legislation would give additional authority to the state regarding when to declare droughts/what would trigger drought warnings, authorize more consistent responses within drought regions, particularly concerning non-essential water uses, and ensure that in addition to protecting drinking water supply, streamflow and aquatic life should be protected and included in drought management planning and actions.

II. Additional Bills We Support (list in formation)

- ***An Act to Protect the Natural Resources of the Commonwealth/Public Lands Preservation Act***

Many bills come before the legislature seeking to transfer public natural resource lands, protected by Article 97 of the Massachusetts Constitution, for other purposes. This legislation would help ensure no net loss of these protected lands by requiring that owners proposing changes in use of or disposition of any Article 97 land provide information to the Secretary of Energy and Environmental Affairs for review and consideration and, in most circumstances, provide replacement land.

- ***An Act Establishing a Comprehensive Adaptation Management Plan in Response to Climate Change***

Would codify in statute the Commonwealth's goals, priorities and principles for resiliency, preservation, protection, restoration and enhancement of Massachusetts' built and natural infrastructure using data on existing and projected climate change impacts including temperature changes, drought, inland flooding and sea level rise.

- ***Environmental justice***

Would codify Environmental Justice Executive Order 552, which requires Secretariats to take action in promoting environmental justice. Environmental justice is the equal protection and meaningful involvement of all people with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies, and the equitable distribution of

environmental benefits.

- ***Disclosure of toxic chemicals in children's products:*** A first step towards making the transition to safer alternatives to toxic chemicals is to find out what is being used in the products that we come into contact with every day. This bill would create a list of "toxic chemicals in consumer products." Manufacturers of children's products, personal care products, cleaning products and certain other products sold in Massachusetts that contain those chemicals would be required to report that information to the state and then would be made available to the public.
- ***Flame retardants (The Children and Firefighters Protection Act):*** Toxic flame retardants are added to highchairs, car seats, nursing pads, furniture, carpet pads, electronic equipment (including toys), and many more household products. They are a risk to our health and don't actually provide a fire safety benefit. Fortunately, there are ways to make furniture more fire safe and less toxic, and many companies are already doing so. This would phase out the use of certain harmful flame retardant chemicals in children's products and residential furniture.
- ***Act related to Public Investment in Fossil Fuels:*** Requires the Pension Reserves Investment Trust (PRIT) to cease new investment, and to divest no less than 20% per year, in holdings in fossil fuel companies whose business model relies on continued fossil fuel dependence, so long as the aggregate value of the fund does not drop more than .5% as a direct result. The PRIT assets are currently valued at approximately \$62 billion, of which approximately 2% is currently invested in fossil fuel companies.
- ***Act to authorize a Special Commission to Study Divestment of Public Funds from Fossil Fuels:*** Requires a report by an official commission headed by the Treasurer, providing recommendations regarding the costs and benefits of divesting from fossil fuels in the state pension fund.

III. Top Priority Legislation We Oppose

- **Delegation:** We oppose proposals for the Commonwealth to take over Clean Water Act responsibilities from the federal government. Currently, the Environmental Protection Agency is responsible for issuing permits under the Act and does so at no cost to the Commonwealth. At a time when MassDEP is already under-resourced, short-staffed, and unable to carry out many of its existing responsibilities, taking on this complex and costly program does not make sense.
- **Pipeline tariff:** We will continue to oppose efforts by pipeline developers to force ratepayers to bear the risks and costs associated with their proposed projects. Massachusetts needs to continue to increase energy efficiency and renewable energy production and transition away from fossil fuels.
- **Bottle Bill Repeal:** If the Bottle Bill is challenged, we will continue to defend it. It is an effective method for reducing litter and increasing recycling and should not be weakened or eliminated.