

# Massachusetts 2008 Climate Act



**Environment  
Northeast**

An Act Establishing the Global Warming Solutions Act  
Chapter 298 of the Acts of 2008

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On July 31, 2008, the Massachusetts legislature enacted *An Act Establishing the Global Warming Solutions Act*. Governor Patrick signed the historic bill on August 7, 2008. At its core, the Act creates a new set of enforceable state limits on greenhouse gas emissions across all sectors of the economy for the years 2020, 2030, 2040 and 2050. It places Massachusetts in an enviable position both in terms of attracting investment in the clean energy sector and addressing global climate change.

## Summary of Major Bill Provisions

- 1. Enforceable caps on greenhouse gas emissions:** directs the Secretary of the Executive Office of Energy and Environmental Affairs (EOEEA) to set state limits on greenhouse gas emissions for 2020, 2030, 2040 and 2050. The 2020 limit must be between 10% and 25% below 1990 levels and must be set no later than January 1, 2011. The 2050 limit is set at 80% below 1990 levels. The Act sets civil penalties of up to \$25,000 per day for emissions violations.

emissions in 1990 and project 2020 emissions levels under a business as usual scenario.
- 2. A path to achieve emissions limits:** requires EOEEA to adopt a series of plans to achieve the 2020, 2030, 2040, and 2050 emissions limits. It requires the state to promulgate regulations that reduce energy use, increase efficiency and encourage renewable energy development in 3 sectors: energy generation, buildings, and transportation. EOEEA must assess various possible emissions reduction strategies, including direct reductions, alternative compliance measures, market-based systems, and incentives. Every 5 years, EOEEA must monitor and report on the implementation of global warming regulations, including cost-effectiveness, societal benefits, leakage, and cost minimization.
- 3. 1990 Emissions Baseline and 2020 BAU Projection:** By July 1, 2009, the Department of Environmental Protection (DEP) must determine the level of statewide greenhouse gas
- 4. Interplay with the Regional Greenhouse Gas Initiative (RGGI):** In setting emissions limits for the electric sector, EOEEA and DEP must consider RGGI and the current renewable portfolio standard (RPS). The Act allows EOEEA and DEP to work with participating states and provinces to expand the scope of RGGI (*i.e.*, beyond the power plant sector).
- 5. Emissions registry and reporting:** requires the DEP to monitor emissions by establishing an emissions registry and reporting system, including all emissions from electricity generation consumed in Massachusetts. The Act also requires emissions reporting from owners of facilities that emit more than 5,000 tons of greenhouse gases per year and provides for voluntary reporting for facilities not required to report emissions.
- 6. Emissions advisory committee:** establishes an advisory committee to assist EOEEA in overseeing emissions reductions measures. Membership includes business and low-income groups, energy generators and distributors, and environmental organizations.
- 7. Adaptation advisory board and study:** provides for an adaptation advisory committee and requires an assessment of statewide impacts of climate change by December 31, 2009.

The full text of the Act is available at: <http://www.mass.gov/legis/laws/seslaw08/sl080298.htm>

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