

HOUSE No. 3074

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to the indebtedness of municipal lighting plants..

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

1 SECTION 1. Section 8 of Chapter 44 of the General Laws, so appearing in the 2006
2 Official Edition, is hereby amended by adding a new paragraph (8B):—(8B) For paying power
3 supply contract termination costs, which are incurred by an electric lighting plant as part of a
4 plan to restructure its power supply arrangements, with its wholesale supplier or suppliers of
5 electricity for resale by the electric lighting plant, twenty years; but the outstanding indebtedness
6 so incurred shall not exceed in a town five per cent and in a city two and one-half per cent of the
7 equalized valuation of such town or city; provided, however, that the emergency finance board,
8 established under chapter forty-nine of the acts of nineteen hundred and thirty-three, may
9 authorize a city to incur indebtedness under this clause in excess of two and one-half per cent but
10 not in excess of five per cent of the equalized valuation of such city, and may authorize a town to
11 incur indebtedness under this clause in excess of five per cent but not in excess of ten per cent of
12 the equalized valuation of such town.

13 SECTION 2. Chapter 164 of the General Laws, so appearing in the 2006 Official Edition,
14 is hereby amended by adding a new Section 40A:40A. A city or town which has duly voted to

15 acquire a municipal lighting plant may incur debt as provided for in section eight of chapter
16 forty-four for paying power supply contract termination costs, which are incurred by an electric
17 lighting plant as part of a plan to restructure its power supply arrangements with its wholesale
18 supplier or suppliers of electricity for resale by the electric lighting plant.