

HOUSE No. 3367

The Commonwealth of Massachusetts

PRESENTED BY:

Todd M. Smola

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to a solar farm moratorium.

PETITION OF:

NAME:

Todd M. Smola

DISTRICT/ADDRESS:

1st Hampden

DATE ADDED:

HOUSE No. 3367

By Mr. Smola of Palmer, a petition (accompanied by bill, House, No. 3367) of Todd M. Smola for legislation to place a moratorium on the installation of large scale ground mounted solar energy systems. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to a solar farm moratorium.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a moratorium on certain large scale solar energy systems, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

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. Notwithstanding the provisions of chapter 40A of the general laws, the
2 location of solar photovoltaic installations in heavily forested residential districts presents a clear
3 and present danger to the health, safety and welfare of the residents of the commonwealth, its
4 environment and the future of residential neighborhoods an immediate moratorium on all current
5 and future non-municipal solar photovoltaic proposals within the commonwealth, until June 30,
6 2014 will protect the health, safety and welfare of the residents of the commonwealth.

7 SECTION 2 Notwithstanding section 3 of chapter 40A of the general laws or any other
8 general or special law to the contrary, no installation of a large scale ground mounted solar
9 energy system or the building of a structure that facilitates the collection of such solar energy
10 shall be allowed prior to June 30, 2014 in any city or town in the commonwealth that has not yet
11 adopted an ordinance or by-law regarding the location of such energy system. For the purposes
12 of this act the term “large-scale ground-mounted solar system” shall mean a solar photovoltaic
13 system that is structurally mounted on the ground and is not roof-mounted, and has a minimum
14 nameplate capacity of 250 kilowatts direct current.