The Commonwealth of Massachusetts

PRESENTED BY:

Peter V. Kocot

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 the Hampshire Council of Governments.

PETITION OF:

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<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
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<tr>
<td>Peter V. Kocot</td>
<td>1st Hampshire</td>
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An Act relative to the Hampshire Council of Governments.

          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. Subsection (b) of section 20 of chapter 34B of the General Laws as appearing in the 2014 Official Edition, is hereby amended by adding the following paragraph:-

“Notwithstanding subsection (k) or any general or special law to the contrary, the Hampshire Council of Governments may, with the approval of a weighted majority of the council’s councilors (determined in accordance with the council’s charter), in connection with the council’s activities as a “supplier” as defined in section 1 of chapter 164, make contracts and guarantees, incur liabilities, incur debt, borrow money, issue notes and bonds, incur other obligations, and enter into agreements, including, but not limited to, electric power purchase agreements, electricity sale agreements and hedging agreements relating to any such, activities, debt, or obligations. The council may secure any of its aforementioned obligations by granting liens, security interests or other encumbrances in any of its personal property or assets that arise from or are related to its activities as such a “supplier,” including but not limited to, its
franchises, income and revenues from such activities, its general intangibles, accounts, deposit accounts, contracts, contract rights and the proceeds of any of the foregoing (as each such term is defined in chapter 106), and may keep separate from its general fund and deposit in segregated collateral accounts revenues from or other funds relating to such activities as may be subject to any such liens, security interests or encumbrances. The council shall be liable for the repayment of any such debt obligations incurred pursuant to this subsection, and no such debt obligations or any bonds issued by the council shall constitute a debt of the commonwealth or a pledge of the full faith and credit of the commonwealth. Nothing in this subsection shall permit the council to: (1) grant liens, security interests or other encumbrances in any of its real property in respect of liabilities, debt incurred or money borrowed in connection with its activities as a supplier as defined in section 1 of chapter 164; or (2) grant any lien, security interest or encumbrance in any emergency communications equipment or any of the property or assets of the Hampshire County Group Insurance Trust.”