

HOUSE No. 450

The Commonwealth of Massachusetts

PRESENTED BY:

Kimberly N. Ferguson and Paul K. Frost

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 authorizing the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|----------------------------------|-----------------------|------------------|
| <i>Kimberly N. Ferguson</i> | <i>1st Worcester</i> | <i>1/17/2019</i> |
| <i>Paul K. Frost</i> | <i>7th Worcester</i> | <i>1/18/2019</i> |
| <i>Joseph D. McKenna</i> | <i>18th Worcester</i> | <i>1/30/2019</i> |
| <i>Peter J. Durant</i> | <i>6th Worcester</i> | <i>1/31/2019</i> |
| <i>Donald R. Berthiaume, Jr.</i> | <i>5th Worcester</i> | <i>1/31/2019</i> |

HOUSE No. 450

By Representatives Ferguson of Holden and Frost of Auburn, a petition (accompanied by bill, House, No. 450) of Kimberly N. Ferguson, Paul K. Frost and others for legislation to authorize the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements. Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing the Southern Worcester County Regional Vocational School District to enter into solar power generation agreements.

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. (a) As used in this section, the following words shall have the following
2 meanings unless the context clearly requires otherwise:

3 “District”, the Southern Worcester County Regional Vocational School District, duly
4 organized pursuant to Chapters 71 and 74 of the Massachusetts General Laws.

5 “School”, the Bay Path Regional Vocational Technical High School owned and operated
6 by the District.

7 (b) Notwithstanding any general or special law to the contrary, the district may lease or
8 enter into other agreements for a term, including any extensions, not to exceed 30 years for
9 certain lands and any buildings and other appurtenances thereon located at the school in the town

10 of Charlton for solar power generation. The location and boundaries of any of the parcels to be
11 leased shall be determined by the district based upon a survey by a certified engineer.

12 (c) Any lease or other agreement executed pursuant to this section shall be on terms,
13 conditions and consideration acceptable to the district.

14 (d) The lessee shall be responsible for and shall maintain an escrow fund for all costs and
15 expenses including, but not limited to, costs associated with any engineering, surveys, appraisals
16 and lease preparation as such costs may be determined by the district.

17 (e) The district may establish a receipts reserved for appropriation account for any
18 revenue generated from the lease of property to the lessee. The account shall be used for the
19 general appropriations of the district.

20 (f) Annually, a report shall be filed with school committee detailing the finances of the
21 receipts reserved account. The annual report shall include: (i) the current balance in the fund; (ii)
22 any money deposited into the fund; and (iii) expenditures from the fund. The school committee
23 shall accept the report of the fund.

24 (h) All records of the lessee relating to the operation of the solar generation unit
25 including, but not limited to, finances shall be made available for inspection by the offices of the
26 state auditor, the attorney general, and the inspector general upon request.