

# HOUSE . . . . . No. 3806

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Sally P. Kerans and Joan B. Lovely*

*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 reforming the Massachusetts Municipal Wholesale Electric Company board of directors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sally P. Kerans</i>	<i>13th Essex</i>	<i>1/20/2023</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>1/20/2023</i>
<i>Jennifer Balinsky Armini</i>	<i>8th Essex</i>	<i>2/10/2023</i>

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By Representative Kerans of Danvers and Senator Lovely, a joint petition (subject to Joint Rule 9) of Sally P. Kerans, Joan B. Lovely and Jennifer Balinsky Armini for legislation to further regulate the Massachusetts Municipal Wholesale Electric Company board of directors. Telecommunications, Utilities and Energy.

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-Third General Court  
(2023-2024)  
\_\_\_\_\_

An Act reforming the Massachusetts Municipal Wholesale Electric Company board of directors.

*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 4 of chapter 775 of the acts of 1975 is hereby amended by striking  
2           out subsection (a) and inserting in place thereof the following text:

3           “(a) Except as otherwise provided in this act, the powers of the corporation shall be  
4           exercised by a board of thirteen directors. The governor shall appoint four directors who shall  
5           serve at the pleasure of the governor including: (1) one individual, from a nonprofit organization,  
6           with expertise in environmental justice; (2) one individual, from a nonprofit organization, with  
7           expertise in clean energy and climate policy; (3) one individual from the executive office of  
8           energy and environmental affairs. The member cities and towns shall elect seven directors from  
9           among their respective managers of municipal lighting and members of their municipal light  
10          boards, who shall serve for a term of one year and until their successors are chosen and qualified.  
11          At least three of the seven elected directors shall be members of municipal light boards. Three of  
12          the seven elected directors shall be elected by the member cities and towns each of whom shall

13 have one equal vote. The remaining four of the seven elected directors shall be elected by the  
14 member cities and towns each of whom shall have a vote which shall be given weight in the  
15 same proportion which its annual kilowatt-hour sales as most recently reported to the department  
16 under chapter one hundred and sixty-four of the General Laws or as otherwise determined or  
17 estimated in accordance with the by-laws bears to the total of such sales by all member cities and  
18 towns. Such an elected director may be removed at any time by the member cities and towns  
19 with or without cause or for cause by the board. The member cities and towns shall elect a  
20 successor to fill any vacancy among the elected directors for the unexpired term. No vacancy in  
21 the membership of the board shall impair the right of a quorum to exercise the powers of the  
22 board. A majority of the full membership of the board shall constitute a quorum and a majority  
23 of such quorum shall be necessary for any action by the board. The directors shall not be entitled  
24 to compensation for their services as such, but they shall be reimbursed for actual expenses  
25 necessarily incurred in the performance of their duties.”

26 SECTION 2. Section 17 of chapter 775 of the acts of 1975 is hereby amended by  
27 inserting after “public interest” the following text:

28 “which, in such cases, shall include considerations of safety, security, reliability of  
29 service, affordability, equity, greenhouse gas emissions reductions, the project’s compliance  
30 under Massachusetts statewide greenhouse gas emissions limits as defined in section 3 of chapter  
31 21N, and local emissions limits as defined in section 11F3/4 of chapter 25A”

32 SECTION 3. Section 19 of chapter 775 of the acts of 1975 is hereby amended, in  
33 paragraph (a), by inserting after “energy” the following text:

34           “, and there is reasonable and available evidence suggesting that this determination is  
35   justified.”