SENATE DOCKET, NO. 549 FILED ON: 1/16/2013

SENATE . . . . . No. 1601

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

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 passage of the accompanying:

An Act relative to municipal light plants.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John F. Keenan	*Norfolk and Plymouth*
Mark J. Cusack	*5th Norfolk*
Chris Walsh	*6th Middlesex*
Martin J. Walsh	*13th Suffolk*

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By Mr. Keenan, a petition (accompanied by bill, Senate, No. 1601) of John F. Keenan, Mark J. Cusack, Chris Walsh and Martin J. Walsh for legislation relative to municipal light plants. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

An Act relative to municipal light plants.

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. Section 47D of chapter 164, as appearing in the 2010 Official Edition, is hereby amended by striking out the section in its entirety and replacing with the following:

-A municipal lighting plant created pursuant to the provisions of this chapter or any special law shall be exempt from the public record requirements of section 10 of chapter 66 and the open meeting requirements of section 20 and 21 of chapter 30A in those instances when necessary for protecting trade secrets, confidential, competitively sensitive or other proprietary information provided in the course of proceedings conducted pursuant to this chapter when such municipal lighting plant board or its designee determines that such disclosure will adversely affect the plant's customers or its ability to conduct business.

SECTION 2. Section 134 of chapter 164, as so appearing, is hereby amended by adding the following subsection:

-“(c) Trade secrets or competitively-sensitive or other proprietary information provided in the course of activities conducted as a municipal aggregator or by a cooperative consisting of governmental entities organized pursuant to this section, when such municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy shall not be public subject to disclosure under chapter 66; provided, however, that this clause shall not exempt a public entity from disclosure required of a private entity so licensed.”