

**HOUSE . . . . . No. 4328**

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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 Regional Council of Governments.

PETITION OF:

NAME:

*Peter V. Kocot*

DISTRICT/ADDRESS:

*1st Hampshire*

**HOUSE . . . . . No. 4328**

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By Mr. Kocot of Northampton, a petition (subject to Joint Rule 12) of Peter V. Kocot that the Hampshire Council of Governments be authorized to secure certain obligations. Municipalities and Regional Government.

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The Commonwealth of Massachusetts

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to the Hampshire Regional 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:*

1           SECTION 1. Subsection (b) of section 20 of chapter 34B of the General Laws as  
2 appearing in the 2014 Official Edition, is hereby amended by adding the following paragraph:-  
3                   “Notwithstanding subsection (k) or any general or special law to the contrary,  
4 the Hampshire Council of Governments may, with the approval of a weighted majority of the  
5 council’s councilors (determined in accordance with the council’s charter), in connection with  
6 the council’s activities as a “supplier” as defined in section 1 of chapter 164, make contracts and  
7 guarantees, incur liabilities, incur debt, borrow money, issue notes and bonds, incur other  
8 obligations, and enter into agreements, including, but not limited to, electric power purchase  
9 agreements, electricity sale agreements and hedging agreements relating to any such, activities,  
10 debt, or obligations. The council may secure any of its aforementioned obligations by granting  
11 liens, security interests or other encumbrances in any of its personal property or assets that arise  
12 from or are related to its activities as such a “supplier,” including but not limited to, its

13 franchises, income and revenues from such activities, its general intangibles, accounts, deposit  
14 accounts, contracts, contract rights and the proceeds of any of the foregoing (as each such term is  
15 defined in chapter 106), and may keep separate from its general fund and deposit in segregated  
16 collateral accounts revenues from or other funds relating to such activities as may be subject to  
17 any such liens, security interests or encumbrances. The council shall be liable for the repayment  
18 of any such debt obligations incurred pursuant to this subsection, and no such debt obligations or  
19 any bonds issued by the council shall constitute a debt of the commonwealth or a pledge of the  
20 full faith and credit of the commonwealth. Nothing in this subsection shall permit the council to:  
21 (1) grant liens, security interests or other encumbrances in any of its real property in respect of  
22 liabilities, debt incurred or money borrowed in connection with its activities as a supplier as  
23 defined in section 1 of chapter 164; or (2) grant any lien, security interest or encumbrance in any  
24 emergency communications equipment or any of the property or assets of the Hampshire County  
25 Group Insurance Trust.”