

Accompanying the fifth recommendation of the Executive Office of Energy Resources (House, No. 91). Energy

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT ESTABLISHING A PROGRAM TO PROMOTE PHOTOVOLTAIC ENERGY IN THE COMMONWEALTH.

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. Chapter 25A of the General Laws is hereby
2 amended by inserting the following section:

3 Section 11B.

4 (a) The secretary of energy resources is hereby authorized to
5 establish a program for the advancement of photovoltaic energy in
6 the commonwealth, which shall include sole authority for the oper-
7 ation of the photovoltaic center of excellence established pursuant
8 to section 12 of chapter forty J of the General Laws.

9 (b) The secretary of energy resources is hereby authorized to
10 promulgate rules and regulations for the operation of the photovol-
11 taic program, and is further authorized:

12 (1) to determine the manner of support and participation in the
13 activities of the program which are required of participating busi-
14 nesses and participating institutions, to enter into contracts or
15 agreements setting forth the terms and conditions of such support
16 and participation and to determine and designate those businesses
17 and institutions which qualify as participating businesses and
18 institutions;

19 (2) to fix and revise from time to time and charge rents and
20 collect rates, rents, fees and charges for the use of the photovoltaic
21 center or any portion thereof by participating institutions or partic-
22 ipating businesses, or any other user;

23 (3) to prepare, publish and distribute to participating businesses
24 and institutions such technical studies, reports, bulletins and other

25 materials regarding the facilities and activities of the photovoltaic
26 program; provided that the secretary may designate that certain
27 information shall be available only to participating businesses and
28 institutions, and shall not be deemed to be a public record as
29 defined in clause twenty-sixth of section seven of chapter four and
30 shall not be subject to demand for production under section ten of
31 chapter sixty-six;

32 (4) to provide, or make available, educational, training, testing
33 and ancillary fabrication facilities and equipment, and to sell or
34 otherwise dispose of products fabricated thereby and services
35 available therefrom in furtherance of the purposes specified in this
36 section;

37 (5) to do any and all things necessary or convenient to carry out
38 the purposes of this section.

39 (c) The secretary of energy resources is hereby authorized to
40 establish an expendable trust for carrying out the purposes of this
41 section, to which shall be credited any funds received from any
42 participating businesses and participating institutions and other
43 users of the photovoltaic program. Such funds shall be spent or
44 maintained from year to year by the secretary for the purpose of
45 furthering the goals of the photovoltaic program without further
46 appropriation and not subject to reversion to the general fund.