

By Mr. Benson of Leverett, petition of William D. Benson, John W. Olver, Jonathan L. Healy and Richard H. Demers that provision be made for financial incentives by cities and towns for hydro-wood and wind-generated electric power projects. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT PROVIDING FINANCIAL INCENTIVES FOR HYDRO-WOOD AND WIND-GENERATED ELECTRIC POWER PROJECTS.

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. *Declaration of Policy.* It is hereby declared that
2 for the benefit of the people of the Commonwealth and the increase
3 of their commerce, welfare and prosperity, the Commonwealth
4 should seek to increase both the diversification of power sources
5 and the total power supply available to its citizens and industries
6 and that, to this end, it should promote the construction and
7 operation of hydro, wood and wind-generated electric power pro-
8 jects; that, because they produce electric power from self-renewing
9 natural forces, hydro, wood and wind-generated projects are not
10 subject to the severe diminishment of future resources which cur-
11 rently discourages unsupplemented long-term reliance on fossil-
12 fuel electric production; that the continuing increase in the cost of
13 electricity is a basic factor in the structural economic weaknesses
14 from which the Commonwealth suffers, contributing to chronic
15 unemployment and underemployment; that, because it is the end
16 result of self-renewing forces, hydro, wood and wind-generated
17 power is not directly susceptible to the rapidly escalating produc-
18 tion expenses attributable to dependence on a diminishing fuel
19 source and, therefore, may be of significant value in retarding the
20 increased future cost of electric production in the Commonwealth;
21 that projects generating electricity from wood, wind and water are
22 not destructive of the natural environment but can exist harmon-

23 iously with natural forces currently untapped by productive
24 human enterprise; and that it is the purpose of this act to provide
25 financial incentives for the construction and operation of hydro,
26 wood and wind-generated electric power projects, all to the public
27 benefit and good, to the extent and in the manner provided herein.

1 SECTION 2. Section one of Chapter 40D of the General Laws
2 is hereby amended by inserting after (j) the following clause: —

3 (j½) "Hydro, wood and wind-generated electric power facili-
4 ties", facilities for the production of electric energy by any means
5 employing wood or the natural force of wind or water.

1 SECTION 3. Said Chapter 40D is further amended by striking
2 out paragraph (p) of Section one, as most recently amended by
3 Chapter four-hundred and ninety-five of the Acts of nineteen
4 hundred and seventy-eight, and inserting in place thereof the fol-
5 lowing clause: —

6 (P) "Project," industrial development facilities, pollution con-
7 trol facilities, solid waste disposal facilities or hydro, wood and
8 wind-generated electric power facilities, or the construction, acqui-
9 sition, equipping or improvement thereof or any combination of
10 the foregoing.

1 SECTION 4. Said Chapter 40D is further amended by elimi-
2 nating the word "and" preceding (iii) of Section seven (c), and most
3 recently amended by Chapter four-hundred and ninety-five of the
4 Acts of nineteen hundred and seventy-eight, and inserting after the
5 last word of (iii) of said Section seven (c), the following phrase: —
6 and (iv) hydro, wood and wind-generated electric power facilities.

1 SECTION 5. Said Chapter 40D is further amended by adding
2 after Section 23 the following: —

3 Section 24. (a) A municipality acting by and through an author-
4 ity may finance hydro, wood and wind-generated electric power
5 facilities in the same manner provided by this Chapter for indus-
6 trial development facilities, except as otherwise hereinafter
7 provided.

8 (b) The requirements of clauses (e), (g), (i), and (k) of subsection
9 (2) of Section twelve shall not apply to hydro, wood and wind-
10 generated electric power facilities. It shall be necessary, however,
11 that the Massachusetts Industrial Finance Agency find, after con-
12 sultation with such other office or offices of the Commonwealth
13 having energy responsibility as the agency deems appropriate, that
14 the project is in the public interest.

1 SECTION 6. Said Chapter 40D is further amended by elimi-
2 nating the second use of the phrase "pollution control" in Section
3 twenty-three and by inserting after the first use of the phrase
4 "pollution control facilities" in Section twenty-three, the following
5 phrase — or hydro, wood and wind-generated electric power
6 facilities.

1 SECTION 7. The provisions of this Act shall apply to the Mas-
2 sachusetts Industrial Finance Agency and its powers under Chap-
3 ter 23A of the General Laws.

1 SECTION 8. Section thirty-five of Chapter 23A of the General
2 Laws is hereby amended by inserting after the phrase "and waste
3 disposal facilities" in subsection (a), the following phrase: — and
4 hydro, wood and wind-generated electric power facilities.

