

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Morrissey, Michael (SEN)**

*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 bill:

An Act to protect electricity consumers and the appropriation process from solicitation or acceptance of utility tariff-based funding for government activities.

PETITION OF:

NAME:

Morrissey, Michael (SEN)

DISTRICT/ADDRESS:

Norfolk and Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S01956 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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### AN ACT TO PROTECT ELECTRICITY CONSUMERS AND THE APPROPRIATION PROCESS FROM SOLICITATION OR ACCEPTANCE OF UTILITY TARIFF-BASED FUNDING FOR GOVERNMENT ACTIVITIES.

*Whereas*, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make found and declared that: (a) affordable electric service should be available to all consumers on reasonable terms and conditions; (b) the adoption of special provisions to the tariffs of Independent System Operator - New England or of any other electric company, transmission company or distribution company or of any other utility company, for the purpose of funding the budget of a proposed regional state committee on electricity would increase electricity rates and charges to consumers in the commonwealth; (c) the proposed regional state committee on electricity is to be incorporated by the governors of the six New England states, and its operations are to be directed by a committee consisting of governor appointed representatives; (d) the lawful funding of activities of the executive branch of the commonwealth is exclusively a function of the appropriations process of the legislative branch; and (e) it is in the public interest of the commonwealth to preserve the separation of powers required by the commonwealth's constitution and to promote affordable electricity rates through the enactment of the following statutory changes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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 6 of chapter 6A of the General Laws, as so appearing, is hereby  
2 amended by inserting after the first paragraph the following:-

3           Notwithstanding the foregoing or any provision of the General Laws to the contrary, the  
4 Governor shall not create, establish, organize, or incorporate, either individually or collectively,  
5 a regional state committee on electricity without the prior statutory authorization of the general  
6 court. To the extent any regional state committee on electricity is created, established,  
7 organized, or incorporated, the Governor shall not, without the prior statutory authorization of  
8 the general court, participate in such committee or authorize or direct the participation of any  
9 representative of the commonwealth or the Governor to participate in such committee, to the  
10 extent that its operations are funded through charges imposed on utility consumers within the  
11 commonwealth through the adoption of special provisions to the tariffs of Independent System  
12 Operator - New England or of any other electric company, transmission company or distribution  
13 company or of any other utility company.