

Chapter 304.

AN ACT PROVIDING FOR CAPITAL FACILITY REPAIRS AND IMPROVEMENTS FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the immediate capital improvement needs of the commonwealth, 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:

SECTION 1. To provide for a program of capital facility repairs and improvements to protect and improve the capital facilities of the commonwealth and for a program of capital asset acquisitions for general government operations, the sums set forth in sections 2A, 2B, 2C and 2D, inclusive, for the several purposes and subject to the conditions specified in this act are hereby made available, subject to the laws regulating the disbursement of public funds, which sums shall be in addition to any other amounts previously appropriated for these purposes.

NO SECTION 2.

SECTION 2A.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

1100-7400 For the recapitalization of the Massachusetts Community Development Finance Corporation established pursuant to section 2 of chapter 40F of the General Laws; provided, that the corporation shall prepare a 5-year strategic operations plan which shall include, but not be limited to, (i) identification of the financial resources required to meet the mission and on-going lending operations of the corporation; (ii) a plan to reduce or eliminate the need for public subsidies to meet the mission of the corporation; and (iii) identification of the corporate relationship to and purpose of any affiliated or subsidiary corporations, including a description of how the affiliation or subsidiary relationship is consistent with the objective of fulfilling the mission of the corporation; and provided further, that the corporation shall submit the strategic operations plan to the executive office for administration and finance and to the house and senate committees on ways and means not later than December 31, 2008 \$10,000,000

1100-9200 For costs associated with the purchase and procurement of equipment for general government operations. \$250,000,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

8000-0700 For equipment for the department of correction and other agencies within the executive office of public safety and security including, but not limited to, medical equipment, security equipment and communications equipment \$25,000,000

8000-2020 For the design, construction and implementation of the department of state police mobile data network and an automated motor vehicle citation system, including the use of "MDT" devices \$15,000,000

8100-2025 For the replacement of state police cruisers; provided, that the state police shall develop a 5-year plan which specifies the number of vehicles to be replaced each fiscal year over a 5-year period; provided further, that the department shall report annually to the house and senate committees on ways and means the number of vehicles and condition of each vehicle replaced under this plan; provided further, that the report shall also include, but not be limited to, the total amount spent in each fiscal year; and provided further, that the first report shall be filed by January 1, 2009 \$40,000,000

8100-9000 For the purchase of state police helicopters; provided, that the state police shall trade in 1 helicopter from the current inventory of helicopters each time a replacement medium lift helicopter is purchased, and the value of the trade-in shall be used to reduce the negotiated purchase price of the replacement helicopter \$25,000,000

SECTION 2B.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Information and Technology Division

1790-3000 For costs associated with planning and studies, the preparation of plans and specifications, purchase and procurement of information technology-related

equipment and related projects; provided, that any federal reimbursement received by a state agency in connection with projects funded from this item may be retained by the state agency and expended for the purposes of the project, without further appropriation, in addition to the amounts appropriated in this item; provided further, that any state agency receiving federal reimbursements for a project funded from this item shall file a quarterly report with the executive office for administration and finance, the house and senate committees on ways and means, and the joint committee on bonding, capital expenditures, and state assets that details, by project, an annual estimate of anticipated federal reimbursement to be received on behalf of and expended for the project, as well as year-to-date actual federal reimbursement received and year-to-date actual expenditures of the reimbursement, by project; and provided further that \$1,800,000 shall be expended for information technology systems upgrades at the appeals court and the supreme judicial court..... \$451,800,000

SECTION 2C.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Office of the Secretary

- 1100-8020 For the Massachusetts Opportunity Relocation and Expansion Jobs Capital Program related to site remediation, preparation and ancillary infrastructure improvement projects; provided, that the local executive government body and a for-profit entity involved in the project shall jointly submit a request for funding to the secretary of housing and economic development which shall include sufficient documentation including, but not limited to, a project plan with specific goals and objectives that fully documents the proposed project and demonstrates that the businesses associated with the project will generate substantial sales from outside the commonwealth and will result in the creation of a net increase of at least 100 new permanent full-time jobs in Massachusetts within 24 months after receipt of a grant and commits that the jobs are to be maintained for at least a 5-year period and the jobs do not replace existing jobs elsewhere in the commonwealth; and provided further, that twice annually the secretary shall issue a written report to the clerk of the house of representatives and the clerk of the senate, who shall forward the same to the chairs of the house and senate committees on ways and means and the chairs of the joint committee on economic development and emerging technologies which shall include detailed descriptions of any infrastructure improvement projects funded under this program, an accounting of the variance, if any, between proposed jobs and actual creation of jobs, the current and estimated amount of taxable income expected from each project and all funds expended for this purpose; provided further, that not less than \$25,000,000 shall be granted to gateway cities and cities with more than 40,000 inhabitants but fewer than 175,000 inhabitants where: (1) the unemployment rate is at least 1.5 per cent higher than the statewide average; or (2) the median income of the city is 80 per cent or less of the state median income; and provided further, that not less than \$15,000,000 shall be expended on projects in cities in which both criteria are applicable..... \$100,000,000
- 0640-0300 For the Massachusetts Cultural Facilities Fund established in section 42 of chapter 23G of the General Laws for the acquisition, design, construction, repair, renovation, rehabilitation or other capital improvement or deferred maintenance to a cultural facility..... \$50,000,000
- Division of Capital Asset Management and Maintenance*
- 1102-2008 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfers, or by eminent domain under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations,

improvements, asset management and demolition, disposition and remediation of state-owned and former county facilities and grounds and for costs associated with repair and maintenance of buildings and building systems and equipment at various facilities of the commonwealth; provided, that all maintenance and repair work funded in this item shall be listed in the capital asset management information system administered by the division of capital asset management and maintenance; provided further, that, where appropriate, the commissioner of capital asset management and maintenance may transfer funds in accordance with the delegation of project control and supervision process under section 40B of chapter 7 of the General Laws; provided further, that funds so transferred shall be distributed based on the severity of the need that the repair will address and other criteria developed by the division, in consultation with the secretary of administration and finance; provided further, that costs payable from this item shall include, but not be limited to, the costs of engineering and other services essential to these projects rendered by division of capital asset management and maintenance employees or by consultants; provided further, that not less than \$1,000,000 shall be expended to the town of Weymouth for the general maintenance and any other costs associated with daily operations of the Tufts, Franklin Pratt, North Branch and Fogg Libraries located in the town of Weymouth; provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects; provided further that, upon certification by the commissioner of education pursuant to section 4 of chapter 463 of the acts of 2004, \$60,000,000 shall be expended for costs associated with the construction of the Essex North Shore Agricultural and Technical School in the town of Danvers; provided further, that not less than \$24,000,000 shall be expended for the construction of the Massachusetts Psychiatric Hospital in the city of Worcester; and provided further, that \$1,000,000 shall be expended for infrastructure improvements and maintenance equipment at the Murphy Skating Rink in the South Boston section of the city of Boston \$461,000,000

1100-3001 For a grant program to cities and towns for the purpose of providing funding for the repair, renovation or construction of municipal facilities or infrastructure or of any cultural, social, recreational or other facilities serving a municipal purpose, including those owned or operated by nonprofit organizations, technology upgrades and purchase of equipment, under rules adopted by the executive office for administration and finance based upon the following criteria: an assessment of fiscal and budgetary constraints facing the municipality; an analysis of the municipality's proposed budget and financing of the repair, renovation, or construction project; the municipality's need for the project; the benefits to the municipality that will result from the project; and an overall evaluation of the merits of the grant proposal; provided, that the executive office of administration and finance may expend not more than 1 per cent of the total amount available for the cost of administering this program; provided further, that not less than \$100,000 shall be expended for the construction of a concrete foundation for refrigerant pipes at the Bourne Ice Rink; provided further, that not less than \$1,000,000 shall be expended for the Municipal Stadium safety project; provided further, that not less than \$1,200,000 shall be expended for improvements to the Newburyport senior center in Newburyport; provided further, that not less than \$7,000,000 shall be expended for improvements to the Haverhill Stadium in Haverhill; provided further, that not less than \$100,000 shall be expended for renovations of Lakeville town hall; provided further, that not less than \$100,000 shall be expended for renovations of Freetown town hall; provided further, that not less than \$100,000 shall be expended for renovations of Middleborough town hall; provided further, that not less than \$75,000 shall be expended for construction of a

parking lot at the Council on Aging in Middleborough; provided further, that not less than \$3,500,000 shall be expended for waterfront development in Beverly; provided further, that not less than \$10,000,000 shall be expended for clean up of the former Belchertown state school property; provided further, that not less than \$4,000,000 shall be expended for restoration of the Loew's Poli Palace Theatre; provided further, that not less than \$500,000 shall be expended for repairs to the Hamilton Center in Newton Lower Falls; provided further, that not less than \$30,000,000 shall be expended for repair or replacement of water pipes located under state highway routes 1 and 99 in Saugus and that said appropriation shall also be used for reimbursement to the town of Saugus for the cost of breaks to said pipes located under said state highways; provided further, that not less than \$2,000,000 shall be expended for the Hope House in the city of Boston; provided further, that not less than \$2,000,000 shall be expended for the Watertown Boys' and Girls' Club, Inc.; provided further that not less than \$1,500,000 shall be expended for repairing the irrigation system at the Leo J. Martin golf course in the city of Boston; provided further, that not less than \$250,000 shall be expended for the Amesbury Carriage Museum in the city of Amesbury; provided further, that not less than \$1,000,000 in matching funds shall be expended for the construction of a new senior citizen center in the town of Canton; provided further, that not less than \$250,000 shall be spent on renovations and improvements to the Dalton Town Hall; provided further, that not less than \$2,500,000 shall be expended for the renovation and restoration of the Everett Hall Theatre in the Hyde Park section of Boston; provided further, that not less than \$40,000 shall be expended for the construction and maintenance of trails in the Town of Bourne; provided further, that not less than \$250,000 shall be expended for rehabilitation and renovations to the Gardner Senior Center; provided further, that not less than \$500,000 shall be expended for the Town of Ashland, to create a quiet zone at the grade level crossing on Cherry Street in Ashland, to improve economic development and public safety in the Town of Ashland; provided further, that not less than \$800,000 shall be expended for the reconstruction of Route 133 from Chestnut Street to Carlton Drive and Route 97 from the Groveland line to Moulton Street in the Town of Georgetown; provided further, that not less than \$300,000 shall be expended for Bailey Lane Bridge Replacement and Road Improvements in the Town of Georgetown; provided further, that not less than \$3,000,000 shall be expended to the town of Burlington for the design, construction, and implementation of a capital infrastructure improvement project adjacent to Route 3 and Middlesex Turnpike in the town of Burlington; provided further, that not less than \$500,000 shall be expended for infrastructure improvements related to pedestrian safety, vehicle access and parking for the proposed Andover Youth Center in the Town of Andover; provided further, that not less than \$100,000 shall be expended for renovations of Charlton Town Hall; provided further, that not less than \$50,000 shall be expended for renovations of East Brookfield Town Hall; provided further, that not less than \$250,000 shall be expended to establish a pilot program for implementing automatic meter-reading technology, to be administered jointly by the Braintree Electric Light Department and the Braintree Water and Sewer Department; provided further, that not less than \$500,000 shall be expended for improvements to the Water and Sewer building in the town of Braintree; provided further, that not less than \$200,000 shall be expended to the Daniels Farmstead Foundation; provided further, that not less than \$150,000 shall be expended for the construction of a new Salt Shed in the city of Fitchburg; provided further, that not less than \$250,000 shall be expended for upgrades to the elevator at the Council on Aging Center in Billerica; provided further, that not less than \$250,000 shall be expended on renovations for the Athol Senior Center; provided further, that not less than \$1,000,000 be expended for

the restoration of the Lynch Park Carriage House in the city of Beverly; provided further, that not less than \$250,000 shall be expended for ADA compliance at the town hall in Egremont; provided further, that not less than \$200,000 shall be expended on the Beebe Woods/Highfield Drive Walking Path and parking facility in the Town of Falmouth; provided further, that not less than \$200,000 shall be expended on the design, renovation and reconstruction of the Surf Drive Bath House and the Old Silver Beach Bath House in the Town of Falmouth; provided further, that not less than \$2,000,000 shall be expended for the Town of Framingham to construct a Downtown Parking Garage in close proximity to Framingham Memorial Building, serving Town Government, commercial, and related regional Public Service and Public Safety operations; provided further, that not less than \$1,000,000 shall be expended for capital improvements to the Bridgewater senior center in the town of Bridgewater; provided further, that \$750,000 shall be expended for the Loring Skating Arena in the town of Framingham; provided further, that not less than \$1,000,000 shall be expended for the Presentation School in Brighton; provided further, that not less than \$2,000,000 shall be expended on Fenway Community Health Center; provided further, that not less than \$600,000 shall be expended for Project Place in Boston; provided further, that not less than \$250,000 shall be expended for communications consoles for the Braintree police department; provided further, that not less than \$250,000 shall be expended for creation and development of a senior center in Canton; provided further, that not less than \$1,000,000 shall be expended for design and construction of a performing arts center in Milton; provided further, that not less than \$1,800,000 shall be expended for design and construction of a senior center in East Bridgewater; provided further, that not less than \$5,000,000 shall be expended for design and construction of a department of public works operations center in East Bridgewater; provided further, that not less than \$10,000,000 shall be expended for a municipal maintenance facility in Canton; provided further, that not less than \$100,000 shall be expended for repairs to the Chester town hall; provided further, that not less than \$500,000 shall be expended for renovations to the old town hall in Easthampton; provided further, that not less than \$24,000,000 shall be expended for the Westfield intermodal and downtown revitalization initiative; provided further, that not less than \$500,000 shall be expended for air conditioning at city hall in Lynn; provided further, that not less than \$4,917,000 shall be expended for waterfront development in Lynn; provided further, that not less than \$2,253,395 shall be expended for reconstruction of the Ward bath house in Lynn; provided further, that not less than \$1,000,000 shall be expended for improvements to the Grand Army of the Republic building in Lynn; provided further, that no less than \$350,000 shall be expended for design and renovation of Topsfield town hall; provided further, that \$500,000 shall be expended for capital improvements to the Trailside museum; provided further, that not less than \$200,000 shall be expended for Watertown Landing; provided further, that the sum of \$200,000 shall be made available on a matching basis with the town for the extension and repair of sidewalks on Route #113 in the town of West Newbury; provided further, that not less than \$100,000 be expended for improvements to the Department of Public Works Maintenance Facilities in the city of West Springfield; provided further, that not less than \$1,000,000 shall be expended for the construction of a senior center in the Town of Westminster; provided further, that not less than \$1,000,000 be expended to the Department of Public Works located in the Town of Weymouth; provided further, that \$500,000 shall be expended for repairs and renovations to the Sanborn House Cultural Facility in the Town of Winchester; provided further, that \$100,000 shall be expended for the Veterans memorial Honor Roll in the Town of Winchester; provided further, that \$3,000,000 shall be expended for the design and construction of a parking garage in the Town of

Winchester; provided further, that not less than \$1,000,000 shall be expended for capital improvements to the Winthrop senior center in the town of Winthrop; provided further, that not less than \$176,000 shall be expended for development grants to the Waters Farm Living History Museum; provided further, that not less than \$200,000 shall be expended for renovations at the town hall in the town of Spencer; provided further, that not less than \$30,000 shall be expended for the restoration of the historic North Purchase street school house; provided further that not less than \$25,000 shall be expended for a comprehensive study to develop sign and graphic standards for the Plymouth Historic District; provided further, that not less than \$25,000 shall be expended for landscape design and permitting for rehabilitation of the Training Green in Plymouth; provided further, that not less than \$3,500,000 shall be expended for design and construction projects recommended by the Plymouth Public Space Action Plan (2007); provided further, that not less than \$250,000 shall be expended for dog recreation space at Ronan park in the Dorchester section of the city of Boston; provided further, that not less than \$100,000 shall be expended for new facilities and improvements at Almont park in the Mattapan section of the city of Boston; provided further, that not less than \$100,000 shall be expended for new facilities and improvements at Walker Playground at Norfolk Park in the Mattapan section of the city of Boston; provided further, that not less than \$4,000,000 shall be expended for design and construction projects on Water Street as recommended by the Plymouth Public Space Action Plan (2007); provided further, that not less than \$155,000 shall be expended for street lights in the town of Bourne; provided further, that not less than \$3,200,000 shall be expended for renovations at the Falmouth Town Library; provided further, that not less than \$300,000 shall be expended for the historic restoration of the Rockland Memorial Library; provided further, that not less than \$15,000 shall be expended for technology upgrades at the Plymouth Public Library; provided further, that not less than \$80,000 shall be expended for the Modernization of the Plymouth Fire Prevention Bureau; provided further, that not less than \$100,000 shall be expended for the establishment of the Plymouth Historical Records Management Program; provided further, that not less than \$500,000 shall be expended for the restoration of the historic Blanchard street school house, and for ADA improvements at the town hall, senior center, and library in the town of Uxbridge; provided further, that not less than \$737,000 shall be expended to reimburse the town of Southbridge for its purchase of the former National Guard armory from the commonwealth; provided further, that not less than \$300,000 shall be expended for ADA compliance and entry way improvements at the town hall in Charlton; provided further, that not less than \$665,735 shall be expended for Old Town Hall renovations in Barre; provided further, that not less than \$1,000,000 shall be expended for development of a senior center in Rutland; provided further, that not less than \$1,500,000 shall be expended for development of a senior center in Templeton; provided further, that not less than \$3,500,000 shall be expended for improvements to town hall in Framingham; provided further, that not less than \$8,000,000 shall be expended for construction of a parking garage in Natick; provided further, that not less than \$100,000 shall be expended for the Hartshorne House in Wakefield; provided further, that not less than \$1,300,000 shall be expended for the preservation of the Museum of African American History; provided further, that not less than \$1,000,000 shall be expended for a senior center in Malden; provided further, that not less than \$1,000,000 shall be expended for construction of a new facility for the Lena Park Community Development Corporation; provided further, that not less than \$1,000,000 shall be expended for the preservation of the historic registry in Stoneham; provided further, that not less than \$600,000 shall be expended for the relocation of the salt storage shed in Andover; provided further, that not less than \$1,500,000 shall be expended for ADA improvements at the

town hall in Dracut; provided further, that not less than \$8,000,000 shall be expended for Quabbin development in Belchertown; provided further, that not less than \$1,500,000 shall be expended for Essex Town Hall exterior; provided further, that not less than \$350,000 shall be granted to Gloucester for an economic development study for a previously-identified area of the city with the potential for job creation; provided further, that not less than \$171,000 shall be expended for reimbursements of replaced culverts damaged in the May 2006 flooding in Rowley; provided further, that not less than \$250,000 shall be expended for sidewalk construction and for improvements at Sharon Yokaitis park along Mount Vernon street in the Dorchester section of the city of Boston; provided further, that not less than \$100,000 shall be expended for Hart's Hill Housing in the town of Wakefield; provided further, that not less than \$40,000 shall be expended for a new World War II Memorial in the town of Wakefield; provided further, that not less than \$45,000 shall be expended for information technology document management solutions in the town of Wakefield; provided further, that not less than \$40,000 shall be expended for technology upgrades for fire department vehicles in the town of Marblehead; provided further, that not less than \$5,000 shall be expended for technology upgrades for fire department vehicles in the town of Swampscott; provided further, that not less than \$25,000 shall be expended to enhance the real-time forensic ability of the Swampscott Police Department with the use of Live Scan finger printing; provided further, that not less than \$200,000 shall be expended to fund wind or solar energy generation systems at the transfer station in the town of Marblehead and a designated building in the town of Swampscott; provided further, that not less than \$1,000,000 shall be expended for the renovation of the community safety building in Arlington; provided further, that not less than \$250,000 shall be expended for repairs to the Brattle Street culvert in Arlington; provided further, that not less than \$50,000 shall be expended for the West Medford Community Center; provided further, that not less than \$30,000 shall be expended on a security system for the Fort Taber Military Museum; provided further, that not less than \$3,000,000 shall be expended for the Frederick Douglass House and Museum located in the city of New Bedford for costs associated with renovation, enhancement, reconstruction, improvement, expansion, demolition, acquisition, property repair, and exhibits and collections; provided further, that not less than \$350,000 shall be expended on design and repair of the Parting Ways Building in the town of Acushnet; provided further, that not less than \$50,000 shall be expended for Market Ministries programs related to facilities maintenance, improvements, restoration, renovation, and educational capital expenditures; provided further, that not less than \$1,000,000 shall be expended for preservation and expansion of the Levi Standish House in the city of New Bedford; provided further, that not less than \$2,000,000 shall be expended for the rehabilitation of the New Bedford Armory; provided further, that not less than \$2,000,000 shall be expended for capital improvements at the New Bedford Whaling Museum; provided further, that not less than \$3,000,000 shall be expended on capital improvements to the Zeiterion Theater including, but not limited to, demolition, acquisition, renovation, restoration, design, and construction, including a ballroom, expanded stage facilities and other capital improvements; provided further, not less than \$2,000,000 shall be expended for equal capitalization of the Western Massachusetts Enterprise Fund, Inc. and the South Eastern Economic Development Corporation; provided further, that the corporations shall prepare 5-year strategic operations plans which shall include, but not be limited to: (i) identification of financial resources required to meet the mission and ongoing lending operations of the corporation; and (ii) a plan of action for reducing or eliminating the need for public subsidies to meet the mission of the corporation not later than December 31, 2008; provided further, that not less than \$750,000 shall be expended

for the benefit of the town of Dartmouth to acquire the former state police barracks for appropriate town use including, but not limited to, a municipal, health, or educational facility; provided further, that not less than \$1,500,000 shall be expended for expansion, renovation, capital improvements, relocation, or demolition for the Fairhaven Council on Aging; provided further that not less than \$2,000,000 shall be expended for planning and design for improvements to the public safety buildings in the town of Ashland; provided further, that not less than \$1,200,000 shall be expended for repairs and improvements to the senior center in the town of Medway; provided further, that not less than \$750,000 shall be expended for renovations and repairs to the senior center in the town of Holliston; provided further, that not less than \$1,500,000 for repairs and renovations to the Danforth Museum in the town of Framingham; provided further, that not less than \$2,500,000 shall be expended for the rehabilitation of the historical town hall in the town of Hopkinton; provided further, that not less than \$1,000,000 shall be expended for a new senior center in Falmouth; provided further, that not less than \$20,000 shall be expended for an engineering study to be conducted on wharves in Mattapoisett; provided further, that not less than \$1,000,000 shall be expended for capital improvements to the Revere Senior center in the city of Revere; provided further, that not less than \$450,000 shall be expended for the purpose of installing sound barriers along route 290 in the Maynard street section of the town of Northborough; provided further, that not less than \$400,000 shall be expended for the purpose of clean up and remediation of 199 Coburn Street in the town of Northborough; provided further, that not less than \$500,000 shall be provided to the Quincy Public School system to be used for technology upgrades; provided, that \$100,000 shall be expended for the reconstruction and installation of public access improvements to the Larabee School building in the town of Southampton; provided further, that not less than \$1,000,000 shall be expended for upgrading and expanding the Martin Luther King Jr. Community Center in Springfield; provided further, that not less than \$500,000 shall be expended for education and technology computer upgrades in Randolph; provided further, that not less than \$1,500,000 shall be expended for the rehabilitation and upgrading of Parcel A of the Dunbar Community Center in Springfield; provided further, that not less than \$1,000,000 shall be expended for the rehabilitation and upgrading of the Girls Club/Family Center in Springfield; provided further, that not less than \$300,000 shall be expended for renovation's to Royalston's Whitney Hall and Royalston Town hall to meet full compliance for accessibility under the Americans with Disabilities Act; provided further, that not less than \$2,000,000 shall be expended for improvements to Waconah Park in Pittsfield; provided further, that not less than \$500,000 shall be expended for the historic renovation and other improvements to World War memorial Stadium in the city of Newburyport; provided further, that not less than \$195,000 shall be expended for the development of streetscape improvements and additional parking in the downtown area of North Andover; provided further, that not less than \$200,000 shall be expended for improvements to the Stevens Estate in North Andover; provided further, that not less than \$190,000 shall be expended for the study, design and development of a windmill on the Stevens Estate property in North Andover for the purpose of providing an alternative energy source; provided further, that not less than \$1,000,000 shall be expended for the design and construction of a center for senior citizens in the town of Scituate; provided further, that not less than \$100,000 be expended for the design of a new senior center in the town of Sherborn; provided further, that the sum of \$200,000 shall be expended for municipal infrastructure to mitigate beach erosion problems in the Plum Island section of the town of Newbury; provided further, that \$100,000 shall be expended for a study to determine the feasibility of development and construction of an

Underground Railroad, Civil Rights and Black heritage Museum and Cultural Center in Springfield; provided further, that \$1,000,000 shall be expended for the Geriatric Authority of Holyoke; provided further, that \$100,000 shall be expended for the renovation/restoration of the City Hall of Holyoke; provided further, that not less than \$1,000,000 shall be expended for the design and construction of a Cape Verdean Community Center at the former Morse Cutting Tools site or any other location deemed appropriate by the community in New Bedford; provided further, that not less than \$3,000,000 shall be expended for the design and construction of the Casa da Saudade/Portuguese Cultural Center in New Bedford; provided further, that not less than \$500,000 shall be expended for improvements to the former Thompson School in New Bedford; provided further, that not less than \$1,000,000 be expended for the construction of a new Senior Center and Community Center in the town of Natick; provided further, that not less than \$1,000,000 be expended for the construction of a new public safety building in the town of Millis; provided further, that not less than \$2,500,000 shall be expended for the Boys and Girls Club of Marshfield for the construction of a new facility on land designated by the town of Marshfield; provided further, that not less than \$250,000 shall be expended for roof and ceiling repairs for the historic Mendon Town Hall; provided further, that \$500,000 shall be expended for the Restoration and Renovation of the Methuen Historic Museum in the City of Methuen; provided further, that \$1,000,000 shall be expended for the widening of the Howe Street Bridge in the City of Methuen; provided further, that not less than \$250,000 shall be expended for the design and construction of a public safety and public works facility in the Town of New Braintree; provided further, that not less than \$500,000 shall be expended for upgrades for the Milton Youth Center; provided further, that not less than \$350,000 shall be expended for a youth sports facilities grant for the City of Melrose; provided further, that not less than \$50,000 shall be expended for renovations and repairs of the historic Bancroft Memorial Library in Hopedale; provided further, that not less than \$1,000,000 shall be expended for a senior center in Hopedale; provided further, that not less than \$500,000 shall be expended for restoration of the W.E.B. Du Bois Homesite in the town of Great Barrington; provided further, that not less than \$150,000 shall be expended for safety improvements at railroad crossings in the town of Lincoln; provided further, that \$100,000 shall be expended to renovate, abate lead paint and repaint the exterior of the Old Town Hall building in the town of Chelmsford; provided further, that \$1,000,000 shall be expended for the purchase of fire apparatus for public safety in the town of Concord; provided further, that not less than \$75,000 shall be expended to the city of Greenfield for a Phase II feasibility and planning study for the downtown upper story development project; provided further, that not less than \$800,000 shall be expended to the city of Greenfield for the redevelopment and marketing of the First National Bank Building; provided further, that not less than \$2,000,000 shall be expended to aid in the construction of the Greenfield Transportation Center; provided further, that not less than \$173,000 shall be expended for a historical renovation of the New Salem Academy Building; provided further, that \$300,000 shall be expended for the repair and improvements to the green energy systems at Smith Academy in the town of Hatfield; provided further, that not less than \$100,000 shall be expended for hazardous material removal in the North Attleborough school district; provided further, that not less than \$350,000 shall be expended for Georgetown Square traffic signal updates and loop detection installation in the town of Georgetown; provided further, that not less than \$800,000 shall be expended for the acquisition of a ladder truck in the city of Gloucester; provided further, that not less than \$225,000 shall be expended for the purchase of an aerial bucket truck for the fire and tree departments in the town of Norwell; provided

further that not less than \$4,000,000 shall be expended on the design and construction of a parking garage or parking improvements in the city of Fall River; provided further, that not less than \$150,000 shall be expended for modernization and technology upgrades for fire department vehicles in the city of Everett; provided further, that not less than \$70,000 shall be expended for technology upgrades at the recreation center in the city of Everett; provided further, that not less than \$30,000 shall be expended for technology upgrades at the YMCA in the city of Chelsea; provided further, that not less than \$100,000 shall be expended for maintenance improvements for the police headquarters in the city of West Springfield; provided further, that not less than \$50,000 shall be expended for the Cahoon Museum in the town of Barnstable for outreach and education promoting green building technologies for students in Kindergarten through grade 7; provided further, that not less than \$100,000 be expended for maintenance improvements for the fire department facilities in the city of West Springfield; provided further, that not less than \$100,000 shall be expended for maintenance improvements for the municipal office building in the city of West Springfield; provided further, that not less than \$30,000 shall be expended for directional signs to the Cotuit Historic and Arts District; provided further, that not less than \$300,000 shall be expended for renovations and improvements to the Greenwood memorial bathhouse in the city of Gardner; provided further, that not less than \$250,000 shall be expended for rehabilitation and renovations to Ashby town hall; provided further, that \$500,000 shall be expended for the renovation of historic Lincoln Hall as a community space in the Town of Boxford; provided further, that not less than \$500,000 shall be expended for improvements to 90 Pond Street in the town of Braintree; provided further, that not less than \$250,000 shall be expended for the enhancement and improvement of the Sylvanus Thayer Birthplace and historical campus in the town of Braintree; provided further, that \$500,000 shall be expended for technology upgrades for fire department vehicles in the town of Sharon; provided further, that not less than \$350,000 shall be expended for capital improvements at the Supportive Housing for Homeless Veterans at the National Guard Armory in the city of Worcester; provided further, that not less than \$100,000 shall be expended for relocation and improvements to the Abington senior center; and provided further, that not less than \$900,000 shall be expended for updates to the Cape Cod Regional Radio System in the town of Barnstable \$286,725,000

JUDICIARY

Trial Court

1102-5600

For capital needs at court facilities, including, but not limited to, expenditures for the planning, design, and acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, the preparation of plans and specifications, the construction, renovation, reconstruction, alteration, improvement, demolition, expansion, repair and improvements, including furnishings and equipment and temporary relocation costs, as needed for priority projects identified by the division of capital asset management and maintenance and the administrative office of the trial court; for building repairs necessary to correct unsafe and overcrowded conditions, for the remediation of life safety code violations, for the remediation of access code and civil rights violations, for the remediation of environmental hazards and for security improvements and other necessary repairs at court facilities owned by the commonwealth or by political subdivisions of the commonwealth; provided further, that expenditures made from this item shall include, but not be limited to, expenditures for the projects identified through the court capital repair needs assessment database as developed and maintained by the division of capital asset management and maintenance and reviewed and

approved by the administrative office of the trial court; provided further, that costs payable from this item shall include, but not be limited to, the costs of engineering and other services essential to these projects rendered by division of capital asset management and maintenance employees or by consultants; provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects; provided further, that not less than \$125,000,000 shall be made available for costs of the reconstruction or replacement of court facilities located in the city of Lowell; provided further, that \$5,000,000 shall be expended for repairs and renovations for the district court facility in the city of Haverhill; provided further, that not less than \$40,000,000 shall pay for costs of the renovation of the superior court building located in the city of Taunton; provided further, that not less than \$50,000,000 shall pay for costs of the renovation of the court facility located in the town of Greenfield; provided further, that not less than \$750,000 shall be made available for the completion of the master plan for Norfolk county, including for the reconstruction or replacement of court facilities located in the town of Dedham; provided further, that not less than \$600,000 shall be expended for repairs and renovations to the district court facility in Leominster; provided further, that not less than \$72,000,000 shall be expended for the costs of the renovation of the probate and family court building located in the city of Salem; provided further, that not less than \$20,000,000 shall be expended to complete a master plan in Norfolk county which shall include the plan for the development and construction of a centralized Norfolk county courthouse campus in Dedham Square and for the planning, design and construction of such facilities in accordance with said master plan; provided further, that not less than \$100,000 shall be expended for upgrades at the Pittsfield district court; provided further, that \$35,000,000 shall be expended for renovations and construction at the Hampden county hall of justice in the city of Springfield; provided further, that \$100,000 shall be allocated for immediate capitol improvements to the exterior of the district court building in the city of Somerville including, but not limited to, painting, resurfacing and refurbishing; provided, that such funds shall be designated to the district court in the city of Somerville and shall not be subject to subclauses (a) and (b) of clause (xxiii) of the third paragraph of section 9 of chapter 211B of the General Laws; provided further, that not less than \$500,000 shall be expended for costs of renovation and expansion of the probate and family court facilities in the town of Barnstable; provided further, that not less than \$150,000 shall be expended on the replacement of the roof of the district court building in the town of Edgartown; provided further, that not less than \$5,000,000 shall pay for costs of the renovation of the district court building located in the East Boston section of the city of Boston; provided further, that not less than \$400,000 shall be expended for costs of an addition to the District Court facility located in the Town of Falmouth; provided further, that \$350,000 be expended for the master plan and engineering of a regional justice center and intermodal transportation center to be located on King Street in the city of Northampton; provided further, that not less than \$60,000,000 shall be pay for costs of the renovation of the probate and family court building located in the city of Salem; and provided further that not less than \$50,000 shall be expended for a feasibility study to investigate, in the city of Cambridge, the relocation of Middlesex county court and ancillary facilities, the cost of rehabilitating, renovating and improving the existing court and ancillary facilities and the possibility of entering into a land swap with other parcels in the city of Cambridge to relocate the facilities \$658,350,000

Information Technology Division

1790-2500 For costs associated with planning and studies, acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws and for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition for a data center that will be located in western Massachusetts in either Hampden, Hampshire, Berkshire or Franklin county, provided, that the division shall, no later than 120 days before any transfer or lease authorized herein, submit the costs associated with such data center and a report thereon to the inspector general; provided, further, that the inspector general shall review the costs and such review shall include an examination of the methodology used for such costs and within 90 days of receipt of the report, the inspector general shall prepare a review of such costs and file the review with the division; provided, that the division shall forward copies of the inspector general's review to the house and senate committees on ways and means and to the chairmen of the joint committee on state administration and regulatory oversight at least 30 days before any transfer or conveyance; provided, that costs payable from this item shall include, but not be limited to, the costs of engineering and other services essential to this project rendered by division of capital asset management and maintenance employees or consultants; and provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of this project; provided further, that not less than \$2,000,000 shall be expended for the relocation of the data center of the Chief Justice for Administration and Management from Boston to Cambridge \$78,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

4000-2020 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition for health and human services facilities, all as the commissioner of capital asset management and maintenance, in consultation with the secretary of health and human services and the appropriate commissioners of the departments within the executive office, shall consider appropriate; provided, that all juvenile detention facility projects approved for design and construction by the division of capital asset management and maintenance shall be consistent in priority and need with a master plan to be developed by the division of capital asset management and maintenance in consultation with the department of youth services; provided further, that projects that are not included in the master plan may be approved for funding by the division of capital asset management and maintenance if the commissioner of capital asset management and maintenance determines that circumstances following the development of the master plan resulted in a compelling need for funding the projects; provided further, that costs payable from this item shall include, but not limited be to, the costs of engineering and other services essential to these projects rendered by division of capital asset management and maintenance employees or by consultants; and provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects \$80,000,000

Board of Library Commissioners

7000-9090 For a program of grants to cities and towns for approved public library projects under sections 19G to 19I, inclusive, of chapter 78 of the General Laws; provided, that not more than \$500,000 shall be expended by the board of library commissioners for the administrative costs directly attributable to the projects funded in this item, including the costs of temporary personnel;

provided further, that no permanent personnel shall be compensated from this item; provided further, that \$37,500,000 shall be expended for the phase IID of the McKim Building renovation and improvement project; provided, however, that receipt of \$22,500,000 of which shall be contingent on a match of not less than \$1 in non-profit, private, city or federal funds for each additional dollar in state funding; and provided further, that the board shall file an annual spending plan with the fiscal affairs division and the house and senate committees on ways and means which details, by subsidiary, all temporary personnel and administrative costs charged to this item..... \$137,500,000

EXECUTIVE OFFICE FOR PUBLIC SAFETY AND SECURITY

Office of the Secretary

8000-3500

For a grant program to cities and towns to provide funding for the repair, renovation or construction of municipal public safety facilities, under rules adopted by the executive office of public safety and security based upon the following criteria: an assessment of fiscal and budgetary constraints facing the municipality; an analysis of the municipality's proposed budget and financing of the repair, renovation, or construction project; the municipality's need for the project; the benefits to the municipality that will result from the project; and an overall evaluation of the merits of the grant proposal; provided, that the executive office may expend not more than 1 per cent of the total amount available for the cost of administering this program; provided further, that not less than \$150,000 shall be expended for the design of a new police station in Lakeville; provided further, that not less than \$100,000 shall be expended for repairs to the police station in Middleborough; provided further, that not less than \$300,000 shall be expended for planning and design of a new public safety facility for police and fire departments in Avon; provided further, that not less than \$750,000 shall be expended for emergency repairs to HVAC systems at fire department headquarters in Stoughton; provided further, that not less than \$150,000 shall be expended for relocation of or improvements to the Milford Public Safety Dispatch Center; provided further, that not less than \$1,800,000 shall be expended for renovation of the fire department facility in North Brookfield; provided further, that not less than \$50,000 shall be expended for a feasibility study to determine the cost of constructing a new handicapped-accessible fire station in the town of Leicester; provided further, that not less than \$8,000,000 shall be expended for construction of a new police station in Lawrence; provided further, that not less than \$2,000,000 shall be expended for construction of a new police station in Salisbury; provided further, that not less than \$580,000 shall be expended for fire department facilities in Randolph; provided further, that not less than \$100,000 shall be expended to the Avon Housing Authority for capital repairs for public safety purposes; provided further, that \$250,000 shall be expended for the repair/renovation of Holyoke Fire Department facilities; provided further, that not less than \$1,000,000 shall be expended for construction of a new police station in the town of Mendon; provided further, that \$250,000 be expended for improvements to the Academy of Music located in the city of Northampton; provided further; that \$250,000 be expended for the enhancement and reconstruction of police department facilities in the town of Southampton; provided further, that not less than \$1,000,000 shall be expended to covert the former National Guard Armory Building in the Town of Stoughton into a public safety facility; provided further, that \$2,000,000 shall be expended for costs associated with improvements to the firehouses located in the Town of Weymouth; provided further, that \$500,000 shall be expended for renovations and improvements to the public safety building and fire station in the Town of Winchester; provided further, that not less than \$550,000 shall be expended for a class I fire department pump replacement in Sharon; provided further, that not less than \$6,700,000 shall be expended for a fire station in Ware; provided further,

that \$100,000 shall be expended for the purchase of police radio communications equipment for public safety in the town of Carlisle; provided further, that not less than \$100,000 shall be expended for breathing, protective gear, exhaust systems and defibrillator units for the fire department of the town of North Attleborough; provided further, that \$750,000 shall be expended for the construction of a new public safety building in the town of Rehoboth; provided further, that not less than \$1,000,000 shall be expended for a joint fire and police public safety complex in the town of Granby; provided further, that \$500,000 shall be expended for improvements for municipal recreation fields in the town of Bedford; provided further, that not less than \$200,000 be expended on the recreational facilities at Woburn high school; and provided further, that not less than \$500,000 shall be expended for the improvement and maintenance of the Marshall Fields in the town of Billerica \$46,430,000

Department of Fire Services

8000-4900 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition for a fire training facility in the city of Springfield, all as the commissioner of capital asset management and maintenance, in consultation with the state fire marshal, shall consider appropriate; provided, that costs payable from this item shall include, but not limited be to, the costs of engineering and other services essential to this project rendered by division of capital asset management and maintenance employees or by consultants; and provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of this project \$10,000,000

Office of the Chief Medical Examiner

8500-1000 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition, including furnishings and equipment, for regional facilities for the office of the chief medical examiner, all as the commissioner of capital asset management and maintenance, in consultation with the chief medical examiner, shall consider appropriate; provided, that costs payable from this item shall include, but not be limited to, the costs of engineering and other services essential to these projects rendered by division of capital asset management and maintenance employees or by consultants; and provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects \$15,000,000

Jails and Correctional Facilities

8900-7500 For costs associated with planning and studies, for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition and other capital improvements at department of correction facilities for the purpose of preventing prisoner suicides, including the capital improvements as detailed in Appendix A of the Hayes Report, a summary of observations, findings and recommendations of Lindsay Hayes, project director of the National Center on Institutions and Alternatives; provided, that costs payable from this item shall include, but not be limited to, the costs of engineering and other services essential to these projects rendered by division of capital asset management and maintenance employees or by consultants; and provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to

the extent that they work on or in support of these projects \$15,000,000

EXECUTIVE OFFICE HOUSING AND ECONOMIC DEVELOPMENT

Department of Business and Technology

7007-6300 For costs associated with planning and studies, for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition and other capital improvements at facilities operated by Zoo New England, including the Franklin Park Zoo and the Stoneham Zoo; provided further, that not less than \$5,000,000 shall be expended for Buttonwood Park and Zoo \$35,000,000

SECTION 2D.

EXECUTIVE OFFICE FOR PUBLIC SAFETY AND SECURITY

Jails and Correctional Facilities

8900-8500 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, lease for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws and for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition for state and county jails and correctional facilities; provided, that all projects approved for funding under this item by the division of capital asset management and maintenance shall be consistent in priority and need with a corrections' master plan to be developed by the division of capital asset management and maintenance in consultation with the department of correction and the Massachusetts Sheriffs Association, and approved by the secretary of public safety and security and the secretary of administration and finance including, but not limited to, the following projects as provided for therein: a pre-release center and regional lock-up facility in Barnstable county, capital improvements to facilities in Berkshire and Bristol counties, the relocation of the "E911" communications center and improvements to the facilities in the county of Dukes County, additional capacity in Essex county, additional capacity at the Western Massachusetts Regional Women's Correctional Center in Hampden county, the replacement of modular facilities in Hampshire county, the construction of additional capacity in Middlesex county, the construction of additional capacity, a storage warehouse, and parking facility improvements in Norfolk county, capital improvements to facilities in Plymouth county, capital improvements to facilities in Suffolk county and the construction of additional capacity in Worcester county; provided further, that projects that are not included in the master plan may be approved for funding by the division of capital asset management and maintenance if the commissioner of capital asset management and maintenance determines that circumstances following the development of the master plan resulted in a compelling need for funding the projects; provided further, that costs payable from this item include, but are not limited to, the costs of engineering and other services essential to these projects rendered by division of capital asset management and maintenance employees or by consultants; and provided further, that amounts expended for division employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects; provided further, that not less than \$100,000,000 shall be expended for costs associated with planning and studies, preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition and other capital improvements at the Middlesex Sheriff's office facilities to address severe and persistent overcrowding and staff training needs and for the costs associated with planning and studies, preparation of plans and specifications, acquisition of land and buildings therein by purchase for construction of a jail facility with adequate capacity in the southern portion of Middlesex county to replace the Middlesex jail in the city of Cambridge \$550,000,000

0330-9999 For the purchase or lease of equipment or other items for a program of intermediate sanctions as authorized in

item 0330-8968 of section 2 of chapter 12 of the acts of 1996 including, but not limited to, the purchase of mobile substance abuse testing vans and other drug testing equipment, the acquisition and build out of leased or purchased space for day reporting centers, including modular units, and the purchase of equipment that may qualify as alternatives to incarceration; provided, that no funds appropriated in this item shall be expended for the costs of state personnel or contracted personnel; provided further, that not more than 2 per cent of the funds authorized herein shall be expended for the administration of any projects funded herein; and provided further, that the executive director of the office of community corrections shall submit a report detailing any such administrative expenditures to the house and senate committee on ways and means \$10,000,000

SECTION 3. Chapter 6 of the General Laws is hereby amended by striking out section 98, as appearing in the 2006 Official Edition, and inserting in place thereof the following section:-

Section 98. (a) As used in this section, "state entities" means the commonwealth, state authorities as defined in section 1 of chapter 29 and other state entities with responsibility for managing and overseeing public funds.

(b) It shall be the duty of the board to promote transparency, public accountability and adherence to best practices by all state entities with respect to investments, borrowing or other financial transactions made or entered into by state entities and involving public funds. The board shall make an annual written report to the secretary of administration and finance, the state treasurer, the state auditor, the house and senate committees on ways and means and the chairpersons of the joint committee on bonding, capital expenditures and state assets with respect to its findings regarding investments, borrowing and other financial transactions carried out by state entities and its activities to promote transparency, public accountability and best practices with respect thereto.

(c) In order to carry out its duty, the board may:

(1) adopt regulations or guidelines requiring state entities to report, adopt appropriate policies, and adhere to best practices with respect to investments, borrowing and other financial transactions;

(2) make recommendations to state entities or state officers and propose legislative changes to improve the management of public funds;

(3) employ staff and engage professionals to review and advise it on financial transactions entered into by state entities; and

(4) conduct oversight hearings with respect to investment, borrowing and other financial transactions made or entered into by state entities.

SECTION 4. The first sentence of subsection (e) of section 38C of chapter 7 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following words:- ; or (iv) the contract is for the demolition of buildings.

SECTION 5. Chapter 29 of the General Laws is hereby amended by inserting after section 2XXX the following section:-

Section 2YYY. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Courts Capital Project Fund, hereinafter in this section referred to as the fund. The fund shall be credited: (i) the portion of any net cash proceeds from the conveyance, lease or other disposition of any surplus court facilities vacated and determined to be surplus by the commissioner of the division of capital asset management and maintenance as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the cities of Cambridge, Lowell, Salem and Worcester; (ii) any appropriations; (iii) bond proceeds; or (iv) other monies authorized by the general court and specifically designated to be credited thereto. The comptroller shall disburse amounts in the fund at the direction of the secretary of administration and finance, without further appropriation, for the purpose of paying costs of, or paying down any portion of the debt incurred to pay costs related to the acquisition, temporary leasing or the construction of any replacement court facilities. The inspector general of the commonwealth shall make an annual oversight inquiry and report on the Capital Courts Project Fund and its disbursements. Said report shall be provided to the clerks of the house of representatives and senate, chairs of house and senate committees on ways and means and chairs of the joint committee on bonding, capital expenditures, and state assets.

SECTION 6. Section 38C of chapter 29 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- Scheduled, periodic payments to be made by the commonwealth pursuant to any such contract in existence on August 1, 2008 or any such contract related to bonds or notes of the commonwealth which shall be entered into by the state treasurer after August 1, 2008 shall constitute general obligations of the commonwealth to which the full faith and credit of the commonwealth shall have been pledged.

SECTION 7. Clause (1) of section 4 of chapter 81A of the General Laws, as so appearing, is hereby amended by adding the following words:- provided, however, that the authority shall issue semi-annual reports to the secretary of administration and finance, the house and senate committees on ways and means, the joint committee on transportation and the joint committee on bonding, capital expenditures and state assets, detailing the financial transactions and revenues associated with the sale, concession or lease of real property held in the name of or under the control of the authority, whether by purchase or otherwise, and any transactions relating to real property currently pending; and provided further, that the semi-annual report shall include the current market values of the real properties related to the transactions.

SECTION 8. The second paragraph of section 87RR of chapter 112 of the General Laws is hereby amended by striking out the third sentence and inserting in place thereof the following sentence:- Notwithstanding section 148B of chapter 149, a salesman or broker may be affiliated with a broker either as an employee or as an independent contractor, as determined by their written agreement and customary work practices, but shall be under such supervision of the broker as will ensure compliance with this section; provided, however, that the broker shall be responsible with the licensee for a violation of section 87AAA committed by the licensee.

SECTION 9. Section 9 of chapter 160 of the acts of 1851 is hereby repealed.

SECTION 10. (a) There shall be transferred from item 6000-7967 of section 2A of chapter 28 of the acts of 1996, the amount of \$85,000,000 into item 1100-2500 for improvements to coastal facilities in designated and nondesignated port areas.

SECTION 11. Upon the transfer of the funds pursuant to section 25, section 2A of chapter 28 of the acts of 1996 shall be repealed.

SECTION 12. Sections 4, 5 and 6 of chapter 28 of the acts of 1996 are hereby repealed.

SECTION 13. Section 15 of chapter 463 of the acts of 2004 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Any remaining proceeds shall be used to reduce any incurred indebtedness of the Essex North Shore Agricultural and Technical School District to the former municipalities of the North Shore Vocational Regional School District in accordance with the capital cost allocation provisions of said district's regional agreement.

SECTION 14. Said chapter 463 is hereby further amended by striking out section 11 and inserting in place thereof the following:-

Section 11. The district shall be considered an eligible institution for financing assistance provided by the health and educational facilities authority established under chapter 614 of the acts of 1968. The school committee shall establish and maintain a capital reserve fund for the purpose of financing necessary facility maintenance and capital improvements. The capital reserve fund shall be subject to the limits on stabilization funds in section 16G 1/2 of chapter 71 of the General Laws. Except as provided in this section, the General Laws regulating borrowing by regional districts and limitations on borrowing by regional districts, including but not limited to chapter 70B of the General Laws and clauses (e), (g), and (n) of section 16 of chapter 71 of the General Laws, shall apply to the district. The Essex North Shore Agricultural and Technical School District may issue bonds for the constructing, reconstructing, equipping school buildings and other facilities related thereto for a term not to exceed thirty years.

SECTION 15. Section 11 of chapter 27 of the acts of 2007 is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) The state treasurer may, upon request of the governor, issue and sell refunding bonds of the commonwealth in an amount to be specified by the governor from time to time for the purpose of paying, at maturity or upon acceleration or redemption, any bonds then outstanding and issued by an entity other than the commonwealth under section 39I of chapter 190 of the acts of 1982, chapter 425 of the acts of 1991, section 7 of chapter 16 of the acts of 1999 or section 6 of chapter 53 of the acts of 1999, or issued by the city of Chelsea under chapter 40D of the General Laws to finance costs of the information technology center in said city, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of maturity, acceleration or redemption of these bonds. The state treasurer shall not issue any refunding bonds unless he finds that the present value, discounted at the rate that he considers appropriate, of the principal and interest payments due on the refunding bonds is less than the present value, discounted at that rate, of the principal and interest payments to be paid, from the proceeds of these refunding bonds and investment earnings thereon, on the bonds to be refunded, or unless he determines, in his sole discretion, that doing so is advisable to substitute fixed-rate bonds for variable-rate bonds or 1 form of variable-rate bonds for another. These refunding bonds may be issued at such time before the maturity, acceleration or redemption of the bonds to be refunded thereby that the state treasurer, with the approval of the governor, considers advisable. The issuance of these bonds, the security therefore, the maturities and other details thereof, the rights of

the holders thereof and the rights, duties and obligations of the commonwealth with respect thereto shall be governed by chapter 29 of the General Laws relating to the issuance of bonds by the commonwealth, insofar as these provisions may be appropriate therefor. In connection with any issuance of refunding bonds under this section, the secretary of administration and finance and other officers of the commonwealth who are parties to the contract for financial assistance, lease or other agreements related to the bonds being refunded and the state treasurer may enter into amendments to the contract, lease or other agreements and any other documents that they consider necessary or desirable to effectuate the issuance of the bonds. Without limiting the generality of this section, the provisions of section 49 of said chapter 29 applicable to sinking funds established with trustees shall apply to the deposit of refunding bond proceeds with a trustee, except that these proceeds shall be held for the benefit of the holders of the bonds to be refunded thereby.

SECTION 16. To meet the expenditures necessary in carrying out section 2A, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$365,000,000. All such bonds issued by the commonwealth shall be designated on their face, Capital Improvements Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2023. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 17. To meet the expenditures necessary in carrying out section 2B, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$451,800,000. All such bonds issued by the commonwealth shall be designated on their face, Capital Improvements Loan Act of 2008, and shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2033. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 18. To meet the expenditures necessary in carrying out section 2C, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$1,973,005,000. All such bonds issued by the commonwealth shall be designated on their face, Capital Improvement Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2043. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 19. To meet the expenditures necessary in carrying out section 2D, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$560,000,000. All such bonds issued by the commonwealth shall be designated on their face, Capital Improvement Act of 2008, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2048. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 20. (a) In order to facilitate the reuse of the properties identified in subsection (b), upon a determination by the commissioner that no state agency or executive office has a current or foreseeable need for the real property, the commissioner of capital asset management and maintenance may: (1) subject to sections 40E to 40F $\frac{1}{2}$, inclusive, and sections 40I and 40J of chapter 7 of the General Laws, convey, lease for a term not to exceed 99 years, transfer or otherwise dispose of any facility or real property identified in subsection (b) to the host municipality for a direct public use as defined in section 40F of the General Laws; provided, however, that said host municipality shall have no less than 90 days to accept the commissioner's offer to acquire the property; or (2) upon a refusal of the host municipality of the commissioner's offer pursuant to clause 1 and subject to sections 40E to 40F $\frac{1}{2}$, inclusive, and sections 40H to 40J,

inclusive, of chapter 7 of the General Laws, the commissioner of the division of capital asset management and maintenance may convey, lease for a term not to exceed 99 years, transfer or otherwise dispose of any facility or real property identified in subsection (b).

(b) This section shall apply to the following properties:- (i) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Lowell, but the transfer, sale, lease or other disposition shall be in accordance with chapter 290 of the acts of 2004 as amended by sections 59 through 70 of chapter 122 of the acts of 2006; (ii) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Cambridge; (iii) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Worcester; and (iv) any court facilities vacated and determined to be surplus by the commissioner of capital asset management and maintenance and the chief justice for administration and management as a result of or in anticipation of the construction of new court facilities or the consolidation of court facilities in the city of Salem.

The exact boundaries of each parcel conveyed, leased, transferred or otherwise disposed of pursuant to this section shall be determined by the commissioner of the division of capital asset management and maintenance after completion of a survey. The consideration for said conveyance, lease transfer or other disposition shall be the full and fair market value of said parcel as determined by the commissioner of the division of capital asset management and maintenance pursuant to 1 or more independent professional appraisals. This parcel shall be conveyed by deed without warranties or representations by the commonwealth.

(c) Notwithstanding any general or special law to the contrary, the grantee or lessee of any property identified in subsection (b) shall be responsible for all costs and expenses, including but not limited to, costs associated with any engineering, surveys, appraisals, and deed preparation related to the conveyance authorized pursuant to this act as such costs may be determined by the commissioner of the division of capital asset management and maintenance.

(d) Notwithstanding any general or special law to the contrary, the inspector general shall review and approve the appraisal required pursuant to subsection (b). The inspector general shall prepare a report of his review of the methodology utilized for the appraisal and shall file the report with the commissioner of the division of capital asset management and maintenance, the house and senate committees on ways and means and the joint committee on bonding, capital expenditures and state assets. The commissioner of the division of capital asset management and maintenance shall, 30 days before the execution of any conveyance, lease, transfer or other disposition pursuant to this section, or any subsequent amendment thereto, submit the proposed conveyance, lease, transfer or other disposition or amendment and a report thereon to the inspector general for his review and comment. The inspector general shall issue his review and comment within 15 days of receipt of the proposed conveyance or amendment. The commissioner of the division of capital asset management and maintenance shall submit the proposed conveyance or amendment, and the reports and the comments of the inspector general, if any, to the house and senate committees on ways and means and the joint committee on bonding, capital expenditures and state assets at least 15 days before execution of the conveyance.

(e) Notwithstanding any general or special law to the contrary, the net cash proceeds of the sale, lease, transfer or other disposition of any court facility identified in subsection (b) shall be deposited into the Courts Capital Project Fund established pursuant to section 2YYY of chapter 29 of the General Laws. For purposes of this paragraph, the term "net cash proceeds" shall mean all payments made to the commonwealth as and when paid, less any transaction-related expenses and expenses incurred in connection with the custody of the property by the division of capital asset management and maintenance including, but not limited to, costs associated with the disposal or pre-development of the property from which the funds originated including, but not limited to, appraisals, surveys, site evaluation, site preparation, plans, recordings, smart growth review and feasibility and other marketing studies and any other expenses relating to the disposal or project management services in connection with any reuse or redevelopment of the property.

SECTION 21. (a) To carry out the purposes of items 1102-2008, 1102-5600, 4000-2020, 8000-4900 and 8500-1000 of section 4 and item 8900-8500 of section 5, the commissioner of capital asset management and maintenance may, notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, but subject to this

subsection, acquire, by purchase, lease or leaseback for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, any interests in land and buildings considered necessary by the commissioner to carry out the purposes of this act including, but not limited to, easements for drainage, access, utilities and environmental mitigation and may grant and retain such easements and interests as considered necessary by the commissioner to carry out the purposes of this act.

(b) The commissioner shall solicit proposals for any facility acquisition through requests for proposals. Each request for proposals shall, at a minimum, include: (1) a description of the facility for which proposals are sought; (2) a statement as to whether the commissioner seeks to purchase or lease the facilities; (3) a statement as to whether the commissioner seeks to acquire improved or unimproved land, buildings and interests therein; (4) a statement as to whether the selected proposer shall be required to undertake the design, construction, renovation, reconstruction, alteration, improvement, demolition, expansion or management of a new or existing facility; (5) the proposed contractual terms and conditions, some of which may be considered mandatory or nonnegotiable, (6) the evaluation criteria that will be utilized by the commissioner; (7) the time and date for receipt of proposals; (8) the address of the office to which proposals shall be delivered; and (8) such other matters as may be determined by the commissioner. Public notice of each request for proposals shall be published at least 3 weeks before the time specified in the notice for the receipt of proposals in the central register published by the state secretary. At the opening of the proposals, the commissioner shall prepare a register of proposals which shall include the name of each proposer. The register of proposals shall be open for public inspection. Notwithstanding any general or special law to the contrary, until the completion of the selection process, the contents of the proposals and the selection process shall not be disclosed to competing proposers and shall not be public documents.

(c) Any design, construction, renovation, reconstruction, alteration, improvement, demolition, expansion or management of a facility undertaken under this section shall be subject to chapters 7, 30 and 149 of the General Laws and any other general or special law or regulation governing the design, construction, renovation, reconstruction, alteration, improvement, demolition, expansion or management of real or personal property by the commonwealth.

SECTION 22. The information technology division, in consultation with the operational services division, shall require that the procurement of services and equipment funded under item 1790-3000 of section 3 shall comply with the procurement policies filed by the state comptroller under section 13 of chapter 27 of the acts of 2007 to ensure an open and fair competitive process. Executive agencies that have or seek funding under said item 1790-3000 shall submit to the information technology division, at intervals to be determined by the division, documentation and deliverables necessary to enable it to oversee, ascertain and evaluate project management, status, progress, performance and expenditures. The information technology division shall specify this documentation and deliverables, which may include, without limitation, project management plans and methodology, technology designs and specifications, accountings of amounts expended or to be expended for all goods and services including, without limitation, hardware, software, consultant services and personnel, an assessment of whether the project is within budget and on schedule for completion, an explanation of any deviations in completion schedules and funding needs from those that were originally established for the projects, project plans and other document deliverables. The information technology division may make funding or continued funding for executive department agency projects contingent upon its approval of these documentation and deliverables.

SECTION 23. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure:

1102-8819, 5011-8841, 5011-8842, 8200-8842, 9300-3905, 1100-9101, 1102-7886, 1102-7887, 1102-7888, 1102-8880, 1102-8883, 1102-8888, 4238-8871, 5095-8870, 5095-8872, 9300-3909, 0330-8890, 0330-8891, 1102-6896, 1102-7891, 1102-7893, 1102-7894, 1102-7896, 1102-7897, 1102-8869, 1102-8890, 1102-8894, 4180-7890, 4180-7891, 4536-7890, 4537-7891, 4010-8831, 1599-8000, 4000-8000, 4000-8100, 5500-8300, 5500-8400, 5500-8500, 5500-8893, 5500-9000, 5500-9100, 5500-9220, 5800-8100, 5800-8120, 5800-8300, 5800-8810, 5800-9000, 8000-7950, 0330-8968, 8195-8968, 8995-8968, 1102-1960, 1102-8968, 1102-8969, 1102-9980, 4200-8968, 8199-7966, 8199-7967, 8900-7967, 1100-7982, 1102-7977, 1102-7979, 1102-9981, 1599-3914, 0330-2204, 0330-2206, 0330-2208, 0330-2209, 0526-8998, 8900-1981, 0526-0101, 0526-0111, 1102-1991, 1102-1992, 1102-2992, 1102-4994, 1102-5996, 7066-0013, 1102-7943, 1102-7944, 1102-7947, 1102-7948, 1102-8245, 1102-8940, 1102-8944, 1102-8945, 1102-8947, 1102-8981, 1599-1999, 4180-0013, 8000-0018, 8000-0019, 8100-9961, 1102-2204, 1102-4940, 1102-7949, 1102-7960, 1102-8949, 1102-9960, 0330-9010, 0333-0010, 1102-2010, 1102-2011, 1102-3010, 1102-3013, 1102-3014, 1599-0023, 1790-2011, 1790-2012, 4000-2011, 4590-9999, 8000-2010,

8000-2011, 8000-2014, 8000-2019, 8100-0024, 8100-9962, 8800-2096, 0332-8811, 0431-8833, 1102-8791, 1102-8872, 1599-0267.

SECTION 24. Section 23 shall take effect 90 days after the effective date of this act.

SECTION 25. The secretary of administration and finance, shall submit a report on the progress and all expenditures related to the projects specified in this act and any other projects funded through the authorizations in this act to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means, and the senate and house chairs of the joint committee on bonding, capital expenditures and state assets. The report shall include, but not be limited to: the total amount appropriated for each project, the total estimated cost of each project, the amount expended for the planning and design of each project up to the time the report is filed, the amount expended on construction of each project up to the time the report is filed, the total amount currently expended on each project, the estimated lifetime maintenance schedule and cost of each project, the original estimated completion date of each project, the current anticipated completion date of each project and, if the project has been de-authorized, the reason for and date of de-authorization. The report shall be submitted on June 30 and December 31 of each year for a period of 8 years after the effective date of this act.

SECTION 26. (a) Notwithstanding any general or special law to the contrary, the Massachusetts Turnpike Authority may issue bonds for the purpose of refunding up to \$334,900,000 aggregate principal amount of outstanding metropolitan highway system bonds of the authority that are related to certain interest rate swaptions previously entered into by the authority. Any bonds so issued shall be subject to the provisions of chapter 81A of the General Laws and the terms of any applicable trust agreement entered into by the authority and in effect as of the effective date of this section.

(b) If the authority certifies in writing to the secretary of administration and finance that it has received notice of exercise from the counterparty to any interest rate swaptions not exercised by the counterparty before the effective date of this act, then on and after October 1, 2008, the authority may issue bonds for the purpose of refunding up to \$465,100,000 aggregate principal amount of outstanding metropolitan highway system bonds of the authority that are related to such swaptions. Any bonds so issued shall be subject to chapter 81A of the General Laws and the terms of any applicable trust agreement entered into by the authority and in effect as of the effective date of this section.

(c) The commonwealth, acting by and through the secretary of administration and finance with the approval of the governor, upon the request of the authority, may provide credit support as described in this paragraph. The commonwealth may provide funds to the authority in order to enable the authority to pay the principal of or interest on bonds of the authority issued in accordance with this section or to pay any reimbursement obligation owing to the provider of insurance or other credit or liquidity support for such bonds. Any agreement entered into by the commonwealth and the authority under this paragraph shall require the authority to submit annual reports, within 120 days after the end of each fiscal year of the authority, to the secretary of administration and finance, the state treasurer, the state auditor, the chairpersons of the house and senate committees on ways and means, the chairpersons of the joint committee on transportation and the chairpersons of the joint committee on bonding, capital expenditures and state assets detailing the fiscal condition of the authority and its progress in eliminating the need for credit support from the commonwealth. Any such agreement shall contain such other terms, conditions and covenants of the commonwealth as the secretary of administration and finance, with the approval of the governor, may determine to be necessary or appropriate; provided, however, that all obligations of the commonwealth under this paragraph shall be subject to appropriation and any such agreement shall recite that the full faith and credit of the commonwealth are not pledged in support of the obligations of the commonwealth hereunder; and provided further, that any such agreement shall provide that the authority shall be obligated to reimburse the commonwealth for any payments made under such agreement on such terms and conditions as the parties to the agreement shall approve.

SECTION 27. (a) The commonwealth, acting by and through the secretary of the executive office for administration and finance with the approval of the governor, upon the request of the Massachusetts Turnpike Authority, may guarantee all or a portion of payment obligations of the authority payable in connection with hedging transactions entered into by the authority before the effective date of this act with respect to metropolitan highway system bonds of the authority; provided, however, that the authority certifies in writing to the secretary of administration and finance that it has received notice from the counterparty under any such hedging transactions that it intends to exercise its rights of termination under the counterparty's agreement with the authority or that circumstances have occurred that would allow it to terminate its agreement with the authority in the absence of specified remedial action by the authority. The secretary of administration and

finance, with the approval of the governor and without further authorization, may approve the form, terms and conditions of the guaranty authorized by this subsection, including without limitation, the duration of the guaranty and the specific obligations and aggregate amount to be guaranteed by the commonwealth, and may execute and deliver, on behalf of the commonwealth, such guaranty and any related agreements with or for the benefit of the counterparties containing such terms, conditions and covenants of the commonwealth as the secretary of administration and finance shall approve. The authority and the commonwealth, acting by and through the secretary of administration and finance, may enter into a reimbursement agreement providing for repayment to the commonwealth of any amounts paid under the guaranty and containing such terms and conditions as the parties thereto shall approve. Any guarantee or agreement entered into by the commonwealth and the authority under this paragraph shall require the authority to submit annual reports, within 120 days after the end of each fiscal year of the authority, to the secretary of administration and finance, the state treasurer, the state auditor, the chairpersons of the house and senate committees on ways and means, the chairpersons of the joint committee on transportation and the chairpersons of the joint committee on bonding, capital expenditures and state assets detailing the fiscal condition of the authority and its progress in eliminating the need for the commonwealth's guarantee or other credit support. Unless otherwise provided by the secretary of the executive office of administration and finance in the terms of the guaranty, the full faith and credit of the commonwealth shall be pledged for the guaranty provided for in this subsection. If the authority fails or is otherwise unable to pay when due any amount guaranteed that is secured by a pledge of the full faith and credit of the commonwealth pursuant to this section, the commonwealth shall pay such amount upon notice to the state treasurer at any time on or after the due date thereof.

(b) Within 15 days of the date of the written certification referred to in subsection (a), the chairman or executive director of the authority and the secretary of administration and finance shall jointly certify in writing to the chairpersons of the house and senate committees on ways and means, the chairpersons of the joint committee on transportation, and the chairpersons of the joint committee on bonding, capital expenditures and state assets that, in their judgment, no feasible alternatives to a pledge of the commonwealth's full faith and credit as provided in subsection (a) exist, and shall jointly report to the chairpersons of the house and senate committees on ways and means, the chairpersons of the joint committee on transportation, and the chairpersons of the joint committee on bonding, capital expenditures and state assets on all efforts undertaken to avoid the need for a full faith and credit guarantee of the commonwealth under subsection (a).

SECTION 28. For the first semi-annual report submitted pursuant to clause (1) of section 4 of chapter 81A of the General Laws for fiscal year 2009, the Massachusetts Turnpike Authority shall include the current market value of all real property held in the name of or subject to the control of the authority pursuant to said chapter 81A and the current market value of any real property held in the name of or under the control of the authority that were acquired, whether by purchase or otherwise, during fiscal year 2008.

SECTION 29. The state treasurer and all quasi-public entities and independent authorities shall submit biannual reports on their borrowing practices to the secretary of administration and finance, the state auditor, the chair of the finance advisory board established in section 97 of chapter 6 of the General Laws, the chairpersons of the senate and house committees on ways and means and the senate and house chairs of the joint committee on bonding, capital expenditures and state assets. The report shall be due on April 30 and October 31 in each calendar year and shall include all transactions entered into, other than fixed-rate borrowing, during the 6 months immediately preceding the filing of the report. The report shall include: (1) a list of all transactions related to derivative financial products; (2) the terms and conditions of each derivative financial product transaction; (3) the parties involved in negotiating each derivative financial product transaction; (4) copies of all agreements entered into between the parties relative to derivative financial product transactions; (5) the financial impact of each transaction including, but not limited to, the interest rates, fluctuation in interest rates and payments associated therewith; and (6) a written rationale for the determination to enter into any such transaction. The report shall be signed under oath by the state treasurer or by the chief financial officer of the quasi-public entity or independent authority filing the report. For purposes of this section, "derivative financial products" shall mean financial instruments with values derived from or based upon the value of other assets or on the level of an interest rate index including, but not limited to, a call option on a bond, an interest rate swaptions, caps, floors, collars, inverse floaters, auction rate securities or any other financial transaction other than fixed-rate, long-term borrowing.

SECTION 30. (a) Notwithstanding any special or general law to the contrary, there shall be a special task force to examine the structure and continued viability of the Massachusetts Turnpike Authority.

(b) The task force shall be comprised of 9 members: the state treasurer; the state auditor; the secretary of administration and finance; the secretary of transportation and public works; the executive director of the Massachusetts Turnpike Authority; and 4 members appointed by the governor, 1 of whom shall be a forensic accountant, 1 of whom shall be a practicing or former bond attorney who shall have no conflicts of interest as a result of participating on the task force, 1 of whom shall be a financial expert with 10 or more years of financial experience at a company with more than 100 employees that is located in the commonwealth, and 1 of whom shall be a person with expertise in transportation construction or financing and with experience in complex transportation issues and toll roads. The secretary of transportation and public works shall chair the task force.

(c) Within 60 days after the task force is established, the task force shall make a preliminary report to the secretary of administration and finance, the state treasurer, the state auditor, the attorney general, inspector general, the chairpersons of the house and senate committees on ways and means, the chairpersons of the joint committee on transportation and the chairpersons of the joint committee on bonding, capital expenditures and state assets. The report shall present a preliminary analysis of the Turnpike Authority's fiscal situation. This analysis shall include, but not be limited to, a full accounting of all administrative costs borne by the authority, including but not limited to: debt service; banking fees; salaries and benefits paid to employees and outside contractors; an inventory of all vehicles and rolling stock owned by the authority; a review of the authority's real property holdings and its value; and any other financial information related to the operation of the authority.

(d) The task force shall also study and make recommendations on stabilizing the current fiscal situation of the authority and future actions to ensure the long-term sustainability of the authority.

(e) The office of the treasurer and the executive office of administration and finance, in conjunction with the office of the executive director of the Massachusetts Turnpike Authority, shall provide such staff and resources as may be necessary for the task force to perform its functions. The task force shall convene its first meeting on or before October 1, 2008 and shall file a final report on its findings, including any legislative or regulatory recommendations on how to stabilize the current and future fiscal condition of the authority. Said report shall be filed with the clerks of the senate and the house of representatives and the chairpersons of the house and senate committees on ways and means, the chairpersons of the joint committee on transportation and the chairpersons of the joint committee on bonding, capital expenditures and state assets on or before June 30, 2009.

SECTION 31. (a) Notwithstanding any general or special law to the contrary, but subject to section 40J of chapter 7 of the General Laws, the commissioner of capital asset management and maintenance may, in consultation with the administrative office of the trial court, lease to the city of Northampton, for a term, including extensions, not to exceed 99 years, a certain parcel of land on the west side of Gothic street in the city of Northampton containing approximately .47 acres, said parcel being shown on a plan on file with the division of capital asset management and maintenance. The exact boundaries of the parcel shall be determined by the commissioner based upon a survey prepared in accordance with subsection (e).

(b) A lease agreement entered into by the commonwealth pursuant to this section shall provide that the parcel shall be used solely for municipal and public parking facilities and accessory uses directly related to the lessee's purposes as determined by the commissioner, in consultation with the administrative office of the trial court. The lease agreement shall also provide that if the parcel ceases to be used for the purposes described in this section, the commonwealth may terminate the lease under such terms and conditions as the lease may prescribe.

(c) Any lease agreement entered into by the commonwealth pursuant to this section shall provide, by reservation or otherwise, for 55 dedicated parking spaces for use by the administrative office of the trial court at no cost to the commonwealth. The consideration for the lease shall be the provision of those dedicated parking spaces and the city of Northampton's responsibility for all costs and expenses associated with the parking facilities as provided in subsection (e). The lease shall also provide for a mutually-acceptable method of determining substitute or in-kind consideration to be paid or provided by the city of Northampton to the commonwealth in the event that the administrative office of the trial court ceases to use all or a portion of the dedicated parking, taking into consideration the cost to the city of providing 55 replacement spaces as covered parking, parking lot maintenance, parking enforcement and other costs associated with providing parking lot operations over the term of the lease. The commissioner shall determine, from time to time, in consultation with the administrative office of the trial court and the city of Northampton, the sufficient number of parking spaces based on size and configuration of parking spaces at the time, and the location and access thereto, for use by the administrative office of the trial court and the terms and conditions governing such use and operation; provided, however, that the total area of such parking spaces on

the parcel shall not materially exceed the area dedicated to the initial 55 parking spaces.

(d) Any lease agreement entered into by the commonwealth pursuant to this act shall be on such other terms and conditions as the commissioner, in consultation with the administrative office of the trial court, deems appropriate; provided, however, that any such lease agreement shall contain a provision that requires the lessee to indemnify and hold the commonwealth, the division of capital asset management and maintenance and the administrative office of the trial court harmless from any personal injury or property damage caused or suffered by the lessee, its representatives, clients, agents, invitees or other member of the public. The indemnity and hold harmless provision shall cover all costs, expenses, liabilities and legal fees in connection with any injury, loss, damage, liability or claim or any proceeding brought thereon or in defense thereof.

(e) The lessee shall be responsible for procuring all work including, without limitation, legal services, surveys, title and the preparation of plans and specifications as deemed necessary or appropriate by the commissioner to implement this section and shall pay all costs and expenses therefor. The lessee shall also be responsible for all costs, liabilities and expenses of any kind for the development, construction, improvement, repair, maintenance, management and operation of the parking facilities on the parcel.

SECTION 32. Section 27 shall be take effect on October 1, 2008 and shall expire on January 15, 2009.

Approved August 10, 2008.