

HOUSE No. 4362

Text of a further amendment (Mr. Dempsey of Haverhill) to the Senate amendment of the House Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 3933). July 28, 2014.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

1 “SECTION 1. To provide for a program of capital facility repairs and improvements to
2 protect and improve the capital facilities of the commonwealth and for a program of capital asset
3 acquisitions for general government operations, the sums set forth in sections 2, 2A, 2B and 2C,
4 inclusive, for the several purposes and subject to the conditions specified in this act are hereby
5 made available, subject to the laws regulating the disbursement of public funds, which sums shall
6 be in addition to any other amounts previously appropriated for these purposes; provided,
7 however, that the amounts specified for a particular project may be adjusted in order to facilitate
8 projects authorized in this act.

9 SECTION 2.

10 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

11 Division of Capital Asset Management and Maintenance

12 1102-2009 For costs associated with planning and studies, dispositions, acquisition of
13 land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
14 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
15 of the General Laws, for the preparation of plans and specifications, disparity studies, repairs,
16 construction, renovations, improvements, asset management and demolition, disposition and
17 remediation of state-owned and former county facilities and grounds and for costs associated
18 with repair and maintenance of buildings and building systems and equipment at various
19 facilities of the commonwealth; provided, that all maintenance and repair work funded in this
20 item shall be listed in the capital asset management information system administered by the
21 division of capital asset management and maintenance; provided further, that where appropriate,
22 the commissioner of capital asset management and maintenance may transfer funds authorized
23 herein in accordance with a delegation of project control and supervision process pursuant to
24 section 5 of chapter 7C of the General Laws; provided further, that funds so transferred shall be
25 distributed based on the severity of the need that the repair shall address and other criteria

26 developed by the division, in consultation with the secretary of administration and finance;
27 provided further, that costs payable from this item shall include, but not be limited to, the costs
28 of leases of temporary relocation space or equipment as required for completion of a project, the
29 costs of engineering and other services essential to these projects rendered by division of capital
30 asset management and maintenance employees or by consultants; provided further, that
31 \$6,200,000 shall be expended for the engineering, design and construction of a new vault in the
32 state archives building; provided further, that \$2,500,000 shall be expended for the engineering,
33 design and construction of a residential step-down facility at the Berkshire county house of
34 correction; provided further, that \$20,000,000 shall be expended for the engineering, design,
35 restoration and repair of the senate chamber and related senate facilities; provided further, that
36 \$20,000,000 shall be expended for the engineering, design, restoration and repair of the house
37 chamber and related house facilities; provided further, that \$9,458,561 shall be expended for the
38 design and construction of a 14,000 square foot child care center on the campus of Greenfield
39 Community College to provide early education and care to low-income children in a safe,
40 affordable child care environment for Greenfield Community College students while they pursue
41 their education and training and to provide a teaching laboratory site for Greenfield Community
42 College education degree program students practicum placements and education program faculty
43 observation and assessment activities; provided further, that \$1,600,000 shall be expended for
44 the demolition and removal of the Richardson Building, the Upham Building and the Gould
45 Building located on the West Campus of the University of Massachusetts at Lowell at 255
46 Princeton street in the town of Chelmsford to improve public safety on the property and in the
47 abutting residential neighborhood; provided further, that funds shall be expended for the study,
48 design and construction of the consolidated trial court facility in the city of Lowell, which shall
49 replace 2 outdated facilities and 1 private lease; provided further, that \$1,000,000 shall be
50 expended for the renovation of the Methuen High School fieldhouse in the city known as the
51 town of Methuen; provided further, that \$600,000 shall be expended for the historic town hall in
52 the town of Merrimac; provided further, that \$4,000,000 shall be expended for the engineering,
53 design and reconstruction of the historic Hampshire courthouse; provided further, that \$300,000
54 shall be expended for the implementation of the Wayfinding program in the city known as the
55 town of Amesbury; provided further, that \$100,000 shall be expended for the renovation and
56 restoration of the Schofield Mill in the town of North Andover; provided further, that
57 \$20,000,000 shall be expended for the design, construction and related project costs associated
58 with the expansion of the Paul E. Tsongas Industrial Historical Center at the University of
59 Massachusetts at Lowell; and provided further, that \$15,000,000 shall be expended to renovate
60 or replace the power plant building and to construct an energy and environment building at
61 Massachusetts Maritime Academy..... \$450,758,561

62 1102-2014 For costs associated with improving accessibility of state facilities,
63 including, but not limited to, strategic accessibility assessments, accessibility transition plans,
64 technical assistance to state agencies, consultants relative to the preparation of strategic
65 accessibility assessments, transition plans or provision of technical assistance to state agencies,

66 planning and studies and costs associated with repairs, improvements, construction, asset
67 management, demolition and maintenance of buildings and building systems; provided, that all
68 transition planning elements, planning and studies and maintenance and repair work undertaken
69 pursuant to this item shall be listed in the capital asset management information system
70 administered by the division of capital asset management and maintenance; provided, that the
71 use of funds from this item shall be approved by the commissioner of capital asset management
72 and maintenance and the secretary of administration and finance or the secretary's designee;
73 provided further, that \$500,000 shall be expended for sidewalk and other improvements on
74 Gregory street in the town of Middleton to facilitate access to the state department of youth
75 services facility authorized in section 20; and provided further, that costs payable from this item
76 shall include, but not be limited to, the costs of leases of temporary relocation space or
77 equipment as required for completion of a project and the costs of engineering and other services
78 essential to these projects rendered by division of capital asset management and maintenance
79 employees or by consultants..... \$25,500,000

80 4000-2022 For costs associated with planning and studies, dispositions, acquisition of
81 land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
82 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
83 of the General Laws, for the preparation of plans and specifications, repairs, construction,
84 renovations, improvements, asset management and demolition for health and human services
85 facilities, all as the commissioner of capital asset management and maintenance, in consultation
86 with the secretary of health and human services and the appropriate commissioners of the
87 departments within the executive office, shall consider appropriate; provided, that costs payable
88 from this item shall include, but not be limited to, the costs of leases of temporary relocation
89 space or equipment as required for completion of a project and the costs of engineering and other
90 services essential to these projects rendered by the division of capital asset management and
91 maintenance employees or by consultants specified in this item; provided further, that
92 \$1,500,000 shall be expended to complete the newly constructed Community Health Connection
93 Health Center in the city of Fitchburg; provided further, that \$10,000,000 shall be expended for
94 the maintenance, improvement and expansion of the Massachusetts Hospital School in the town
95 of Canton; provided further, that \$500,000 shall be expended for the renovation, acquisition or
96 construction of a facility for the Hyannis Day Center for homeless individuals; provided further,
97 that \$500,000 shall be expended for capital improvements for the historic restoration of the
98 African Meeting House in the city of Boston; provided further, that \$5,000,000 shall be
99 expended to fund capital improvements at the Dimock community health center in the city of
100 Boston; provided further, that \$1,000,000 shall be expended to renovate appropriate portions of
101 state facilities in order to expand the capacity of the day care center located at the John W.
102 McCormack State Office Building to provide additional day care services; and provided further,
103 that \$300,000 shall be expended to make repairs at the Dennison Memorial Community Center
104 in the city of New Bedford.....\$318,800,000

105 SECTION 2A.

106 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

107 Office of the Secretary.

108 0640-0302 For the Massachusetts Cultural Facilities Fund established in section 42 of
109 chapter 23G of the General Laws for the acquisition, design, construction, repair, renovation,
110 rehabilitation or other capital improvement or deferred maintenance to a cultural facility
111\$50,000,000

112 1100-3002 For a grant program to vocational schools and community colleges to
113 provide funding for the purchase and installation of equipment under rules adopted by the
114 secretary of administration and finance and the secretary of
115 education.....\$8,000,000

116 Division of Capital Asset Management and Maintenance.

117 1100-3003 For a grant program to cities and towns to provide funding for the repair,
118 renovation or construction of municipal facilities or infrastructure or of any cultural, social,
119 recreational or other facility serving a municipal purpose, including those owned or operated by
120 nonprofit organizations, for technology upgrades and for the purchase of equipment under rules
121 adopted by the executive office for administration and finance based upon the following criteria:
122 (i) an assessment of fiscal and budgetary constraints facing the municipality; (ii) an analysis of
123 the municipality's proposed budget and financing of the repair, renovation or construction
124 project; (iii) the municipality's need for the project; (iv) the benefits to the municipality that will
125 result from the project; and (v) an overall evaluation of the merits of the grant proposal;
126 provided, that the executive office may expend not more than 1 per cent of the total amount
127 available for the cost of administering this program; provided further, that \$2,000,000 shall be
128 expended for the repair, renovation or improvement of municipally-owned theatres that have
129 been in operation for at least 75 years; provided further, that \$2,000,000 shall be expended for a
130 cultural and recreational facility in the city known as the town of West Springfield; provided
131 further, that \$500,000 shall be expended to renovate the former Thompson street school in the
132 city of New Bedford; provided further, that \$3,000,000 shall be expended on capital
133 improvements to the Orpheum Theater in the city of New Bedford; provided further, that
134 \$2,000,000 shall be expended to fund capital improvements to the municipal campus in the town
135 of Dedham; provided further, that \$1,500,000 shall be expended on construction and
136 improvements to the Canton Senior Center in the town of Canton; provided further, that funds
137 shall be expended for the construction of a regional indoor skating rink and recreation center in
138 the town of Norwood pursuant to chapter 151 of the acts of 2013; provided further, that
139 \$1,000,000 shall be expended on improvements to the state theatre in the town of Stoughton;
140 provided further, that funds shall be expended for the preservation of historical naval vessels
141 berthed in Battleship Cove in city of Fall River; provided further, that \$2,000,000 shall be

142 expended for the demolition and environmental remediation on the site of the former
143 Belchertown State School; provided further, that funds shall be expended for the renovation of
144 the Pynchon Building located in the city of Springfield; provided further, that \$40,000 shall be
145 expended to upgrade the technology at the West Boylston Public Library; provided further, that
146 \$1,000,000 shall be expended on the expansion of the Braintree department of elder affairs
147 senior center in the city known as the town of Braintree; provided further, that \$1,500,000 shall
148 be expended for the renovation of the South Grafton Library into a bikeway visitor center in the
149 town of Grafton; provided further, that \$100,000 shall be expended for the repairs of the Gardner
150 Heritage State Park in the city of Gardner; provided further, that \$500,000 shall be expended for
151 the citywide senior center to redesign the front entry and reception area to better accommodate
152 access issues for seniors in the city of Cambridge; provided further, that \$500,000 shall be
153 expended for the redevelopment of Jacques Park in the town of Millbury; provided further, that
154 not less than \$750,000 shall be expended to the Glenwood Memorial Cemetery for updates to
155 maximize available burial plot space for residents of the city of Everett; provided further, that
156 \$250,000 shall be expended for the senior and community center in the city of Newburyport;
157 provided further, that \$20,000,000 shall be expended for the design and construction of the
158 Malden community conference center; provided further, that \$5,000,000 shall be expended for
159 improvements, repairs, maintenance, expansion and energy efficiency upgrades at the DCU
160 Arena and Convention Center in the city of Worcester and for infrastructure and streetscape
161 improvements in the area of the city bounded and described as follows: beginning at, and
162 including, 17 Lincoln Square, thence southerly along the westerly street line of Main street to the
163 intersection with Foster street; thence easterly along the southerly line of Foster street to its
164 intersection with Major Taylor boulevard; thence northerly along the easterly line of Major
165 Taylor boulevard to 17 Lincoln Square, the point of beginning; and provided further, that
166 \$5,000,000 shall be expended for the planning, development, construction and related costs of
167 the parking expansion and additional meeting space at the MassMutual Convention Center in the
168 city of Springfield; provided further, that \$2,500,000 shall be expended for the historic
169 preservation, restoration and renovation of the Broderick Stables; provided further; that
170 \$2,500,000 shall be expended for improvements at the John L. Kelly Field in the town of Milton;
171 provided further, that \$2,000,000 shall be expended for further improvements to parking, lighting
172 and ballfields and the construction of a well at Houghton's Pond in the town of Milton; provided
173 further, that \$25,420,000 shall be expended for the phase III expansion of the Massachusetts
174 Museum of Contemporary Art located in the city of North Adams; provided further, that
175 \$250,000 shall be expended for capital repairs to the Grand Army of the Republic Museum in the
176 city of Lynn; provided further, that \$125,000 shall be expended for safety upgrades and repairs
177 along state highway route 129 on the city of Lynn border in the town of Swampscott; and
178 provided further, that \$75,000 shall be expended for repairs and renovations of community
179 playgrounds at elementary schools in the city of Newton; provided further, that funds shall be
180 expended to rebuild the community pool at the John F. Kennedy middle school in the city of
181 Springfield; provided further, that \$800,000 shall be expended for the repair and renovation of

182 the Millville town hall including, but not limited to, asbestos removal, foundation repair and
183 interior renovations; provided further, that \$2,000,000 shall be expended for capital
184 improvements including, but not limited to, demolition, acquisition, renovation, restoration,
185 design and construction at the Zeiterion Theatre in the city of New Bedford; provided further,
186 that \$1,500,000 shall be expended for historic restoration projects in the city of Gloucester,
187 including Gloucester city hall, the historic fishing vessel Phyllis A. and the Gloucester Stage
188 Company Theater; provided further, that \$2,000,000 shall be expended for costs associated with
189 the construction, expansion and modernization of the emergency department and outpatient
190 facilities at Athol Hospital in the town of Athol; provided further, that \$1,500,000 shall be
191 expended for the construction, reconstruction or renovation of a senior center in the town of
192 Hardwick; provided further, that \$1,500,000 shall be expended for the construction,
193 reconstruction or renovation of a senior center in the town of Hubbardston; provided further, that
194 \$300,000 shall be expended to complete phase 2 repairs of the Athol depot owned by the
195 Montachusett Area Regional Transit Authority and for construction and maintenance of the
196 station: provided further, that \$700,000 shall be expended for handicapped accessible
197 improvements at Oakham town hall, known as Memorial Hall; provided further, that \$150,000
198 shall be expended for the installation of an elevator in the Spire Center for Performing Arts in the
199 town of Plymouth; provided further, that \$7,300,000 shall be expended for the Water Street
200 promenade project in the town of Plymouth; provided further, that \$200,000 shall be expended
201 for the historic town hall in the town of Topsfield; and provided further, that \$5,000,000 shall be
202 expended for the University of Massachusetts at Boston for the development of programs and
203 curriculum at the Edward M. Kennedy Institute in the city of Boston
204 \$116,460,000

205 Board of Library Commissioners.

206 7000-9091 For a program of grants to cities and towns for approved public library
207 projects pursuant to sections 19G to 19J, inclusive, of chapter 78 of the General Laws; provided,
208 that \$500,000 shall be expended by the board of library commissioners for the administrative
209 costs directly attributable to the projects funded in this item, including the costs of temporary
210 personnel; provided further, that no permanent personnel shall be compensated from this item;
211 provided further, that the board shall file an annual spending plan with the executive office for
212 administration and finance and the house and senate committees on ways and means which
213 details, by subsidiary, all temporary personnel and administrative costs charged to this item;
214 provided further, that the grant for the reconstruction, renovation and rehabilitation of the
215 Chester C. Corbin Library in the town of Webster shall be 75 per cent of the total project cost
216 authorized pursuant to said section 19G of said chapter 78; and provided further, that \$1,200,000
217 shall be expended for the construction and renovation associated with the relocation of the Taft
218 Public Library in the town of Mendon
219 \$151,200,000

220 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255

Office of the Secretary.

8000-3501 For a grant program to cities and towns to provide funding for the repair, renovation, purchase or construction of municipal public safety facilities and equipment under rules adopted by the executive office of public safety and security based upon the following criteria: (i) an assessment of fiscal and budgetary constraints facing the municipality; (ii) an analysis of the municipality’s proposed budget and financing of the repair, renovation or construction project; (iii) the municipality’s need for the project; (iv) the benefits to the municipality that will result from the project; and (v) 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 \$1,000,000 shall be expended for the purchase and installation of portable and mobile radios and in-vehicle repeaters capable of transmitting and receiving on the commonwealth’s P-25 public safety radio network, so-called; provided, however, that all said radios shall be issued to public safety officers delivering services in the towns of Chester, Chesterfield, Cummington, Goshen, Hatfield, Huntington, Montgomery, Pelham, Plainfield, Russell, Westhampton, Williamsburg and Worthington; provided further, that \$1,000,000 shall be expended for the feasibility, engineering and design of a public safety building in the city of Quincy; provided further, that \$1,650,000 shall be expended for the design and construction of a regional public safety center in the city of Lawrence; and provided further, that \$2,000,000 shall be expended for the construction, reconstruction and renovation of the North Brookfield fire house
.....\$15,650,000

SECTION 2B.

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

Office of the Secretary.

8000-0701 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, communications equipment and vehicles.....\$10,000,000

8000-2021 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 mobile data terminal, or MDT, devices; provided, that \$290,000 shall be expended to acquire computer and technology equipment to manage state police digital evidence.....
\$15,000,000

8100-2026 For the replacement of state police cruisers; provided, that the department of state police shall develop a 5-year plan which shall specify the number of vehicles to be replaced each fiscal year over a 5-year period; provided, that \$10,000,000 shall be expended for the

256 purchase of a state police helicopter capable of carrying additional personnel and
257 equipment..... \$60,000,000

258 SECTION 2C.

259 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

260 Office of the Secretary.

261 8000-2022 For a program of grants to municipalities for the design, construction and
262 implementation of an automated motor vehicle citation system, including the use of mobile data
263 terminal, or MDT, devices under rules adopted by the executive office of public safety and
264 security; provided, that for projects which the secretary of administration and finance certifies to
265 the comptroller generate new state revenue or budgetary savings, directly or indirectly, the
266 comptroller shall transfer those budgetary savings or revenue to the state treasurer for payment of
267 debt service related to those
268 projects.....\$20,000,000

269 SECTION 3. Section 16G of chapter 6A of the General Laws, as appearing in the 2012
270 Official Edition, is hereby amended by adding the following subsection:-

271 (m) During the first year of each new gubernatorial administration, the governor shall
272 convene an infrastructure cost council consisting of at least the following 11 members: the
273 secretary of administration and finance who shall serve as chair; the secretary of energy and
274 environmental affairs; the secretary of transportation; the house and senate chairs of the joint
275 committee on state administration and regulatory oversight; 1 person to be appointed by the
276 attorney general; and 5 people to be appointed by the governor, 1 of whom shall be selected from
277 a list of 3 people provided by the Massachusetts Association of Regional Planning Agencies, 1 of
278 whom shall be a representative from the Associated Industries of Massachusetts, 1 of whom shall
279 be a representative of a telecommunications company doing business in the commonwealth, 1 of
280 whom shall be a representative from the Massachusetts Municipal Association and 1 of whom
281 shall be a representative of a regulated utility operating in a service area within the
282 commonwealth. The governor may also appoint additional members of regional and local
283 economic development groups and members of the business community to serve on the council.
284 Members of the council shall serve for a term of 1 year or until a set of infrastructure cost
285 projections has been approved by the governor under this section.

286 The secretary of administration and finance, with the assistance of the infrastructure cost
287 council appointed under this section, shall develop consensus demographic projections for the
288 commonwealth, including distinct projections for the various regions of the commonwealth.
289 These projections shall be used as the basis for developing infrastructure cost projections for the
290 commonwealth, for both publicly-owned and privately-owned infrastructure, for a period
291 identified by the council of not less than 10 years. As used in this section, the term

292 ‘infrastructure’ shall mean surface transportation infrastructure and the infrastructure necessary
293 to deliver water and wastewater services, telecommunications services, gas, oil and electricity.

294 The office of performance, accountability and transparency established in section 4A of
295 chapter 7 shall provide staff support for the study required by this section. Every regional
296 planning agency formed under chapter 40B shall provide its current set of demographic
297 projections used for regional planning. Any metropolitan planning organization that uses a set of
298 demographic projections that is different from those of its regional planning agency shall also
299 provide its current set of demographic projections. All regulated utilities shall provide necessary
300 information required by the council. The council may take precautions to ensure the
301 confidentiality of any competitively-sensitive information submitted.

302 In developing its consensus demographic projections, the council shall compare, contrast
303 and reconcile all of the demographic projections and other information it receives. It shall strive
304 to reconcile differences among those projections so that the consensus demographic projections
305 for the commonwealth are based on a common and consistent set of assumptions.

306 Each council shall conduct at least 1 public hearing. The secretary shall file a report with
307 the clerks of the senate and house of representatives and with the chairs of the house and senate
308 committees on bonding, capital expenditures and state assets not later than December 31 of the
309 first year of each new gubernatorial administration. The report shall also be published on the
310 website of the commonwealth.

311 SECTION 4. Section 2H of chapter 29 of the General Laws is hereby amended by
312 striking out the last paragraph, as amended by section 47 of chapter 165 of the acts of 2014, and
313 inserting in place thereof the following paragraph:-

314 Upon receiving a written joint certification from the commissioner of revenue and the
315 attorney general that a state agency is in receipt of a 1-time settlement or judgment for the
316 commonwealth, of which the net value to the commonwealth of the proceeds of that settlement
317 or judgment, after all restitution or other remedial payments are made pursuant to the settlement
318 or judgment, exceeds \$10,000,000 in any 1 fiscal year, the comptroller shall transfer said
319 proceeds from the General Fund to the Stabilization Fund established under this section, but only
320 to the extent that the total of all such 1-time settlements and judgments exceeds the average of
321 such total for the 5 fiscal years preceding the immediately preceding fiscal year, as determined
322 by the secretary of administration and finance. A constitutional office in receipt of such a non-
323 tax 1-time settlement or judgment shall notify the attorney general not later than 10 days after
324 receipt of such settlement or judgment.

325 SECTION 5. Item 7066-8000 of section 2 of chapter 258 of the acts of 2008 is hereby
326 amended by striking out, in line 67, the figure ‘\$22,100,000’ and inserting in place thereof the
327 following figure:- \$36,100,000.

328 SECTION 6. Said item 7066-8000 of said section 2 of said chapter 258 is hereby further
329 amended by inserting after the word ‘projects’, in line 160, the following words:- ; provided
330 further, that not less than \$100,000,000 shall be expended to address deferred maintenance at
331 state colleges and universities and community colleges.

332 SECTION 7. Said item 7066-8000 of said section 2 of said chapter 258 is hereby further
333 amended by striking out the figure ‘\$1,189,055,630’ and inserting in place thereof the following
334 figure:- \$1,303,055,630.

335 SECTION 8. Item 7100-1000 of said section 2 of said chapter 258, as most recently
336 amended by section 17 of chapter 48 of the acts of 2014, is hereby further amended by inserting
337 after the word ‘Worcester’, in line 92, the following words:- ; provided further, that not less than
338 \$100,000,000 shall be expended to address deferred maintenance at the University of
339 Massachusetts.

340 SECTION 9. Said item 7100-1000 of said section 2 of said chapter 258, as so amended,
341 is hereby further amended by striking out the figure ‘\$1,001,500,000’ and inserting in place
342 thereof the following figure:- \$1,101,500,000.

343 SECTION 10. Section 3 of said chapter 258 is hereby amended by striking out, in line 4,
344 the figure ‘\$2,190,555,630’ and inserting in place thereof the following figure:- \$2,404,555,630.

345 SECTION 11. Section 29 of chapter 79 of the acts of 2014 is hereby amended by striking
346 out the words ‘August 15’ and inserting in place thereof the following words:- December 31.

347 SECTION 12. Said section 29 of chapter 79 of the acts of 2014 is hereby further
348 amended by striking out clauses (3) and (4) and inserting in place thereof the following 3
349 clauses:-

350 (3) all persons and entities currently making use of the pier pursuant to any written or
351 unwritten lease, license, permit, invitation or other agreement; (4) a recommendation as to the
352 most efficient structure for ownership, management, operation and oversight of the pier
353 including, without limitation, a recommendation as to which state agencies should own or
354 operate the pier and what actions, if any, should be undertaken with regard to whether future
355 operation of the pier shall include input or participation by municipalities or other governmental
356 instrumentalities abutting the port of New Bedford; and (5) recommendations for improvements
357 and repairs to infrastructure and enhancements to increase public access, facilitation of activities
358 surrounding the offloading and transport of commercial fishing landings, expanding the use of
359 the facility for water-dependent cargo, short sea shipping, marine transportation, cruise facilities
360 and nonwater-dependent uses related to tourism and economic development, potential
361 redevelopment and creation of mixed use facilities to include commercial uses, retail,
362 restaurants, research and development and public event space.

363 SECTION 13. To meet the expenditures necessary in carrying out section 2, the state
364 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
365 amount to be specified by the governor, from time to time, but not exceeding, in the aggregate,
366 \$795,058,561. All such bonds issued by the commonwealth shall be designated on their face,
367 Capital Improvement Act of 2014, and shall be issued for a maximum term of years, not
368 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
369 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
370 June 30, 2048. All interest and payments on account of principal on these obligations shall be
371 payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall,
372 notwithstanding any other provision of this act, be general obligations of the commonwealth.

373 SECTION 14. To meet the expenditures necessary in carrying out section 2A, the state
374 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
375 amount to be specified by the governor from, time to time, but not exceeding, in the aggregate,
376 \$341,310,000. All such bonds issued by the commonwealth shall be designated on their face,
377 Capital Improvement Act of 2014, and shall be issued for a maximum term of years, not
378 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
379 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
380 June 30, 2048. All interest and payments on account of principal on these obligations shall be
381 payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall,
382 notwithstanding any other provision of this act, be general obligations of the commonwealth.

383 SECTION 15. To meet the expenditures necessary in carrying out section 2B, the state
384 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
385 amount to be specified by the governor, from time to time, but not exceeding, in the aggregate,
386 \$85,000,000. All such bonds issued by the commonwealth shall be designated on their face,
387 Capital Improvement Act of 2014, and shall be issued for a maximum term of years, not
388 exceeding 10 years, as the governor may recommend to the general court pursuant to section 3 of
389 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
390 June 30, 2028. All interest and payments on account of principal on these obligations shall be
391 payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall,
392 notwithstanding any other provision of this act, be general obligations of the commonwealth.

393 SECTION 16. To meet the expenditures necessary in carrying out section 2C, the state
394 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
395 amount to be specified by the governor, from time to time, but not exceeding, in the aggregate,
396 \$20,000,000. All such bonds issued by the commonwealth shall be designated on their face,
397 Capital Improvement Act of 2014, and shall be issued for a maximum term of years, not
398 exceeding 10 years, as the governor may recommend to the general court pursuant to section 3 of
399 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
400 June 30, 2028. All interest and payments on account of principal on these obligations shall be

401 payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall,
402 notwithstanding any other provision of this act, be general obligations of the commonwealth.

403 SECTION 17. The secretary of administration and finance shall submit a report on the
404 progress of any projects funded through the authorizations in this act and included in the
405 governor's 5-year capital investment to the clerks of the senate and house of representatives, the
406 chairs of the senate and house committees on ways and means and the chairs of the senate and
407 house committees on bonding, capital expenditures and state assets. The report shall include, but
408 not be limited to: (i) the previous year planned spending; (ii) the previous year spending; (iii) the
409 current year planned spending; (iv) the current year spending to date; (v) the original estimated
410 total project cost; (vi) the project description; (vii) the location of the project; (viii) the type of
411 spending; (ix) the type of asset; and (x) the useful life of the project once completed. The report
412 shall be submitted not later than June 30 and December 31 of each year for a period of 8 years
413 after the effective date of this act.

414 SECTION 18. To provide for the continued availability of certain bond-funded spending
415 authorizations which otherwise would expire, the balances of the following items and any
416 allocations thereof shall be extended through June 30, 2017 for the purposes of, and subject to,
417 the conditions stated for these items in the original authorizations and any amendments to such
418 authorizations: 0330-2223, 0526-2012, 0640-0301, 1100-3001, 1100-7500, 1100-7981, 1100-
419 7985, 1100-8000, 1100-8001, 1100-8020, 1100-9200, 1100-9520, 1102-0004, 1102-1994, 1102-
420 5600, 1102-7967, 1599-4994, 1599-7156, 4000-2020, 5500-9400, 5500-9405, 6001-0816, 6001-
421 0817, 6001-0818, 7000-9090, 7002-0015, 7007-6300, 7007-9040, 7066-2010, 7411-7960, 8000-
422 0700, 8000-2020, 8000-3500, 8000-4900, 8100-2025, 8100-9000, 8500-1000, 8900-7500, 8900-
423 8500 and 8910-0023.

424 SECTION 19. To provide for the continued availability of certain bond-funded spending
425 authorizations which otherwise would expire, the balances of the following items and any
426 allocations thereof shall be extended through June 30, 2019 for the purposes of, and subject to,
427 the conditions stated for these items in the original authorizations and any amendments to such
428 authorizations: 7066-8000 and 7100-1000.

429 SECTION 20. (a) To carry out the purposes of items 1102-2009, 1102-2014 and 4000-
430 2022 of section 2 and item 1100-3003 of section 2A, the commissioner of capital asset
431 management and maintenance may, notwithstanding sections 32 to 37, inclusive, of chapter 7C
432 of the General Laws or any other general or special law to the contrary, but subject to this
433 section, acquire, by purchase, prepayment of lease for a term that exceeds the useful life of the
434 facility, gift or other transfer or by eminent domain pursuant to chapter 79 of the General Laws,
435 any interests in land and buildings considered necessary by the commissioner to carry out this act
436 including, but not limited to, easements for drainage, access, utilities and environmental
437 mitigation and may grant and retain such easements and interests as considered necessary by the
438 commissioner to carry out this act.

439 (b) The commissioner shall solicit proposals for any facility acquisition through requests
440 for proposals. Each request for proposals shall include, at a minimum: (i) a description of the
441 facility for which proposals are sought; (ii) a statement as to whether the commissioner seeks to
442 purchase or lease the facilities; (iii) a statement as to whether the commissioner seeks to acquire
443 improved or unimproved land, buildings and interests therein; (iv) a statement as to whether the
444 selected proposer shall be required to undertake the design, construction, renovation,
445 reconstruction, alteration, improvement, demolition, expansion or management of a new or
446 existing facility; (v) the proposed contractual terms and conditions, some of which may be
447 considered mandatory or nonnegotiable; (vi) the evaluation criteria to be utilized by the
448 commissioner; (vii) the time and date for receipt of proposals; (viii) the address of the office to
449 which proposals shall be delivered; and (ix) such other matters as may be determined by the
450 commissioner. Public notice of each request for proposals shall be published at least 3 weeks
451 before the time specified in the notice for the receipt of proposals in the central register published
452 by the state secretary. At the opening of the proposals, the commissioner shall prepare a register
453 of proposals which shall include the name of each proposer. The register of proposals shall be
454 open for public inspection. Notwithstanding any general or special law to the contrary and until
455 the completion of the selection process, the contents of the proposals and the selection process
456 shall not be disclosed to competing proposers and shall not be public documents.

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

462 (d) The commissioner shall solicit proposals for temporary relocation space as required
463 for completion of a project funded pursuant to items 1102-2009, 1102-2014 and 4000-2022 of
464 section 2 or item 1100-3003 of section 2A in accordance with section 37 of chapter 7C of the
465 General Laws.

466 SECTION 21. The division of capital asset management and maintenance may transfer
467 care, custody, control and jurisdiction of a parcel of vacant commonwealth land in the town of
468 Middleton from the department of mental health to the department of youth services for use as a
469 location for a new department of youth services facility. The parcel to be transferred contains
470 approximately 9.295 acres and is shown on a plan on file with the division. The exact boundaries
471 of the parcel to be transferred are to be determined by the division of capital asset management
472 and maintenance. Transfer of the parcel shall be without consideration and shall not be subject to
473 chapter 7C of the General Laws. The division of capital asset management and maintenance
474 may, as necessary, clear title to the parcel to be transferred by eminent domain taking.

475 SECTION 22. (a) As used in this section, the following words shall have the following
476 meanings unless the context clearly requires otherwise:

477 'Commissioner', the commissioner of capital asset management and maintenance.

478 'District', the Essex North Shore agricultural and technical school district established
479 pursuant to chapter 463 of the acts of 2004.

480 'Division', the division of capital asset management and maintenance.

481 'School', the Essex North Shore agricultural and technical school established pursuant to
482 chapter 463 of the acts of 2004.

483 (b) Notwithstanding section 32 to 37, inclusive, of chapter 7C of the General Laws,
484 chapter 463 of the acts of 2004 or any other general or special law to the contrary, the
485 commissioner may, in consultation with the district, lease or enter into other agreements for a
486 term, including any extensions, not to exceed 25 years for certain lands and any buildings and
487 other appurtenances thereon located at the school in the town of Middleton to Essex Sports
488 Center, LLC. The location and boundaries of any of the parcels to be leased shall be determined
489 by the commissioner based upon a survey by a certified engineer.

490 (c) The lessee shall use the property solely for constructing and operating athletic and
491 recreational facilities for use by the school or any other authorized parties. The lease or other
492 agreement shall include a provision restricting the use of the property to such purposes and
493 providing for termination of the lease if the property ceases to be used for such purposes. Upon
494 the expiration of the lease, or if Essex Sports Center, LLC ceases to be the lessee at any time
495 before the expiration of the lease, the land, facilities, fields and appurtenances shall revert to the
496 commonwealth upon such terms and conditions as the commissioner may determine. The lease
497 may permit leasehold mortgages covering any lease executed as authorized in this section to
498 assist the lessee in financing improvements to the leased property, provided, however, that any
499 such leasehold mortgage shall be subordinate to any such lease, subject to the ability of any such
500 leasehold mortgage to exercise its rights under any such mortgage.

501 (d) The lease or other agreement authorized by this section shall be on terms and
502 conditions acceptable to the commissioner after consultation with the district, and subject to
503 review by the inspector general prior to the execution of the lease; provided, however, that any
504 such lease or other agreement shall provide, without limitation that: (i) the lessee shall manage,
505 operate, improve, repair and maintain the land, buildings and appurtenances associated therewith
506 during the term of the lease which shall be subject to the approval of the commissioner and the
507 district and the upkeep shall be reviewed on an annual basis by the commissioner, the lessee and
508 the district; provided, however, that the lessee shall be responsible for the repairs and
509 maintenance as recommended by the commissioner or the district; (ii) the lessee shall carry
510 comprehensive general liability and construction insurance in amounts acceptable to the
511 commissioner and the district naming the commonwealth and the district as the co-insured and
512 protecting the commonwealth and the district against all claims for personal injury or property
513 damage arising from the land, buildings and appurtenances associated therewith during the

514 construction and the term of the lease; (iii) the lessee shall pay rent in an amount equal to or
515 greater than the full and fair market value of its leasehold interest under this section as
516 determined by an independent appraisal prepared in accordance with the usual and customary
517 professional appraisal practices by a certified appraiser commissioned by the commissioner, in
518 consultation with the inspector general; (iv) the lessee shall be responsible for the capital
519 improvements to the premises; (v) the lessee shall be responsible for all costs of all utilities
520 during the term of the lease; and (vi) the lessee shall not design or construct any facilities on the
521 parcel without the written approval of the division, in consultation with the district.

522 (e) The lessee shall be responsible for and shall maintain an escrow fund for all costs and
523 expenses including, but not limited to, costs associated with any engineering, surveys, appraisals
524 and lease preparation as such costs may be determined by the commissioner.

525 (f) The district may establish a receipts reserved for appropriation account for any
526 revenue generated from the lease of property to the lessee. The account shall be used for the
527 general appropriations of the district.

528 (g) No general or special law or rule or regulation relating to the advertising, bidding or
529 awarding of contracts, to the procurement of services including, but not limited to, chapter 30B
530 of the General Laws, or to the construction and design improvements shall apply to the district or
531 the lessee under this section.

532 (h) The 25-year lease and other agreements executed pursuant to this section shall be on
533 terms, conditions and consideration acceptable to the commissioner and the district; provided,
534 however, that the lessee shall permit the following reserved ice rink needs free of charge and on
535 a priority basis to the district: (i) daytime physical education classes which are scheduled as part
536 of the regular school curriculum; (ii) practice and games for the following hockey teams if such
537 teams are established: male varsity, male junior varsity, female varsity and female junior varsity;
538 provided further, that the lessee shall permit the following reserved turf field needs free of charge
539 and on a priority basis to the district: (1) daytime physical education classes which are scheduled
540 as part of the regular school curriculum; (2) practice and games for the following soccer,
541 football, field hockey, winter track and field, spring track and field, lacrosse, baseball and
542 softball teams if such teams are established: male varsity, male junior varsity, female varsity and
543 female junior varsity; provided further, that schedules for the ice rink and turf field use shall be
544 presented by the district to the lessee by July 1 preceding each academic year and only for those
545 classes and teams which are in existence for that academic year; provided, further, that the lessee
546 shall permit reserved ice for school-sponsored or Massachusetts Interscholastic Athletic
547 Association tournaments, if available; and provided further, that the lessee shall ensure fair and
548 reasonable use of the ice rink, fields, facilities, land and appurtenances for communities within
549 the district.

550 (i) All records of the lessee relating to the operation of the facility including, but not
551 limited to, finances and scheduling shall be made available for inspection by the offices of the
552 state auditor, the attorney general, the inspector general and the division upon request

553 SECTION 23. The special commission established in chapter 2 of the resolves of 2008
554 and revived and continued by chapter 3 of the resolves of 2010 is hereby revived and continued
555 to December 31, 2015.

556 SECTION 24. The energy and environment building at the Massachusetts Maritime
557 Academy shall be designated and known as the Therese Murray Environmental Center. The
558 Massachusetts Maritime Academy shall erect and maintain suitable markers bearing that
559 designation in compliance with standards of the department.

560 SECTION 25. Notwithstanding any general or special law to the contrary, for fiscal year
561 2014, the comptroller shall retain in the General Fund all amounts that would otherwise be
562 transferred under the last paragraph of section 2H of chapter 29 of the General Laws, but not
563 more than necessary to result in a consolidated net surplus of \$57,500,000.

564 SECTION 26. Notwithstanding any general or special law to the contrary, the
565 unexpended and unencumbered balances of the bond-funded authorizations in the following
566 accounts shall cease to be available for expenditure 90 days after the effective date of this act:
567 9300-3905, 1102-8880, 0330-8891, 1102-7893, 1102-7894, 1102-9897, 5500-8300, 5500-8400,
568 5500-8500, 1102-0961, 7112-0960, 7113-0960, 7114-0960, 7115-0960, 7116-0960, 7117-0960,
569 7220-0960, 7310-0960, 7410-7960, 7452-7960, 7504-7961, 7505-7960, 7512-7960, 8195-8968,
570 1102-9980, 8900-7967, 0330-2206, 0330-2209, 1102-2992, 1102-4994, 1102-7947, 1102-8245,
571 1102-8940, 1102-8945, 1102-8947, 1102-4940, 1102-8949, 0333-0010, 1102-2011, 1102-3010,
572 1102-3013, 7100-0001, 8000-2011, 0332-8811, 0431-8833, 1102-8872.

573 SECTION 27. Notwithstanding any general or special law to the contrary, the bonds that
574 the state treasurer may issue pursuant to this act shall be issued for terms not to exceed 30 years.
575 All such bonds shall be payable not later than June 30, 2049, as recommended by the governor in
576 a message to the general court dated June 6, 2014, under section 3 of Article LXII of the
577 Amendments to the Constitution.”.