

HOUSE No. 4137

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Text of a further amendment, offered by Mr. Murphy of Burlington, to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2070) of the House Bill making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4125, amended). June 25, 2009..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 133 of Senate, No. 2087 is hereby amended by striking out subsection (a) and
2 inserting in place thereof the following subsection:-

3 (a) The Massachusetts Turnpike Authority shall be dissolved and, without further
4 conveyance or other act, all assets, liabilities, obligations, debt, rights, powers and duties of the
5 authority shall be transferred to and assumed by the Massachusetts Department of
6 Transportation, as the successor to the authority. Unless specifically provided to the contrary,
7 the terms “turnpike”, “Ted Williams tunnel”, “Sumner tunnel”, and “metropolitan highway
8 system”, as used in this section and elsewhere in this act, shall have the meanings prescribed to
9 them in chapter 6C of the General Laws.

SECTION 53. Section 144 of Senate, No. 2087 is hereby amended, in subsection (b), in the first sentence, by striking out the words “not later than September 1, 2009” and inserting in place thereof the following words:- effective as of January 1, 2010.

SECTION 54. Said section 144 is hereby further amended, in subsection (d), in the first sentence, by striking out the words “shall remain the liability of the authority” and inserting in place thereof the following words:- all rights and obligations thereunder shall transfer to the department on January 1, 2010 as the successor to the authority with respect thereto.

SECTION 55. Section 156 of Senate, No. 2087 is hereby amended, in subsection (a), in the first sentence, by striking out the word “July” and inserting in place thereof the following word:- November.

SECTION 56. Said section 156 is hereby further amended, in said subsection (a), by striking out the last sentence.

SECTION 57. Said section 156 is hereby further amended, in subsection (b), in the first sentence, by striking out the word “July” and inserting in place thereof the following word:- January.

SECTION 58. Said section 156 is hereby further amended, in said subsection (b), by striking out the last sentence.

SECTION 59. Senate, No. 2087 of 2009 is hereby further amended by inserting after section 181 the following section:-

Section 181A. The provisions of the second sentence of section 15 of chapter 6C of the General Laws that salaries and benefits of employees of the Massachusetts Department of

Transportation shall be classified and funded as operating expenditures rather than as capital expenditures shall take effect on July 1, 2012. The Massachusetts Department of Transportation shall develop a plan not later than July 1, 2010, that provides for the conversion of the salaries and benefits of all employees from the department's capital expenditures to the department's operating expenditures by not later than July 1, 2012, including the proposed method of financing said conversion. This plan shall be filed with the joint committee on transportation, the house and senate committees on bonding, capital expenditures and state assets and the house and senate committees on ways and means.

SECTION 60. Senate, No. 2087 is hereby further amended by striking out sections 183, 184 and 185 and inserting in place thereof the following 3 sections:-

Section 183. Sections 14, 33, 34, 35, 68, 70, 71, 72, 79, 81, 82, 130, 141, 143, 146, 149, 162, 163, 164 and 168 shall take effect on July 1, 2009.

Section 184. The provisions of sections 8 and 9 that relate to powers and responsibilities of the Massachusetts Department of Transportation with respect to the Maurice J. Tobin Memorial Bridge shall take effect on January 1, 2010.

Section 185. Except as otherwise provided herein, this act shall take effect on November 1, 2009.

SECTION 61. If House, No. 4129, "An Act Making Appropriations for the Fiscal Year 2010 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements," enacted by the Senate and House of Representatives on June 19, 2009, becomes law, section 62 shall take effect, but not otherwise.

53 SECTION 62. House, No. 4129 is hereby amended by striking out sections 28, 46 and
54 158.

55 SECTION 63. Section 44 shall take effect as of March 19, 2009.

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