

**HOUSE . . . . . No. 4160**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act further regulating appropriations for fiscal year 2010 ..

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

1 SECTION 1. Section 35MM of chapter 10 of the General Laws is hereby repealed.

2 SECTION 2. The fourth sentence of subsection (a) of section 138 of chapter 27 of the  
3 acts of 2009 is hereby amended by adding the following words:—; provided, however, that in  
4 making any such pledge of said contract and of the right to receive amounts thereunder for the  
5 payment of bonds, the authority shall seek to effect such pledge in a manner that maximizes the  
6 security for the bondholders and increases the likelihood of improving the credit rating for the  
7 outstanding metropolitan highway system bonds; and provided further, that in the event of such  
8 pledge, the Massachusetts Department of Transportation shall be subject to subsection (c) of  
9 section 13 of chapter 6C of the General Laws and shall be deemed to be in compliance with said  
10 subsection (c) of said section 13 of said chapter 6C by demonstrating that the aggregate revenues  
11 received from all tolled facilities are equal to or less than the aggregate costs of all tolled  
12 facilities as described in clauses (i) and (ii) of said subsection (c) of said section 13 of said  
13 chapter 6C.