SENATE DOCKET, NO. 1427 FILED ON: 1/14/2009

SENATE . . . . . No. 1936

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act facilitating the completion of the New Bedford/Fall River commuter rail extension project.

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. The secretary of administration and finance shall execute a contract with the Massachusetts Bay Transportation Authority pursuant to section 53 of chapter 246 of the acts of 2002 within thirty days of the effective date of this act.

SECTION 2. Notwithstanding any general or special law to the contrary, the Authority shall make the New Bedford/Fall River commuter rail expansion project described in section 53 a priority project and shall ensure that the project is completed in a timely manner.

SECTION 3. If the secretary of administration and finance and the secretary of transportation and construction determine that to achieve the goal of completing the New Bedford/Fall River commuter rail expansion project described in section 53 and to limit the commonwealth's operating expenses it is in the best interest of the commonwealth to defer temporarily the contract assistance payments required by section 53, then the Authority is hereby authorized to issue bonds in excess of the cost of the project to allow for payment of debt service for a period of no more than three years.

SECTION 4. The secretary of transportation shall ensure that no state money spent on the extension of commuter rail to New Bedford/Fall River including, but not limited to, design, permitting, planning, construction, environmental reviews, right-of-way acquisition, economic development, and land-use planning shall be for any enhanced bus or rapid bus alternative. Notwithstanding the provisions of any general or special law to the contrary, any funds authorized or funds previously authorized, including but not limited to, the amounts appropriated in item 6005-9906 of section 2 of chapter 125 of the acts of 2000 and in item 6001-0804 of section 2C of chapter 303 of the acts of 2008, shall be directed for the design, permitting and construction of the rail line for the area south of the site known as Cotley Junction.

SECTION 5. This act shall take effect immediately upon the passage.