

HOUSE No. 3930

Text of a further amendment, offered by Mr. Dempsey of Haverhill, to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 1988) of the House Bill encouraging the improvement, expansion and development of military installations in the Commonwealth (House, No. 3736, amended).

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

1 By striking out all after the enacting clause and inserting in place thereof the following:

2 "SECTION 1. To provide for a program of economic development and improvement, the sum
3 set forth in section 2 is hereby made available, subject to the laws regulating the disbursement of
4 public funds and approval thereof, and subject to the prior approval of the secretary of
5 administration and finance; provided, that the amount specified in the item or for a particular
6 project may be adjusted in order to facilitate projects authorized in this act.

7 SECTION 2.

8 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

9 Office of the Secretary of Administration and Finance

10 1100-1590 For the improvement, expansion and development of military installations or joint
11 civilian and military facilities as recommended by the military asset and security strategy task
12 force and for base realignment preparation and mitigation projects, as defined in section 32;
13 provided that not less than \$250,000 be expended for the relocation and renovation of the Otis
14 Memorial Park at Joint Base Cape Cod.....\$177,000,000

15 SECTION 3. Chapter 6 of the General Laws is hereby amended by adding the following
16 section:-

17 Section 216. (a) Within the office of the governor, there shall be a military asset and security
18 strategy task force which shall be chaired by the governor. The task force shall also be co-
19 chaired with up to 2 current or former elected officials to be appointed by the governor and shall
20 include at least 1 member of the federal congressional delegation, who shall serve on the task
21 force through at least the first full year of a new gubernatorial administration for continuity
22 purposes. The task force shall consist of the following members: the secretary of public safety
23 and security or a designee; the adjutant general of the Massachusetts national guard or a
24 designee; the commander of the Massachusetts air national guard or a designee; the secretary of
25 housing and economic development or a designee; the secretary of labor and workforce
26 development or a designee; the secretary of energy and environmental affairs or a designee; the

27 secretary of education or a designee; the secretary of administration and finance or a designee;
28 the secretary of the Massachusetts Department of Transportation or a designee; the chief
29 executive officer of the Massachusetts Port Authority or a designee; the secretary of the
30 department of veterans services or a designee; the president and chief executive officer of
31 Massachusetts Development Finance Agency or a designee; 2 representatives from the defense
32 sector appointed by the governor; 2 representatives from institutions of higher education
33 appointed by the governor; 2 members of the senate 1 of whom shall be the chair of the joint
34 committee on veterans and federal affairs and 1 of whom shall be appointed by the minority
35 leader; and 2 members of the house of representatives, 1 of whom shall be the chair of the joint
36 committee on veterans and federal affairs and 1 of whom shall be appointed by the minority
37 leader.

38 (b) The military asset and security strategy task force may:

39 (i) engage with representatives from the military, business community and government,
40 including municipal officials and community members surrounding each installation in order to
41 enhance, expand, add or otherwise improve missions, programs, facilities and operations on or
42 affecting the military installations;

43 (ii) engage with community partners, including, but not limited to, chambers of commerce,
44 business associations, education officials, workforce development officials, municipal officials,
45 elected officials and veteran and military family support agencies, located in the vicinity of each
46 military installation to create and expand upon the impact each installation has on the
47 municipality and surrounding cities and towns;

48 (iii) engage with regional partners, including, but not limited to, Connecticut, Maine, New
49 Hampshire, Vermont and Rhode Island to identify opportunities to finance and otherwise support
50 military installations on a regional basis;

51 (iv) develop, coordinate and implement workforce training programs, infrastructure
52 improvements, environmental and utility savings, housing renovations or construction and
53 transportation improvements to support the missions at each military installation;

54 (v) identify initiatives that can be implemented to address or resolve operational or mission
55 weaknesses at the military installations;

56 (vi) identify initiatives to support existing military installations and allow for future adaptive
57 civilian use;

58 (vii) identify opportunities for local businesses, municipalities, state or public agencies,
59 community colleges or other institutions of higher education to contract and partner with the
60 military installations to provide goods, services, training or education;

61 (viii) consider establishing “military enterprise zones” to offer low-cost loans and other state
62 assistance to municipalities and private businesses for initiatives that support existing military

63 installations, encourage private investment and job creation and diversify and revitalize local
64 economies, without encroaching on existing military installations; and

65 (xi) advise the governor and executive and legislative branch officials regarding efforts by the
66 United States Department of Defense to close, realign, restructure, streamline or otherwise take
67 actions that would impact the military installations.

68 (c) To the extent permitted by law, every agency within the executive branch and public
69 agencies or authorities shall make all reasonable efforts to cooperate with the task force and to
70 furnish all information and assistance requested by the task force.

71 (d) The governor, in consultation with the Massachusetts Development Finance Agency and the
72 Massachusetts national guard, shall serve as the point of contact for the military asset and
73 security strategy task force with federal, state and local elected and non-elected officials to
74 coordinate with the military, government and the public and private sectors.

75 (e) The military asset and security strategy task force shall meet at times and places to be
76 determined by the chair or co-chairs and may establish working groups, meetings, forums and
77 any other activity deemed necessary to carry out its mandate.

78 (f) The military asset and security strategy task force, through the Massachusetts Development
79 Finance Agency, may engage or contract with the University of Massachusetts or other
80 institutions or entities to supply statistical data, reports, curriculum and other information and
81 assistance necessary to support the work of the task force.

82 SECTION 4. Section 3 of chapter 23G of the General Laws, as appearing in the 2012 Official
83 Edition, is hereby amended by striking out, in line 217, the word “companies.” and inserting in
84 place thereof the following words:- ; and (35) to contract or enter into agreements, licenses and
85 easements, with municipalities, the federal government, any agency thereof or any other person
86 or entity including, but not limited to, the commonwealth, state and public agencies of the
87 commonwealth, regional entities and utility companies, to provide utility services, including, but
88 not limited to, electricity, gas, cable television, broadband and telephone services and to acquire,
89 construct, maintain and operate any such systems for utility services.

90 SECTION 5. Section 111F of chapter 41 of the General Laws, as so appearing, is hereby
91 amended by striking out, in line 23, the words “Massachusetts military reservation” and inserting
92 in place thereof, in each instance, the following words:- Joint Base Cape Cod.

93 SECTION 6. Section 59A of chapter 48 of the General Laws, as so appearing is hereby amended
94 by striking out, in line 8, the words “Massachusetts military reservation” and inserting in place
95 thereof the following words:- Joint Base Cape Cod.

96 SECTION 7. Chapter 841 of the acts of 1974 is hereby amended by striking out, in line 8, the
97 words “Massachusetts Military Reservation” and inserting in place thereof the following words:-
98 Joint Base Cape Cod.

99 SECTION 8. Section 1 of chapter 19 of the acts of 1988 is hereby amended by striking out, in
100 line 6, the words “Massachusetts military reservation” and inserting in place thereof the
101 following words:- Joint Base Cape Cod.

102 SECTION 9. Section 2 of chapter 352 of the acts of 2000 is hereby amended by striking out, in
103 line 18, the words “Massachusetts Military Reservation” and inserting in place thereof the
104 following words:- Joint Base Cape Cod.

105 SECTION 10. Section 1 of chapter 47 of the acts of 2002 is hereby amended by striking out, in
106 lines 6 and 9, the words “Massachusetts military reservation” and inserting in place thereof, in
107 each instance, the following words:- Joint Base Cape Cod.

108 SECTION 11. Said section 1 of said chapter 47 is hereby further amended by striking out, in
109 lines 9, 15 and 16, the word “MMR” and inserting in place thereof, in each instance, the
110 following words:- Joint Base Cape Cod.

111 SECTION 12. Section 6 of said chapter 47 is hereby amended by striking out, in lines 4 and 8,
112 the word “MMR” and inserting in place thereof, in each instance, the following words:- Joint
113 Base Cape Cod.

114 SECTION 13. Section 8 of said chapter 47 is hereby amended by striking out, in lines 1, 14, 18
115 and 22, the word “MMR” and inserting in place thereof, in each instance, the following words:-
116 Joint Base Cape Cod.

117 SECTION 14. Section 16 of said chapter 47 is hereby amended by striking out, in line 2, the
118 word “MMR” and inserting in place thereof the following words:- Joint Base Cape Cod.

119 SECTION 15. Section 1 of chapter 240 of the acts of 2006 is hereby amended by striking out, in
120 line 8, the words “Massachusetts Military Reservation” and inserting in place thereof the
121 following words:- Joint Base Cape Cod.

122 SECTION 16. Section 5 of said chapter 240 is hereby amended by striking out, in line 6, the
123 words “Massachusetts Military Reservation” and inserting in place thereof the following words:-
124 Joint Base Cape Cod.

125 SECTION 17. Item 7100-1000 of section 2 of chapter 258 of the acts of 2008 is hereby amended
126 by striking out, in lines 88 to 90, inclusive, the words “improvements to the Medical School’s
127 Shriver Center facility in the city of Waltham” and inserting in place thereof the following
128 words:- excess costs to relocate the Massachusetts Department of Transportation District 3
129 Headquarters from its present site to a new site, to enable transfer of its present site to the
130 University for establishment of a collaboration between the Medical School and the Veterans
131 Administration of Central Western Massachusetts to address health needs of veterans; provided,
132 however, that “excess costs” shall be costs as defined in this line item which exceed the
133 Massachusetts Department of Transportation’s cost for constructing a new headquarters on its
134 present site and which are associated with its operational needs, such as fueling stations and
135 communications infrastructure comparable to those currently existing at the present site.

136 SECTION 18. The first paragraph of section 1 of chapter 180 of the acts of 2012 is hereby
137 amended by striking out, in line 4, the words “Massachusetts Military Reservation” and inserting
138 in place thereof the following words:- Joint Base Cape Cod.

139 SECTION 19. (a) As used in this section, the following words shall, unless the context clearly
140 requires otherwise, have the following meanings:-

141 “Base realignment preparation and mitigation projects”, the planning, permitting, design,
142 environmental rehabilitation, or any combination thereof, of military installations, or portions of
143 such installations, scheduled for partial or complete realignment, in order to minimize the
144 economic and social impact of such reduced or eliminated use.

145 “MassDevelopment”, the Massachusetts Development Finance Agency as established by chapter
146 23G of the General Laws.

147 “Military installations mission improvement and expansion projects”, the planning, permitting,
148 design, acquisition, purchase, ownership, use, reuse, rehabilitation, renovation, improvement,
149 furnishing, equipping, construction, reconstruction, operation, development, mortgaging and
150 sale, or any combination thereof, of military installations, and any components thereof, including
151 military related-education projects on and off such installations, in accordance with this act and
152 in furtherance of reducing operating costs and retaining and expanding mission and, whenever
153 appropriate, the term shall also mean all lands, buildings, structures, parking and appurtenances.

154 (b) MassDevelopment shall be the public agency or instrumentality of the commonwealth which
155 may do all acts and things necessary or convenient to oversee and implement military
156 installations mission improvement and expansion projects or base realignment preparation and
157 mitigation projects, including, without limitation, the acquisition, management and disposition of
158 all or any portion of military installations, or interests therein, including improvements thereon
159 and, without limitation, buildings and utility systems, equipment and personal property, all in
160 accordance with the terms of this act. MassDevelopment may, to implement military installations
161 improvement and expansion projects or base realignment preparation and mitigation projects in
162 its own name or in conjunction with others, acquire title to the land, buildings and improvements
163 that comprise all or any portion of military installations upon the transfer or disposition of any
164 portion of the military installations by the federal government. Notwithstanding any general or
165 special law to the contrary, any actions authorized by this section shall be executed with and
166 through the Westover Metropolitan Development Corporation, as those actions involve any
167 portion of Westover Air Reserve Base. Implementation of the projects shall be a corporate
168 purpose of MassDevelopment under chapter 23G of the General Laws, and specifically shall be
169 deemed an exercise of its powers under clause (6) of section 3 of said chapter 23G.

170 MassDevelopment shall be reimbursed for its reasonable administrative costs and out of pocket
171 expenditures, as determined by the secretary of administration and finance, incurred in
172 implementing this subsection.

173 SECTION 20. Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws
174 or any other general or special law to the contrary, the commissioner of capital asset
175 management and maintenance shall, subject to such terms and conditions as the commissioner
176 may prescribe, convey to the Massachusetts Department of Transportation a certain parcel of
177 land owned by the commonwealth located in the towns of Mashpee, Bourne and Sandwich
178 comprised of the railroad right-of-way generally shown on the plan entitled, "Massachusetts
179 Military Reservation Cantonment Area Map". A copy of the plan is held in the offices of the
180 division of capital asset management and maintenance. The exact boundaries of the parcel of
181 land shall be determined by the commissioner, in consultation with the Massachusetts
182 Department of Transportation, after completion of a land boundary survey to be obtained by the
183 Massachusetts Department of Transportation. The Massachusetts Department of Transportation
184 shall be responsible for all costs and expenses including, but not limited to, costs associated with
185 any engineering, surveys, appraisals and lease preparation related to the conveyance authorized
186 in this act as such costs may be determined by the commissioner of capital asset management
187 and maintenance.

188 SECTION 21. To meet a portion of the expenditures necessary in carrying out section 2, the state
189 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
190 amount to be specified by the governor from time to time, but not exceeding in the aggregate the
191 sum of \$177,000,000. All bonds issued by the commonwealth under this section shall be
192 designated on their face, Military Mission Improvement and Expansion Act of 2014, and shall be
193 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
194 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
195 All such bonds shall be payable not later than June 30, 2049. All interest and payments on
196 account of principal on these obligations shall be payable from the General Fund.
197 Notwithstanding any general or special law to the contrary, bonds and interest thereon issued
198 under this section shall be general obligations of the commonwealth.

199 SECTION 22. The secretary of administration and finance shall submit a report on the progress
200 of any projects funded under this act and included in the governor's 5-year capital investment
201 plan to the clerks of the senate and house of representatives, the chairs of the senate and house
202 committees on ways and means and the chairs of the senate and house committees on bonding,
203 capital expenditures and state assets. The report shall include, but not be limited to: the previous
204 year planned spending, previous year spending, current year planned spending, current year
205 spending to date, original estimated total project cost, project description, including the purpose
206 and intended use of the project, location of the project, type of spending, type of asset and useful
207 life of the project once completed. The report shall be submitted on or before June 30 and
208 December 31 of each year for a period of 8 years after the effective date of this act.

209 SECTION 23. The secretary of administration and finance shall, at least 30 days prior to the
210 Massachusetts Development Finance Agency's execution of any contract in furtherance of any
211 military installations mission improvement and expansion project or base realignment

212 preparation and mitigation project, as defined in section 32, submit a report containing a
213 description of the project, the purpose of the project and its projected cost to the clerks of the
214 senate and house of representatives, the chairs of the senate and house committees on ways and
215 means and the chairs of the senate and house committees on bonding, capital expenditures and
216 state assets.

217 SECTION 24. Notwithstanding any general or special law to the contrary, the unexpended and
218 unencumbered balances of the bond-funded authorizations in the following accounts shall cease
219 to be available for expenditure 90 days after the effective date of this act: 1100-1570, 1100-1580.

220 SECTION 25. Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws
221 or any other general or special law to the contrary, the commissioner of capital asset
222 management and maintenance may, with the concurrence of the adjutant general of the military
223 forces of the commonwealth, convey to the Massachusetts Development Finance Agency for \$1
224 fee interests or any other title interest in or easements on any land or infrastructure owned by the
225 commonwealth and located at Joint Base Cape Cod in the towns of Bourne, Falmouth, Mashpee
226 and Sandwich and as more generally shown on a plan entitled "Massachusetts Military
227 Reservation Cantonment Area Map" dated February 2007, by 1 or more conveyances or grants
228 of easements. A copy of such plan is held in the offices of the division of capital asset
229 management and maintenance. The exact boundaries of any land to be conveyed or easements to
230 be granted shall be determined by the commissioner, in consultation with Massachusetts
231 Development Finance Agency, after completion of a land boundary survey by Massachusetts
232 Development Finance Agency in the event that such boundaries are not known. The
233 Massachusetts Development Finance Agency shall be responsible for all costs and expenses
234 including, but not limited to, costs associated with any engineering, surveys and appraisals
235 related to the conveyance authorized in this section as such costs may be determined by the
236 commissioner of capital asset management and maintenance. Any land conveyed from the
237 commonwealth to Massachusetts Development Finance Agency shall be used for military
238 purposes, or used for purposes consistent with chapter 23G of the General Laws, provided the
239 land shall be used to encourage the development of marine science, education, energy, defense,
240 aviation, environmental related businesses or any other economic development use that the
241 adjutant general approves."