

**HOUSE . . . . . No. 3952**

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**The Commonwealth of Massachusetts**

**In the Year Two Thousand Fourteen**

An Act relative to the expansion of the Boston Convention and Exhibition Center.

*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. It is hereby found and declared that the Boston convention and exhibition  
2 center is not of sufficient size to attract and accommodate large national and international groups  
3 who wish to conduct conventions, exhibitions and other similar events within the commonwealth  
4 that are beneficial to the economic development of the commonwealth and the general welfare of  
5 its citizens. The commonwealth is losing substantial business from events that the Boston  
6 convention and exhibition center cannot accommodate thereby losing accompanying economic  
7 benefits. It is further found and declared that there is satisfactory evidence that a substantial  
8 number of national and international conventions would locate their activities within the  
9 commonwealth if the Boston convention and exhibition center is expanded and that such  
10 expansion would continue to grow the commonwealth’s presence in the convention and meeting  
11 industry putting the commonwealth at a competitive advantage resulting in more jobs, revenue  
12 and economic growth benefitting the entire commonwealth.

13           It is further found and declared that by attracting visitors to the commonwealth through  
14 the expansion of the Boston convention and exhibition center, it is expected that substantial  
15 economic activity will be stimulated in such tourism-related industries as hotels, restaurants,  
16 recreation, entertainment and retail sales. Stimulation of these industries will continue to promote  
17 the overall economic development of the commonwealth and will provide new and enhanced  
18 employment opportunities. Expansion of the Boston convention and exhibition center also would  
19 enable the city of Boston and the commonwealth to have an enhanced presence in the national  
20 and international convention and meeting marketplace and would leverage events to support the  
21 commonwealth’s other economic sectors including life sciences, medical, high tech and  
22 education.

23 It is further found and declared that the expansion of the Boston convention and  
24 exhibition center and the expenditure of public funds for such purpose as provided in this act are  
25 in furtherance of a public purpose and in the best interests of the commonwealth. Such expansion  
26 was contemplated by the General Court when the Boston convention and exhibition center was  
27 originally authorized, as evidenced by the acquisition of land for such expansion and the design  
28 of the Boston convention and exhibition center to accommodate such expansion. It is further  
29 found and declared that all costs of such expansion, including all debt service on bonds and notes  
30 of the commonwealth issued to pay such costs as provided in this act, can be provided from  
31 amounts expected to be deposited in the Convention and Exhibition Center Fund established in  
32 section 10 of chapter 152 of the acts of 1997 without an increase in the rate of any excise tax or  
33 fee or using the general revenues of the commonwealth.

34 SECTION 2. To provide for the expansion of the Boston convention and exhibition  
35 center, the sum set forth in this section is hereby made available, subject to the provisions of law  
36 regulating the disbursements of public funds and the approval thereof.

37 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

38 0101-0101 For the BCEC expansion project as defined in section 8; provided that  
39 amounts expended from this item shall be for the planning, development, construction and  
40 related costs of the BCEC expansion project in accordance with the provisions of section 11; and  
41 provided, further, that the funds authorized by this item shall be expended only in accordance  
42 with the conditions provided in section 10(c) .....\$1,110,000,000.

43 SECTION 3. Chapter 7 of the General Laws is hereby amended by inserting after section  
44 22O the following section:-

45 Section 22P. Any state department, office, commission, institution or regional authority  
46 contracting for cleaning, maintenance or security guard services in any buildings shall abide by  
47 section 27H of chapter 149 and any rules promulgated thereunder. Any procurement bid with the  
48 operational services division or any other state procurement agent that does not follow the  
49 requirements of this section or any rules promulgated hereunder shall be deemed a  
50 nonresponsive bid. Any contract entered into by any department, office, commission, institution  
51 or regional authority, shall be void if it is not in compliance with this section and section 27H of  
52 chapter 149.

53 SECTION 4. Section 27H of chapter 149 of the General Laws, as appearing in the 2012  
54 Official Edition, is hereby amended by striking out, in lines 1 and 2, the words "the cleaning and  
55 maintenance of" and inserting in place thereof the following words:- cleaning, maintenance or  
56 security guard services in.

57 SECTION 5. Said section 27H of said chapter 149, as so appearing, is hereby further  
58 amended by inserting after the word "maintenance", in line 6, the following words:- , security  
59 guard.

60 SECTION 6. Section 33 of chapter 190 of the acts of 1982 is hereby amended by  
61 adding the following paragraph:-

62 Any documentary materials or data whatsoever made or received by a member or  
63 employee of the Authority and consisting of, or to the extent that such materials or data consist  
64 of, trade secrets or commercial or financial information regarding the operation of any business  
65 conducted by any private entity under contract with the Authority or regarding the competitive  
66 position of such private entity in a particular field of endeavor shall not be deemed public records  
67 of the Authority and shall not be subject to section 10 of chapter 66 of the General Laws.  
68 Notwithstanding section 20 of chapter 30A of the General Laws, any discussion or consideration  
69 of such trade secrets or commercial or financial information may be held by members of the  
70 Authority in executive sessions closed to the public, but the purpose of any such executive  
71 session shall be set forth in the official minutes of the Authority and no business which is not  
72 directly related to such purpose shall be transacted nor shall any vote be taken during such  
73 executive session.

74 SECTION 7. Subsection (e) of section 35of said chapter 190 is hereby amended by  
75 inserting after the word “functions”, in line 3, the following words:-

76 . Such contracts and agreements may include, without limiting the foregoing, partnership  
77 agreements including limited partnership agreements, joint ventures, participation agreements or  
78 equity investments. For the purposes of this subsection, “equity investments” shall mean shares  
79 in private entities, whether or not transferable or denominated stock, or interest of a limited  
80 partner in a limited partnership or membership interest in a limited liability company.

81 SECTION 8. As used in this act, the following words shall have the following  
82 meanings, unless the context clearly requires otherwise:

83 “Authority”, the Massachusetts Convention Center Authority, established pursuant to  
84 section 33 of chapter 190 of the acts of 1982, or, if said Authority shall be abolished, the board,  
85 body or commission succeeding to the principal functions thereof or to whom the powers given  
86 by this act to said Authority shall be given by law.

87 “BCEC expansion project”, the planning, design, acquisition, development, construction,  
88 expansion, rehabilitation, improvement, furnishing, equipping and finishing or any combination  
89 of the foregoing within the convention center development area of an approximately 1,300,000  
90 square foot expansion to the Boston convention and exhibition center containing approximately  
91 335,000 square feet of additional contiguous exhibition space and attendant meeting rooms,  
92 lecture rooms, ballrooms, multi-purpose space and related common areas for public circulation,

93 service and support, together with all necessary and related furnishings, furniture, machinery,  
94 equipment, facilities, approaches, driveways, walkways, roadways, planting and landscaping  
95 associated therewith; the acquisition by the Authority in accordance with section 212 of chapter  
96 139 of the acts of 2012 and this act, of lands and other property, or rights, air rights, sub-surface  
97 rights, easements, leases, ground leases and other interests in respect of lands and other property,  
98 adjacent to or within the general vicinity of the convention center development area to provide  
99 for parking facilities, truck marshalling areas and as sites for other facilities supporting the  
100 Boston convention and exhibition center, including without limitation, facilities constructed by  
101 lessees of the Authority and others to provide services or accommodations for the public within  
102 the BCEC Hotel Zone as defined in section 211 of chapter 139 of the acts of 2012 or where  
103 otherwise authorized or permitted by law; the demolition or removal of any buildings or  
104 structures within the convention center development area or on such lands or other property or  
105 interests therein so acquired, and site preparation, permitting and environmental remediation  
106 thereof; and the planning, design, acquisition, development, construction, equipping and  
107 finishing or any combination of the foregoing on a portion of such lands or other property or  
108 interests therein so acquired of 1 or more parking garages for persons presenting at or attending  
109 the Boston convention and exhibition center, or utilizing such public accommodations, and other  
110 members of the general public; and measures mitigating the local impact of the foregoing; in  
111 each case of a scale and scope generally consistent with the description thereof contained in the  
112 BCEC expansion project report.

113 “BCEC expansion project report”, the report, feasibility study and program pertaining to  
114 the BCEC expansion project delivered to the clerks of the senate and the house of representatives  
115 and the senate and house committees on ways and means on October 2, 2013 in accordance with  
116 section 38N of chapter 190 of the acts of 1982.

117 “Boston convention and exhibition center”, the convention and exhibition center and  
118 related facilities so called, and all real and personal property associated therewith, owned and  
119 operated by the Authority within the convention center development area and acquired,  
120 developed, constructed, improved, furnished, equipped and otherwise carried out in accordance  
121 with section 5 of chapter 152 of the acts of 1997. Whenever appropriate, such term shall also  
122 mean such convention and exhibition center as expanded in accordance with this act.

123 “City”, the city of Boston.

124 “Convention center development area”, the area within the city of Boston bounded and  
125 described as follows: beginning at the intersection of the eastern boundary of the South Boston  
126 Bypass Road, and the southern boundary of Summer Street, thence easterly along the southern  
127 boundary of Summer Street to the intersection of the western boundary of D Street, then  
128 southerly along the western boundary of D Street to the centerline of Cypher Street, then  
129 westerly along the centerline of Cypher Street with a line extended to the eastern boundary of the

130 South Boston Bypass Road, and then northerly along the eastern boundary of the South Boston  
131 Bypass Road to the point of beginning.

132 “Convention center fund”, the Convention and Exhibition Fund established by section 10  
133 of chapter 152 of the acts of 1997.

134 “Cost”, as applied to the BCEC expansion project, all costs, whenever incurred, including  
135 without limitation reimbursement to the convention center fund of any such costs heretofore  
136 funded from amounts applied to such purposes pursuant to section 212 of chapter 139 of the acts  
137 of 2012 and subsection (c) of section 10 of chapter 152 of the acts of 1997 of acquiring,  
138 developing, constructing, improving, furnishing, equipping, finishing and carrying out the BCEC  
139 expansion project, including without limiting the generality of the foregoing, the costs of all  
140 labor, materials, machinery and equipment necessary to carry out the BCEC expansion project,  
141 the costs of all lands and other property, and all rights, air rights, sub-surface rights, easements,  
142 leases, ground leases and other interests in lands and other property, acquired by the Authority in  
143 connection with the BCEC expansion project and costs of environmental investigation and  
144 analyses and remediation, site preparation and other development costs thereof and of the  
145 facilities constructed thereon, the costs of permitting, inspection and licensure and of measures  
146 mitigating the local impact of the BCEC expansion project, the costs of demolition and removal  
147 of any buildings or structures within the convention center development area or on such lands,  
148 property, rights and interests so acquired and removal or relocation of any public utilities and  
149 other facilities thereon, the costs of architectural, engineering and legal services, plans,  
150 specifications, surveys, estimates of cost and of revenues, including without limitation, the  
151 BCEC expansion project report, other expenses necessary or incident to determining the  
152 feasibility or practicability of the BCEC expansion project, administrative, marketing and  
153 promotion expenses, and financing charges, interest prior to and during construction and for a  
154 period not exceeding 2 years after completion of construction, reserves for debt service, and such  
155 other capital and current expenses as may be necessary or incident to the construction or  
156 acquisition of the BCEC expansion project, the financing thereof and the issuance of bonds or  
157 notes by the commonwealth pursuant to the provisions of this act.

158 “Minority business enterprise” or “MBE” shall have the same meaning as found in  
159 section 6 of chapter 7C of the General Laws;

160 “Women business enterprise” or “WBE” shall have the same meaning as found in section  
161 6 of chapter 7C of the General Laws;

162 “Service-disabled veterans –owned small business enterprise” or “SDVOBE”  
163 shall have the same meaning as found in section 61 of Chapter 7 of the General Laws.

164 SECTION 9. (a) The Authority may acquire, develop, lease, construct, improve, furnish,  
165 equip, finish and otherwise carry out the BCEC expansion project, and to own, operate, lease,  
166 sub-lease, license, promote, maintain, improve and rehabilitate the same, either directly or

167 indirectly in whole or in part through agents, lessees, contractors, concessionaires or others,  
168 subject to the provisions of this act.

169 (b) The Authority may acquire such lands, properties, rights, air rights, sub-surface  
170 rights, easements, leases, ground leases and other interests identified in the BCEC expansion  
171 project report as the Authority deems necessary, appropriate or convenient to carry out the  
172 purposes of this act. To carry out and effectuate the foregoing purposes, the Authority may  
173 acquire by purchase, lease, gift, bequest, grant or otherwise from any party, public or private, and  
174 hold, clear, repair, operate, lease and convey, any lands and other property, real or personal,  
175 improved or unimproved, tangible or intangible, and any interest therein, including, to the extent  
176 not inconsistent with federal law, railroad properties. To the extent not inconsistent with federal  
177 law, the acquisition by the Authority of railroad rights-of-way or related facilities as aforesaid  
178 from any department, authority, agency or political subdivision of the commonwealth, from any  
179 railroad company, or from any other party, shall be exempt from the procedures, findings and  
180 requirements of section 7 of chapter 161C of the General Laws, and the issuance of any permit  
181 for any portion of the BCEC expansion project or for facilities constructed by lessees of the  
182 Authority and others as a part thereof on any lands formerly used as a railroad right-of-way or  
183 any property appurtenant thereto formerly used by any railroad company in the commonwealth  
184 shall be exempt from the provisions of section 54A of chapter 40 of the General Laws.

185 (c) Notwithstanding the provisions of any general or special law, rule or regulation to the  
186 contrary, the commissioner of public safety or his designee in the division of inspection of the  
187 department of public safety shall be solely responsible for inspection, enforcement, permitting  
188 and licensure of the BCEC expansion project authorized or required by chapter 143 of the  
189 General Laws or section 21 of chapter 40 of the General Laws and regulations referred to therein  
190 or adopted pursuant thereto. The BCEC expansion project shall be exempt from compliance with  
191 the city's zoning code and any regulations promulgated thereunder; provided, however, the  
192 Authority shall subject the BCEC expansion project to large project review as set forth in  
193 subsections 1-5 of section 80B-3 of the city's zoning code.

194 (d) The Authority may prepare or cause to be prepared a report regarding the BCEC  
195 expansion project in accordance with section 62B of chapter 30 of the General Laws.; provided  
196 however, notwithstanding the provisions of sections 62 to 62H, inclusive, of said chapter 30, the  
197 Authority may commence and undertake research, planning, design and other work necessary for  
198 the BCEC expansion project and may engage an owner's project manager, architects and  
199 engineers and a construction manager therefor as provided in section 10 of this act, and may take  
200 all actions necessary or appropriate or required for acquisition of lands or other property, rights,  
201 air rights, sub-surface rights, easements, leases, ground leases and other interests as provided in  
202 this section, prior to the publication of a final environmental impact report pursuant to this  
203 section and section 62C of said chapter 30.

204 SECTION 10. (a) In undertaking the BCEC expansion project, the Authority shall  
205 establish: (i) a supplier diversity program designed and implemented to achieve meaningful  
206 participation on the part of minority business enterprises, service-disabled veteran-owned small  
207 business enterprises and women business enterprises in all phases of the management and  
208 oversight, design and construction of the BCEC expansion project and which incorporates the  
209 provisions of this subsection and clause (iii) of subsection (c); (ii) a workforce diversity program  
210 designed and implemented to achieve meaningful participation of Boston residents, minority  
211 persons and women as construction employees pursuant to clause (ii) of subsection (c); and (iii)  
212 a construction workforce training program designed and implemented to provide access and  
213 training to those traditionally under-represented in the construction trades, including minority  
214 persons and women. The Authority shall engage an owner's project management team for the  
215 BCEC expansion project in accordance with the manner of selecting an owner's project manager  
216 pursuant to section 44A1/2 of chapter 149 of the General Laws. In selecting an owner's project  
217 management team, the Authority shall establish a selection process that encourages the  
218 participation of a minority business enterprise, a service-disabled veteran-owned small business  
219 enterprises or a women businesses enterprise as part of the owner's project management team.  
220 The owner's project management team will serve as the Authority's agent and consultant during  
221 the planning, design and construction of the BCEC expansion project. The Authority shall select  
222 architects and other design professionals for the BCEC expansion project in accordance with the  
223 procedures approved by the designer selection board of the executive office for administration  
224 and finance; provided, that prior to and in the selection of said architects and design  
225 professionals, the Authority shall adopt participation goals that provide for the meaningful  
226 participation of minority business enterprises, service-disabled veteran-owned small business  
227 enterprises and women business enterprises as architects and design professionals; provided  
228 further, that said participation goals shall be equal to the combined participation goals for  
229 minority business enterprises and women business enterprises on design projects as established  
230 by the division of capital asset management and maintenance pursuant to section 6 of chapter 7C  
231 of the General Laws and in effect as of January 1, 2013.

232 (b) Notwithstanding any general or special law to the contrary, the Authority shall utilize  
233 the construction manager at risk approach in construction of the BCEC expansion project as  
234 provided in subsections (f) and (g) of section 5 of chapter 152 of the acts of 1997 and shall  
235 select trade contractors for the BCEC expansion project as provided in said subsection (h) of said  
236 section 5, and in each case in accordance with the procedures previously adopted by the  
237 Authority for construction of the Boston convention and exhibition center in consultation with  
238 the commissioner of capital asset management and maintenance and the inspector general of the  
239 commonwealth pursuant to subsections (b) and (f) of said section 5; provided, that: (i) the  
240 responsibilities assigned to a technical advisory board in said subsection (f) of said section 5  
241 shall be performed by a selection committee appointed by the Authority which, in consultation  
242 with the Authority, shall determine the procedures to be applied in selection of a construction  
243 manager for the BCEC expansion project; and (ii) the decisions of such selection committee,

244 and the decisions of the trade contractor prequalification committee appointed by the Authority  
245 in accordance with said subsection (h) of said section 5, shall be final and not subject to appeal  
246 except on grounds of fraud or collusion. The Authority shall consult with the division of capital  
247 asset management and maintenance and the inspector general with respect to any modifications  
248 to the procedures for selection of a construction manager or the procedures for selection of trade  
249 contractors as previously adopted and utilized for the construction of the Boston convention and  
250 exhibition center pursuant to said section 5; provided, however, that the division of capital asset  
251 management and maintenance shall otherwise have no jurisdiction over the BCEC expansion  
252 project. Except as otherwise provided in subsection (d), the provisions of sections 44 to 57,  
253 inclusive, of chapter 7C of the General Laws, the provisions of section 39M of chapter 30 of the  
254 General Laws, the provisions of sections 44A to 44M, inclusive, of chapter 149 of the General  
255 Laws, the provisions of chapter 149A of the General Laws, and any other general or special law  
256 or regulation providing for the advertising, bidding or awarding of contracts for planning, design,  
257 construction or improvements to real property shall not apply to contracts entered into in  
258 connection with the implementation of the BCEC expansion project.

259 (c) Except as otherwise agreed to between the Authority and the construction manager,  
260 all contracts for the provision of labor, material and equipment in connection with the  
261 construction of the BCEC expansion project shall be entered into by and between the  
262 construction manager and the trade contractor as provided in subsection (h) of section 5 of  
263 chapter 152 of the acts of 1997;, provided, that the purchase of tangible personal property and  
264 services for the BCEC expansion project by the construction manager and by trade contractors  
265 shall be exempt from the excise imposed by chapter 64H of the General Laws. The provisions  
266 set forth in said subsection (h) of said section 5 pertaining to construction employees shall also  
267 apply to the BCEC expansion project. The provisions of sections 26 to 27F, inclusive, and  
268 section 29 of chapter 149 of the General Laws shall apply to the contract between the Authority  
269 and the construction manager and all trade contracts awarded pursuant to this section, and in  
270 undertaking the BCEC expansion project: (i) all construction employees employed in the  
271 construction of the BCEC expansion project shall be paid no less than the wage rate established  
272 for such work pursuant to a project labor agreement with the appropriate labor organization or  
273 labor organizations, which includes a uniform grievance and arbitration procedure for the  
274 resolution of work-related disputes on job sites, mutually agreeable uniform work rules and  
275 schedules for the project, and an obligation for any labor organization and its constituent  
276 members contracted to work on the BCEC expansion project not to strike with respect to work  
277 on such project; provided, that it shall not be a precondition to the award of a contract that a  
278 bidder have previously entered into a collective bargaining agreement with a labor organization,  
279 but only that the bidder be willing to execute and comply with said project labor agreement for  
280 the BCEC expansion project if it is awarded a contract; (ii) pursuant to the workforce diversity  
281 program established pursuant to subsection (a), the Authority shall establish employment goals  
282 that provide for the participation of Boston residents, minority persons, and women as  
283 construction employees in accordance with the Boston Residents Construction Employment



284 Standards established pursuant to the city of Boston code, ordinances, section 12-10; (iii)  
285 pursuant to the supplier diversity program established pursuant to subsection (a), the Authority  
286 shall adopt contractor participation goals that provide for the meaningful participation of  
287 minority business enterprises and women business enterprises as construction contractors;  
288 provided further, that said participation goals shall be equal to the combined participation goals  
289 for minority business enterprises, service-disabled veteran-owned small business enterprises, and  
290 women business enterprises on public building projects as established by the division of capital  
291 asset management and maintenance pursuant to section 6 of chapter 7C of the General laws and  
292 in effect on January 1, 2013; and (iv) pursuant to the workforce training program established  
293 pursuant to subsection (a), the Authority shall develop and implement a program that provides  
294 training in construction-related trades to minority persons and women.

295 (d) Notwithstanding the provisions of subsection (b), the Authority may, by majority vote  
296 of its members, elect to use other methods provided under any general or special law for  
297 procuring design or construction services for portions of the BCEC expansion project, including  
298 the provisions of section 39M of chapter 30 of the General Laws, the provisions of section 44A  
299 to 44M, inclusive, of chapter 149 of the General Laws, or the provisions of chapter 149A of the  
300 General Laws; provided, that the provisions of subsections (a) and (c) shall apply to the BCEC  
301 expansion project regardless of the method utilized for procuring construction contracts. If the  
302 Authority elects to apply the provisions of said chapter 149A to a portion of the BCEC expansion  
303 project, the Authority shall be deemed to be an exempt agency within the meaning of subsection  
304 (d) of section 4 of said chapter 149A.

305 (e) In implementing the BCEC expansion project, the Authority shall prepare quarterly  
306 reports which shall include, but not be limited to: (i) the total dollars expended on the BCEC  
307 expansion project to date; (ii) the number and type of contracts entered into to date; (iii) the  
308 number of contracts entered into with minority business enterprises; (iv) the number of contracts  
309 entered into with service-disabled veteran-owned small business enterprises; (v) the number of  
310 contracts entered into with women business enterprises ; (vi) the dollar value of contracts entered  
311 into with minority business enterprises; (vii) the dollar value of contracts entered into with  
312 service-disabled veteran-owned small enterprises; (viii) the dollar value of contracts entered into  
313 with women business enterprises; (ix) the total number of employees working on the project; (x)  
314 the total number of employees working on the project, broken down by race, ethnicity and  
315 gender; and (xi) the total number of Boston residents working on the project. Said reports shall  
316 be submitted to the secretary of the executive office for administration and finance, the house  
317 and senate committees on ways and means, the clerks of the house and senate, and the house  
318 committee on bonding, capital expenditures and state assets. The Authority shall post each  
319 quarterly report on its website.

320 (f) The Authority shall establish a monitoring committee, to be known as the access and  
321 opportunity committee, which shall meet quarterly, in a forum open to the public, to review the  
322 Authority's reports issued pursuant to subsection (e) of this section, monitor compliance with the

323 provisions of subsections (a) and (c), and make recommendations to the Authority regarding the  
324 successful implementation of the supplier diversity program and workforce diversity program  
325 established pursuant to subsection (a). The Authority, in establishing the access and opportunity  
326 committee, shall ensure representation from, but not limited to, a representative of the  
327 construction manager for the BCEC project, a representative of the owner's project management  
328 team, representatives of the trade contractors performing work on the BCEC expansion project, a  
329 representative of the Massachusetts Minority Contractors Association, Inc., a representative of  
330 the Veteran's Business Council, the city councilor representing district 2 of the Boston city  
331 council or his designee, the state representative representing the fourth Suffolk district or his  
332 designee, the state senator representing the first Suffolk district or his designee, and  
333 representatives of local, community-based organizations.

334 SECTION 11. (a) To meet the expenditures necessary to carry out the provisions of  
335 section 2, the state treasurer, upon request of the governor, may issue and sell bonds of the  
336 commonwealth in an amount to be specified by the governor from time to time, but not  
337 exceeding, in the aggregate, the sum of \$1,110,000,000. All such bonds shall be special  
338 obligations of the commonwealth payable from the special receipts described in section 10 of  
339 chapter 152 of the acts of 1997 to the extent available and in any case payable solely from  
340 moneys credited to the convention center fund or otherwise pledged to such payment as provided  
341 in said section 10 and this act. Notwithstanding section 60A of chapter 29 of the General Laws  
342 or any other general or special law to the contrary, such bonds shall not be general obligations of  
343 the commonwealth. Such bonds shall be issued for such maximum term of years, not exceeding  
344 40 years, as the governor may recommend to the general court in accordance with section 3 of  
345 Article LXII of the Amendments to the Constitution, but all such bonds shall be payable not later  
346 than June 30, 2060.

347 (b) Bonds of the commonwealth may be issued under authority of this section in such  
348 manner and on such terms and conditions as the state treasurer, with the concurrence of the  
349 secretary of administration and finance, may determine in accordance with the provisions of this  
350 subsection and, to the extent not inconsistent with the provisions hereof, general law relative to  
351 the issuance of bonds of the commonwealth. The provisions of section 11 of chapter 152 of the  
352 acts of 1997, including without limitation the Capital Reserve Fund established pursuant to said  
353 section 11, shall apply to such bonds and the security therefor to the same extent as such  
354 provisions apply to bonds of the commonwealth outstanding under said section 11; provided, that  
355 if so determined by the state treasurer, with the concurrence of the secretary of administration  
356 and finance, bonds issued under authority of this act may be issued on a parity with or  
357 subordinate to such outstanding bonds. Earnings on investment of the proceeds of such bonds  
358 and on the proceeds of notes issued pursuant to section 12 shall be deposited in the convention  
359 center fund and applied to the purposes set forth in subsection (c) of section 10 of said chapter  
360 152.

361 (c) As additional security for bonds of the commonwealth issued under authority of this  
362 section, the convention center fund, and all amounts on deposit from time to time therein, are  
363 hereby pledged to the payment of such bonds and, if so determined by the state treasurer with the  
364 concurrence of the secretary of administration and finance, to the payment of bonds outstanding  
365 under section 11 of chapter 152 of the acts of 1997, subject to the application of such amounts as  
366 provided in subsection (c) of section 10 of said chapter 152 and the trust agreement for such  
367 bonds. In order to further increase the marketability of such bonds, the commonwealth, if so  
368 determined by the state treasurer with the concurrence of the secretary of administration and  
369 finance, is hereby authorized to pledge all or any portion of the receipts from the excises  
370 imposed by section 3 of chapter 64G of the General Laws and section 22 of chapter 546 of the  
371 acts of 1969 upon the transfer of any room that are not otherwise deposited in the convention  
372 center fund pursuant to said section 10 of said chapter 152, or any other applicable law, as  
373 “additional pledged receipts” to further secure such bonds. Additional pledged receipts shall be  
374 thereafter applied in each fiscal year, subject to the terms of the trust agreement pursuant to  
375 which such bonds are issued, first, for purposes of paying debt service on such bonds or to the  
376 maintenance of the Capital Reserve Fund for such bonds established pursuant to subsection (c) of  
377 said section 11 of said chapter 152 and second, as otherwise provided by law.

378 (d) Any bonds issued under authority of this section, and any notes of the commonwealth  
379 issued in anticipation thereof as hereinafter provided, shall be deemed to be investment securities  
380 under chapter 106 of the General Laws, shall be securities in which any public officer, fiduciary,  
381 insurance company, financial institution or investment company may properly invest funds and  
382 shall be securities which may be deposited with any public custodian for any purpose for which  
383 the deposit of bonds is authorized by law. Any such bonds and notes, their transfer and the  
384 income therefrom, including any profit made on the sale thereof, shall at all times be free from  
385 taxation within the commonwealth.

386 SECTION 12. The state treasurer may borrow, from time to time, on the credit of the  
387 commonwealth such sums of money as may be necessary for the purposes of meeting payments  
388 as authorized by section 2 in anticipation of the receipt of proceeds of special obligation bonds of  
389 the commonwealth issued under authority of section 11, and may issue and renew, from time to  
390 time, notes of the commonwealth therefor, bearing interest payable at such time and at such rate  
391 as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed 1 or more  
392 times for such maximum term of years, not exceeding 5 years, as the governor may recommend  
393 to the general court in accordance with section 3 of Article LXII of the Amendments to the  
394 Constitution; provided, however, that all such notes shall be payable not later than June 30, 2020.  
395 All interest on account of the principal of such notes shall be payable from the convention center  
396 fund. Notwithstanding any provision of this act to the contrary, notes and the interest thereon  
397 issued under the authority of this section, shall be general obligations of the commonwealth.

398 SECTION 13. Notwithstanding clause (v) of subsection (c) of section 10 of chapter 152  
399 of the acts of 1997 amounts held in the convention center fund that are determined by the state

400 treasurer and the secretary of administration and finance to exceed the amount necessary to  
401 satisfy the sufficiency of such fund may be applied to defray the net cost of operations of the  
402 Authority, as defined in section 32 of chapter 190 of the acts of 1982, in an amount not  
403 exceeding \$28,000,000 in fiscal year 2018 and in each fiscal year thereafter.

404 SECTION 14. The provisions of this act shall be deemed to provide an exclusive,  
405 additional, alternative and complete method for anything authorized herein and shall be deemed  
406 and construed to be supplemental and additional to, and not in derogation of, powers conferred  
407 upon the Authority; provided, however, that insofar as the provisions of this act are inconsistent  
408 with the provisions of any general or special law, administrative order or regulation or any  
409 limitation imposed by a corporate or municipal charter, the provisions of this act shall be  
410 controlling.