

HOUSE No. 4059

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 included as “special receipts”, as defined in subsection (b) of section 10 of chapter 152 of the
375 acts of 1997, as amended, and shall be thereafter applied in each fiscal year, subject to the terms
376 of the trust agreement pursuant to which such bonds are issued, first, for purposes of paying debt
377 service on such bonds or to the maintenance of the Capital Reserve Fund for such bonds
378 established pursuant to subsection (c) of said section 11 of said chapter 152 and second, as
379 otherwise provided by law.

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

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

400 SECTION 13. Notwithstanding clause (v) of subsection (c) of section 10 of chapter 152
401 of the acts of 1997 amounts held in the convention center fund that are determined by the state
402 treasurer and the secretary of administration and finance to exceed the amount necessary to
403 satisfy the sufficiency of such fund may be applied to defray the net cost of operations of the
404 Authority, as defined in section 32 of chapter 190 of the acts of 1982, in an amount not
405 exceeding \$28,000,000 in fiscal year 2018 and in each fiscal year thereafter.

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

413 SECTION __ 15. Subsection (f) of section 11 of chapter 152 of the acts of 1997 is hereby
414 amended by inserting at the end thereof the following sentences:-

415 In addition, if at any time additional pledged receipts, as defined in subsection (c) of
416 section 11 of chapter [...] of the acts of 2014, are applied to pay debt service on bonds issued
417 under the authority of section 11 of said chapter [...] and, if applicable, bonds outstanding under
418 this section or to the maintenance of the Capital Reserve Fund for such bonds established
419 pursuant to subsection (c) of this section, the convention centers excise shall be increased, in the
420 city of Boston only, until the amount deposited into the convention center fund from the
421 increased excises shall be at least equal to the amount of additional pledged receipts so applied to
422 pay debt service or to the maintenance of the Capital Reserve Fund, as so certified by the
423 secretary of administration and finance, but in no event shall the total amount of the excise
424 imposed pursuant to sections 3 and 3A of chapter 64G of the General Laws and section 22 of
425 chapter 546 of the acts of 1969 exceed 14 per cent. Amounts so received from the increased
426 excises arising from the use of additional pledged receipts as set forth in the preceding sentence
427 shall, subject to the terms of the trust agreement pursuant to which such bonds are issued and to
428 the use of any such moneys for the purpose set forth in the first sentence of this section, without
429 further appropriation, be transferred, as of the end of each fiscal year, to the General Fund.