

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Chynah Tyler

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the Reggie Lewis Track and Athletic Center.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chynah Tyler</i>	<i>7th Suffolk</i>	<i>10/3/2017</i>

HOUSE No.

By Ms. Tyler of Boston, a petition (subject to Joint Rule 12) of Chynah Tyler relative to the governance and operations of the Reggie Lewis Track and Athletic Center at Roxbury Community College. Higher Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the Reggie Lewis Track and Athletic 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 Chapter 15A of the General Laws is hereby amended by striking out section 22A, as
2 appearing in the 2016 Official Edition, and inserting in place thereof the following section:-

3 Section 22A. (a) For purposes of this section, the following words shall have the
4 following meanings unless the context clearly requires otherwise: -

5 “Advisory board”, the advisory board of the Reggie Lewis Track and Athletic Center
6 established in subsection (d).

7 “Board of trustees”, the board of trustees of the Roxbury Community College

8 “Center”, the Reggie Lewis Track and Athletic Center

9 “College”, the Roxbury Community College.

10 “Fund”, the Reggie Lewis Track and Athletic Center Building Trust Fund established in
11 section (f).

12 "Use for nonpublic purposes", shall include, but not be limited to, the leasing or renting of
13 the building for commercial entertainment activity.

14 "Use for public purposes", shall include, but not be limited to, use by public high school
15 track programs, members of the abutting residential community, members of the community at
16 large and the Roxbury Community College athletic programs.

17 (b) The Reggie Lewis Track and Athletic Center at Roxbury Community College shall be
18 a building containing a Massachusetts state track and athletic facility which shall be maintained
19 at the college for public purposes. In the event the facility is not in use for public purposes, the
20 board of trustees, in consultation with the advisory board, may permit use for nonpublic purposes
21 for a rental amount to be determined by the board of trustees, in consultation with the advisory
22 board.

23 (c) The board of trustees, in consultation with the advisory board, shall be responsible for
24 the management and operation of the center including, but not limited to:

25 (i) establishing user fees;

26 (ii) entering into agreements with the Massachusetts State Track Coaches Association,
27 Incorporated, the high school track program of the city of Boston, other public groups and
28 nonpublic groups for nonpublic purposes in accordance with this section;

29 (iii) establishing rules and regulations for the use of the center by Massachusetts public
30 high school track programs, members of the abutting residential neighborhoods, members of the

31 community at large, the athletic programs of the college and nonpublic groups for nonpublic
32 purposes in accordance with this section;

33 (iv) deciding the priority of uses and schedule for the center; and

34 (v) entering into agreements with vendors to provide concession stand services and other
35 agreements as deemed necessary by the board of trustees, in consultation with the advisory
36 board, for the maintenance and operation of the center.

37 (d) There shall be established the advisory board of the center. The advisory board shall
38 advise and make recommendations to board of trustees regarding the management and operation
39 of the center. The advisory board shall consist of: 4 members to be appointed by the Governor, 2
40 of whom shall be members of the Massachusetts State Track Coaches Association, Incorporated
41 and 2 of whom shall be members of the athletic programs of the college and 5 members to be
42 appointed by the representative in the house of representatives from the seventh Suffolk district,
43 2 of whom shall be members of the abutting residential community, 2 of whom shall be members
44 of the business community and 1 of whom shall be a member of the high school track program of
45 the city of Boston. The director of the center shall be an ex officio member of the advisory board
46 and in such capacity shall advise and make recommendations to the advisory board.

47 Members of the advisory board shall serve terms of 2 years. Members of the advisory
48 board shall serve without compensation, but shall be reimbursed for their expenses actually and
49 necessarily incurred in the discharge of their official duties. Members of the advisory board shall
50 not be state employees for purposes of chapter 268A by virtue of their service on the advisory
51 board. The advisory board shall meet quarterly and upon: (i) the call of the director of the center
52 or (ii) written request of any 3 members of the advisory board or the board of trustees. A

53 majority of the members of the advisory board present and voting shall constitute a quorum. The
54 advisory board shall advise and make recommendations to board of trustees regarding the
55 management and operation of the center including, but not limited to:

56 (i) advising the board of trustees on establishing user fees;

57 (ii) advising the board of trustees on entering into agreements with the Massachusetts
58 State Track Coaches Association, Incorporated, the high school track program of the city of
59 Boston, other public groups and with nonpublic groups for nonpublic purposes in accordance
60 with this section;

61 (iii) advising the board of trustees on establishing rules and regulations for the use of the
62 center by Massachusetts public high school track programs, members of the abutting residential
63 neighborhoods, members of the community at large, the athletic programs of the college and by
64 nonpublic groups for nonpublic purposes in accordance with this section;

65 (iv) advising the board of trustees on deciding the priority of uses and schedule for the
66 center;

67 (v) advising the board of trustees on entering into agreements with vendors to provide
68 concession stand services and other agreements as deemed necessary by the board of trustees for
69 the maintenance and operation of the center;

70 (vi) advising the board of trustees on the hiring and firing of executive positions at the
71 center;

72 (vii) advising the board of trustees on use of the monies in the trust fund.

73 (viii) recommending, on its own initiative, rules and regulations and changes thereto that
74 the advisory board considers important or necessary to the board of trustees; and

75 (viii) considering all matters submitted to it by the board of trustees.

76 (e) The center shall be made available without charge for use by public high school track
77 programs and the athletic programs of the college. The center shall be made available on a user
78 fee basis for members of the public. The center shall be made available at market rate, as
79 determined by the board of the trustees, in consultation with the advisory board, for use for
80 nonpublic purposes; provided, that, the center is not being used for public purposes.

81 (f) There shall be established at the college a separate trust fund to be known as the
82 Reggie Lewis Track and Athletic Center Building Trust Fund. Said trust fund shall consist of all
83 user fees collected as a result of the use of the center, the commissions received from concession
84 stands and all other fees paid to the college as a result of the use of the center.

85 Said trust fund shall be established by the board of trustees and shall be under the Board's
86 supervision and control in accordance with Chapter 15A and established state trust fund
87 guidelines. The monies in the trust fund shall be expended by the board of trustees for equipment
88 repair and maintenance, and for operating expenses associated with the center, and for such other
89 purposes as the board of trustees in consultation with the advisory board may deem appropriate
90 and as may further enhance the operation of the center.

91 (g) The annual operating expenses of the center shall be separate and distinct from
92 appropriations within the general appropriations act for the college, shall use a separate item of
93 appropriation and shall be audited biennially by the state auditor.

94 (h) The records of the board of trustees and advisory board shall be public records
95 pursuant to chapter 66.