

HOUSE No. 69

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

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KARYN POLITO
LIEUTENANT GOVERNOR

January 18, 2019

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Financing Improvements to Municipal Roads and Bridges.”

This bill authorizes the Commonwealth to borrow \$200 million to fund improvements to municipally-owned roads and bridges through Chapter 90 grants. These grants reach each of our 351 cities and towns directly, continuing the strong tradition of partnership between the Commonwealth and local communities. Prompt passage of this legislation will ensure that the Commonwealth’s roads and bridges can continue on their path to a state of good repair. Accordingly, I urge you to enact this legislation promptly. It also authorizes borrowing for federally-aided highway projects and rail and transit projects to ensure continuity in the Department of Transportation’s capital program.

I urge your prompt consideration.

Respectfully submitted

Charles D. Baker,
Governor

HOUSE No. 69

A message from His Excellency the Governor recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 69). January 22, 2019.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act financing improvements to municipal roads and bridges.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to finance improvements to the commonwealth’s transportation system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. To provide for a program of transportation development and improvements,
2 the sums set forth in sections 2, 2A and 2B for the several purposes and subject to the conditions
3 specified in this act, are hereby made available, subject to the laws regulating the disbursement
4 of public funds. The sums made available in this act shall be in addition to any amounts
5 previously appropriated or made available for these purposes.

6 SECTION 2.

7 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

8 Highway Division

9 6122-2024. For the construction and reconstruction of municipal ways as described in
10 clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws; provided, that
11 a city or town shall comply with the procedures established by the Massachusetts Department of
12 Transportation; provided further, that a city or town may expend, without further appropriation,
13 for these projects amounts not in excess of the amount provided to the city or town under this
14 item upon preliminary notice of such amount, which shall be provided by the department to the
15 city or town not later than March 1 of each year; and provided further, that the commonwealth
16 shall reimburse a city or town under this item, subject to the availability of funds as provided in
17 section 9G of chapter 29 of the General Laws, within 30 days after receipt by the department of a
18 request for reimbursement from the city or town, which request shall include certification by the
19 city or town that actual expenses have been incurred on projects eligible for reimbursement
20 under this item and that the work has been completed to the satisfaction of the city or town
21 according to the specifications of the project and in compliance with applicable laws and
22 procedures established by the department.....\$200,000,000

23 SECTION 2A.

24 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

25 Highway Division

26 6121-1914. For projects on the interstate and non-interstate federal highway system;
27 provided, that funds may be expended for the costs of these projects including, but not limited to,
28 the nonparticipating portions of these projects and the costs of engineering and other services
29 essential to these projects; provided further, that notwithstanding this act or any other general or
30 special law to the contrary, the department shall not enter into any obligations for projects that

31 are eligible to receive federal funds under this act unless state matching funds exist that have
32 been specifically authorized and are sufficient to fully fund the corresponding state portion of the
33 federal commitment to fund these obligations; and provided further, that the department shall
34 only enter into obligations for projects under this act based upon a prior or anticipated future
35 commitment of federal funds and the availability of corresponding state funding authorized and
36 appropriated for this use by the general court for the class and category of project for which this
37 obligation applies.....\$1,500,000,000

38 SECTION 2B.

39 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

40 Rail and Transit Division

41 6622-1980 For the purpose of implementing rail improvements pursuant to chapter
42 161C of the General Laws; provided, that funds may also be used for transportation planning,
43 design, permitting, acquisition of interests in land and engineering for rail projects, including the
44 industrial rail access program.....\$200,000,000

45 SECTION 3. To meet the expenditures necessary in carrying out section 2, the state
46 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
47 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
48 \$200,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their
49 face, Commonwealth Transportation Improvement Act of 2019, and shall be issued for a
50 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
51 court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds
52 shall be payable not later than June 30, 2054, pursuant to said Section 3 of Article LXII of the

53 Amendments to the Constitution. All interest and payments on account of principal on these
54 obligations shall be payable from the General Fund. Notwithstanding any other general or special
55 law to the contrary, bonds issued under this section and interest thereon shall be general
56 obligations of the commonwealth.

57 SECTION 4. To meet the expenditures necessary in carrying out section 2A, the state
58 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
59 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
60 \$270,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their
61 face, Commonwealth Transportation Improvement Act of 2019, and shall be issued for a
62 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
63 court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds
64 shall be payable not later than June 30, 2054, pursuant to said Section 3 of Article LXII of the
65 Amendments to the Constitution. All interest and payments on account of principal on these
66 obligations shall be payable from the General Fund. Notwithstanding any other general or special
67 law to the contrary, bonds issued under this section and interest thereon shall be general
68 obligations of the commonwealth.

69 SECTION 5. To meet the expenditures necessary in carrying out section 2B, the state
70 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
71 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
72 \$200,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their
73 face, Commonwealth Transportation Improvement Act of 2019, and shall be issued for a
74 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
75 court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds

76 shall be payable not later than June 30, 2054, pursuant to said Section 3 of Article LXII of the
77 Amendments to the Constitution. All interest and payments on account of principal on these
78 obligations shall be payable from the General Fund. Notwithstanding any other general or special
79 law to the contrary, bonds issued under this section and interest thereon shall be general
80 obligations of the commonwealth.