The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND AND THIRTEEN

AN ACT ENCOURAGING THE IMPROVEMENT, EXPANSION AND DEVELOPMENT OF MILTARY INSTALLATIONS IN THE COMMONWEALTH.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is to stimulate employment and encourage the improvement, expansion and development of military installations in the commonwealth, 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:

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

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance

1100-1590 For the improvement, expansion and development of military installations as recommended by the Massachusetts Military Asset and Security Strategy Task Force

.....$177,000,000

NOTE. — Use ONE side of paper ONLY. DOUBLE SPACE. Insert additional leaves, if necessary.

SECTION 3. Subsection (a) of section 3 of chapter 23G of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after clause (34) the following clause:-

(35) to contract or enter into agreements, licenses, and easements, with municipalities, the federal government, any agency thereof or any other person or entity, including, without limitation, the commonwealth, state and public agencies of the commonwealth, regional entities, and utility companies, to provide utility services, including but not limited to, electricity, gas, cable television, broadband and telephone services and to acquire, construct, maintain and operate any such systems for utility services.

SECTION 4. (a) As used in this section, the following terms shall, unless the context otherwise requires, have the following meanings:

> "MassDevelopment", the Massachusetts Development Finance Agency established by chapter 23G of the General Laws.
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> "Military installations mission improvement and expansion projects", the planning, permitting, design, acquisition, purchase, ownership, use, reuse, rehabilitation, renovation, improvement, furnishing, equipping, construction, reconstruction, operation, development, mortgaging and sale, or any combination of the foregoing, of military installations, and any components thereof in accordance with this act all in furtherance of reducing operating costs and retaining and expanding mission and, whenever appropriate, the term shall also mean all lands, buildings, structures, parking and appurtenances.

(b) MassDevelopment shall be the public agency or instrumentality of the commonwealth authorized and empowered to do all acts and things necessary or convenient to oversee and implement military installations mission improvement and expansion projects including, without limitation, the

acquisition, management and disposition of all or any portion of military installations, or interests therein, including improvements thereon, and including, without limitation, buildings and utility systems, equipment and personal property, all in accordance with the terms of this act. MassDevelopment may, for the purposes of implementing military installations improvement and expansion projects, in its own name or in conjunction with others, acquire title to the land, buildings and improvements that comprise all or any portion of military installations upon the transfer or disposition of any portion of the military installations by the federal government. Implementation of the projects shall be a corporate purpose of MassDevelopment under chapter 23G of the General Laws, and specifically shall be deemed an exercise of its powers under clause (6) of subsection (a) of section 3 of said chapter 23G.

SECTION 5. Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance shall, subject to such terms and conditions as she may prescribe, convey to the Massachusetts Department of Transportation a certain parcel of land owned by the commonwealth located in the Towns of Mashpee, Bourne and Sandwich comprised of the railroad right-of-way generally shown on the plan entitled, "Massachusetts Military Reservation Cantonment Area Map". A copy of the plan is held in the offices of the division of capital asset management and maintenance. The exact boundaries of the parcel of land shall be determined by the commissioner, in consultation with the Massachusetts Department of Transportation, after completion of a land boundary survey to be obtained by the Massachusetts Department of Transportation. The Massachusetts Department of Transportation shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and lease preparation related to the conveyance authorized in this act as such costs may be determined by the commissioner of capital asset management and maintenance.

SECTION 6. To meet a portion of the expenditures necessary in carrying out section 2, the

state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, but not exceeding in the aggregate the sum of $177,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Military Mission Improvement and Expansion Act of 2013, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2048. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Notwithstanding any general or special law to the contrary, bonds and interest thereon issued under this section shall be general obligations of the commonwealth.

SECTION 7. The secretary of administration and finance shall submit a report on the progress of any projects funded under this act and included in the governor's five-year capital investment plan to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means, and the senate and house chairs of the joint committee on bonding, capital expenditures and state assets. The report shall include, but not be limited to: the previous year planned spending, previous year spending, current year planned spending, current year spending to date, original estimated total project cost, project description, location of the project, type of spending, type of asset and useful life of the project once completed. The report shall be submitted on June 30 and December 31 of each year for a period of 8 years after the effective date of this act.

SECTION 8. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure 90 days after the effective date of this act: 1100-1570, 1100-1580.