

HOUSE No. 5187

The Commonwealth of Massachusetts



MITT ROMNEY
GOVERNOR
KERRY HEALEY
LIEUTENANT GOVERNOR

EXECUTIVE DEPARTMENT
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July 13, 2006.

To the Honorable Senate and House of Representatives:

Today I am filing for your consideration “An Act Making Certain Supplemental Appropriations for Fiscal Year 2007 and to Provide for the Inspection and Safety of the Interstate-90 Connector Tunnel and All Tunnels of the Metropolitan Highway System Tunnels.”

Sufficient revenues are estimated to be estimated to be available to finance this appropriation. I urge your prompt and favorable consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "Mitt Romney".

MITT ROMNEY,
Governor.

The Commonwealth of Massachusetts

In the Year Two Thousand and Six.

AN ACT MAKING CERTAIN SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2007 AND TO PROVIDE FOR THE INSPECTION AND SAFETY OF THE INTERSTATE-90 CONNECTOR TUNNEL AND ALL TUNNELS OF THE METROPOLITAN HIGHWAY SYSTEM TUNNELS.

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. The General Court hereby finds and declares that:
2 (1) it is imperative that the commonwealth immediately iden-
3 tify the nature and extent of the structural defects in the Interstate-
4 90 connector tunnel prior to its re-opening; and
5 (2) after the re-opening of the Interstate-90 connector tunnel,
6 the people who use the tunnels must have full confidence in the
7 safety of the entire complex of tunnels contained in the metropol-
8 itan highway system.

1 SECTION 2. The executive office of transportation shall have
2 the authority to retain the services of an independent inspection
3 firm or consultant to conduct an immediate and exhaustive safety
4 and engineering inspection related to the failed ceiling and fas-
5 tening system in the Interstate-90 connector tunnel. Such retention
6 shall not be subject to chapter 30B of the General Laws. The
7 Interstate-90 connector tunnel shall not be re-opened until such
8 time as the governor, in consultation with the executive office of
9 transportation, approves its re-opening.

1 SECTION 3. Notwithstanding the provisions of any general or
2 special law to the contrary, the inspection firm or consultant
3 retained pursuant to section 2 shall have unlimited access to any
4 and all Massachusetts turnpike authority facilities, plans, reports,
5 drawings and documents, without reservation, that it shall deem
6 necessary to carry out the immediate and exhaustive inspection. In
7 connection with such inspection, all Massachusetts turnpike

8 authority personnel shall report to the executive office of trans-
9 portation and shall cooperate fully with the executive office of
10 transportation and the independent inspection firm or consultant.
11 Upon the request of the executive office of transportation, the
12 Massachusetts turnpike authority shall direct any of its contractors
13 to report directly to the executive office of transportation.

1 SECTION 4. Once the Interstate-90 connector tunnel is
2 reopened, there shall be appropriated \$20 million from the general
3 fund for a comprehensive critical infrastructure safety audit of any
4 and all tunnels part of the metropolitan highway system. The
5 executive office of transportation shall retain the services of an
6 independent inspection firm or consultant to conduct such audit.
7 Such retention shall not be subject to chapter 30B of the General
8 Laws. The governor, after consultation with the executive office
9 of transportation, shall have the authority to order the closure of
10 any tunnel deemed unsafe for travel.

1 SECTION 5. Notwithstanding the provisions of any general or
2 special law to the contrary, the independent inspection firm or
3 consultant retained pursuant to section 4 shall have unlimited
4 access to any and all Massachusetts turnpike authority facilities,
5 plans, reports, drawings and documents, without reservation, that
6 it shall deem necessary to carry out the comprehensive inspection.
7 In connection with such audit, all Massachusetts turnpike
8 authority personnel shall report to the executive office of trans-
9 portation and shall cooperate fully with the executive office of
10 transportation and the independent inspection firm or consultant.

1 SECTION 6. This act shall take effect upon its passage.