

HOUSE No. 4371

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2376) of the House Bill financing improvements to the Commonwealth's transportation system (House, No. 4193), reports recommending passage of the accompanying bill (House, No. 4371). July 31 2012.

William M. Straus	Thomas M. McGee
Stephen Kulik	Brian A. Joyce
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In the Year Two Thousand Twelve
—————

An Act financing improvements to the Commonwealth's transportation system.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith 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, the
- 2 sums set forth in sections 2 to 2C, inclusive, for the several purposes and subject to the
- 3 conditions specified in this act, are hereby made available, subject to the laws regulating the
- 4 disbursement of public funds. The sums appropriated in this act shall be in addition to any
- 5 amounts previously appropriated and made available for these purposes.

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SECTION 2.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
Highway Division

6121-1215 For projects on the interstate federal aid highway system; provided, that funds may be expended for the costs of these projects including, but not limited to, the nonparticipating portions of these projects and the costs of engineering and other services essential to these projects, rendered by Massachusetts Department of Transportation employees or by consultants; provided further, that amounts expended for department employees may include the salary and salary-related expenses of these employees to the extent that they work on or in support of these projects; provided, however, that the secretary of transportation shall maximize efforts to utilize all available means to minimize use of capital funds to pay for salaries of department employees; provided further, that notwithstanding this act or any other general or special law to the contrary, the department shall not enter into any obligations for projects which are eligible to receive federal funds under this act unless state matching funds exist which have been specifically authorized and are sufficient to fully fund the corresponding state portion of the federal commitment to fund these obligations; and provided further, that the department shall only enter into obligations for projects under this act based upon a prior or anticipated future commitment of federal funds and the availability of corresponding state funding authorized and appropriated for this use by the general court for the class and category of project for which this obligation applies.....\$225,000,000

29 6121-1216 For federal aid projects on the non-interstate federal highway system; provided, that
30 funds may be expended for the costs of these projects including, but not limited to, the
31 nonparticipating portions of these projects and the costs of engineering and other services
32 essential to these projects rendered by Massachusetts Department of Transportation employees
33 or by consultants; provided further, that amounts expended for department employees may
34 include the salary and salary-related expenses of these employees to the extent that they work on
35 or in support of these projects; provided, however, that the secretary of transportation shall
36 maximize efforts to utilize all available means to minimize use of capital funds to pay for salaries
37 of department employees; provided further, that notwithstanding this act or any other general or
38 special law to the contrary, the department shall not enter into any obligations for projects which
39 are eligible to receive federal funds under this act unless state matching funds exist which have
40 been specifically authorized and are sufficient to fully fund the corresponding state portion of the
41 federal commitment to fund these obligations; and provided further, that the department shall
42 only enter into obligations for projects under this act based upon a prior or anticipated future
43 commitment of federal funds and the availability of corresponding state funding authorized and
44 appropriated for this use by the general court for the class and category of project for which this
45 obligation applies.....\$525,000,000

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47 SECTION 2A.

48 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

49 Highway Division

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51 6121-1217 For the design, construction and repair of, or improvements to, non-federally-aided
52 roadway and bridge projects and for the nonparticipating portion of federally-aided projects;
53 provided, that the costs of professional personnel directly and exclusively involved in the
54 construction, planning, engineering and design of the projects funded herein may be charged to
55 this item, and any other associated costs; provided, further, that those costs shall not be classified
56 as administrative costs; and provided, further, that the amounts specified in this item or for a
57 particular project may be adjusted in order to facilitate projects relating to the design,
58 construction, repair or improvement to non-federally-aided roadway projects; provided further,
59 that not less than \$75,000 shall be expended for repairs to the Civil War Memorial bridge in the
60 town of Abington; provided further, that \$200,000 shall be expended for the design of the Bruce
61 Freeman rail trail construction, phase 2B, in the towns of Acton and Concord; provided further,
62 that not less than \$2,700,000 shall be expended for the reconstruction of the route 147 bridge
63 over the Westfield river and associated intersection improvements in the town of Agawam;
64 provided further, that not less than \$500,000 shall be expended for the reimbursement to
65 municipalities for expenditures directly related to the design and planning of Transportation
66 Improvement Projects (TIP); provided further, that \$1,000,000 shall be expended for roadwork
67 construction and streetscape improvements in the lower millyard of Amesbury; provided further,
68 that not less than \$2,000,000 shall be expended for water, sewer, roadway and sidewalk
69 improvements on Pine street and sidewalk improvements along North Pleasant street in the town
70 of Amherst; provided further, that \$2,000,000 shall be expended for environmental reviews for
71 the interstate highway route 93 interchange project in the towns of Andover, Tewksbury and
72 Wilmington; provided further, that \$400,000 shall be expended for improvements in the
73 municipal parking facilities in the town of Arlington; provided further, that \$100,000 shall be

74 expended on design and improvements along Gray street in the town of Arlington; provided
75 further, that not less than \$1,000,000 shall be expended for the planning, engineering, design or
76 construction of projects to mitigate the impact of the at-grade rail crossing, including the impact
77 on the delivery of emergency municipal services, including police and fire services, in the town
78 of Ashland; provided further, that not less than \$1,500,000 shall be expended for the
79 reconstruction of the Tiffany street intersection in the city of Attleboro; provided further, that not
80 less than \$1,600,000 shall be expended for the replacement of culverts and the repair of Sword
81 street in the town of Auburn; provided further, that \$500,000 shall be expended for signalization
82 improvements at East Spring street, East Main street (route 28), and West Spring street in the
83 town of Avon; provided further, that said signalization improvements shall be coordinated with
84 the lights at the intersection of Harrison boulevard and East Main street (route 28) in the town of
85 Avon; provided further, that the Department of Transportation shall expend not more than
86 \$250,000 on a Street Scape Project to re-work and energize Goeres square (route 28) in the town
87 of Avon; provided further, that the Department of Transportation shall expend not more than
88 \$500,000 for road improvements to the Avon Industrial Park in the town of Avon; provided
89 further, that not more than \$1,900,000 shall be expended for the repair and reconstruction of the
90 Oyster Harbor bridge that carries Bridge street over the channel connecting West Bay and North
91 Bay in the village of Osterville in the town of Barnstable; provided further, that not less than
92 \$25,000 shall be expended for route 28 safety improvements in the town of Barnstable; provided
93 further, that not less than \$250,000 shall be expended for overpass restoration and improvements
94 on route 149 where it crosses over route 6 in the town of Barnstable; provided further, that
95 \$1,500,000 shall be expended for the replacement of the water main on Mechanic street in the
96 town of Barre; provided further, that not less than \$300,000 shall be expended for the town of

97 Berkley for permitting, engineering, total replacement and for the prevention of future
98 deterioration and total collapse due to chronic flooding of the Bayview road and culvert at
99 Bayview avenue and Shore road in the town of Berkley; provided further, that \$1,500,000 shall
100 be expended for the design, construction, repair and improvements of the so-called Brimbal
101 avenue interchange improvement project located at or near exit 19 in the city of Beverly and
102 identified as MassHighway Project file no. 604369; provided further, that \$150,000 be expended
103 for the construction of the Yankee Doodle Bike Path from Billerica Memorial High School to the
104 town line of the town of Bedford, all in the town of Billerica; provided further, that not less than
105 \$2,000,000 shall be expended for the state share of the final design, land acquisition, and
106 construction of Phases 2, 3, 4 and 5 of the Blackstone River Greenway Bikeway; provided
107 further, that up to \$400,000 shall be expended for a planning study of current and proposed
108 Massachusetts Turnpike entrance and exit ramps in the Back Bay and Fenway sections of the
109 city of Boston, which study shall include an evaluation of changes to or demolition of some or all
110 of the Bowker Overpass; provided further, that not less than \$3,500,000 shall be expended for
111 the redesign and construction of Melnea Cass boulevard in the city of Boston; provided further,
112 that \$10,000,000 shall be expended for the redesign and reconfiguration of Rutherford avenue
113 and Sullivan square in the Charlestown section of the city of Boston; provided further, that not
114 less than \$500,000 shall be expended for the planning, design and construction of parallel
115 parking along Columbia road from I street to Preble circle in the South Boston section of the city
116 of Boston; provided further, that not less than \$950,000 shall be provided for planning, design
117 and construction of signalization upgrades at the intersection of Morton street and Gallivan
118 boulevard in the Mattapan section of the city of Boston; provided that \$1,000,000 shall be
119 expended for the design and construction of a pedestrian footbridge over the Massachusetts

120 Turnpike with an entry and exit point for the north side of the footbridge on Lincoln street
121 between Antwerp street and South Waverly street in the city of Boston and an entry and exit
122 point on the south side of the footbridge at the proposed New Brighton Landing commuter rail
123 stop; provided further, that funds shall be expended for the design and construction of 3
124 pedestrian underpasses adjacent to the Boston-side of the Charles river at the River street,
125 Western avenue and Anderson bridges; provided further, that the pathway leading to these
126 underpasses shall not extend laterally toward the center of the Charles river further than the new
127 underpass finished tunnel bores; provided further, that the pathway leading to these underpasses
128 shall not extend over the watershed of the Charles river any further than the minimum distance
129 required to achieve the required slope and grade specifications for the pathways to comply with
130 the Americans with Disabilities Act; and provided further, that the pathway structures and
131 tunnels shall not alter the existing arches of said River street or Western avenue bridges or hinder
132 or impede any navigable waterway through the existing arches of said bridges; provided that
133 \$500,000 shall be expended for a study to design and construct a pedestrian footbridge with and
134 entry and exit point between Brooks street and Parsons street in the city of Boston over the
135 existing roadways to and entry and exit point on the Dr. Paul Dudley White Bike Path; provided
136 further, that \$3,500,000 shall be expended for the reconstruction of sidewalks from the
137 intersection of Granite avenue and Gallivan boulevard, along Gallivan and Morrissey boulevards
138 to 100 Morrissey boulevard at the University of Massachusetts at Boston; provided further, that
139 not less than \$3,500,000 shall be expended for the design, engineering and construction of the
140 reconfiguration of the Belmont rotary in the town of Bourne; provided further, that not more than
141 \$1,000,000 shall be expended for a study of traffic issues and alternatives in the Canal area in the
142 town of Bourne; provided further that no less than \$100,000 be allocated to the town of Boylston

143 for the purpose of economic business development along route 140; provided further, that not
144 less than \$200,000 shall be expended for repairs and re-pavement of the entirety of Green street
145 located in the town of Boylston; provided further, that not less than \$250,000 shall be expended
146 for the erection of a vehicular traffic-control signal on route 37 in the town of Braintree;
147 provided further, that not less than \$150,000 shall be expended for traffic flow improvements on
148 Washington street in the town of Braintree; provided further, that not less than \$100,000 shall be
149 expended for improvements to the Disabled American Veterans Memorial highway in the town
150 of Braintree; provided further, that not less than \$150,000 shall be expended for design, planning
151 and improvements of High street in the town of Bridgewater; provided further, that \$1,000,000
152 shall be expended for the design and reconstruction of Haynes Hill road and Paige Hill road in
153 the town of Brimfield; provided further, that not less than \$3,850,000 shall be expended for the
154 design and reconstruction of the intersection of Crescent street, route 27, Quincy street and
155 Massasoit boulevard in the city of Brockton; provided further, that not less than \$950,000 shall
156 be expended for design and construction of reconfigured Jamaica way off-ramp at Pond avenue,
157 and reconstruction of a portion of River road in the town of Brookline; provided further, that
158 \$500,000 shall be expended for the design of a train with rail in the Grand Junction corridor so
159 that future improvements of rail tracks can be coordinated with the design in the city of
160 Cambridge; provided further, that \$1,000,000 shall be expended for the design and construction
161 of the Inlet bridge at North Point in the city of Cambridge; provided further, that \$350,000 shall
162 be expended for the planning and construction of 2 physically separate and segregated bicycle
163 and pedestrian pathways along Memorial drive and the Cambridge parkway from the Eliot
164 bridge to the Craigie Dam bridge and the Craigie drawbridge in the city of Cambridge; provided
165 further, that \$450,000 shall be expended for design and planning of Massachusetts avenue from

166 Beech street to the Arlington town line in the city of Cambridge; provided further, that \$70,000
167 shall be expended for the reconstruction of sidewalks on Main street in the town of Charlton;
168 provided further, that not less than \$200,000 shall be expended for sidewalk repairs along route
169 3A northbound in the town of East Chelmsford, near the city of Lowell line, including
170 installation of a raised curb and sidewalk repaving; provided further, that funds shall be
171 expended for surface and utility enhancements in the Everett avenue urban renewal district in the
172 city of Chelsea; provided further, that \$1,000,000 shall be expended for infrastructure
173 improvements to the Maurice J. Tobin Memorial bridge in the city of Chelsea and the
174 Charlestown section of the city of Boston, including but not limited to guardrail and lighting
175 repairs; provided further that not less than \$6,300,000 shall be expended for the design and
176 reconstruction of route 143 in the town of Chesterfield; provided further, that not less than
177 \$653,750 shall be expended for improvements for Granby road to Dale street in the town of
178 Chicopee; provided further, that not less than \$750,000 shall be expended for the reconstruction
179 of Washington Mountain road in the towns of Dalton, Becket and Washington; provided further,
180 that not less than \$500,000 shall be expended for the design and construction of the Padanaram
181 Bridge Rehabilitation Project in Dartmouth; provided further, that not less than \$1,000,000 shall
182 be expended for maintenance and improvements to the intersection of route 1, route 109, the
183 Veterans of Foreign Wars parkway and Spring street in the West Roxbury section of the city of
184 Boston and the town of Dedham; provided further, that \$2,000,000 shall be expended for the
185 reconstruction and signalization improvements of Nashua road from Forest avenue to Oak
186 terrace in the town of Dracut; provided further, that funds shall be expended for the design and
187 reconstruction of route 106 from Whitman street to the Halifax town line; provided further that
188 not less than \$300,000 shall be expended for the design and reconstruction of the intersection at

189 Pomeroy Meadow road, Loudville road, Glendale street and West street in the city of
190 Easthampton; provided further, that funds shall be expended for the design and reconstruction of
191 Ferry and Elm streets in the city of Everett and shall include sidewalks and upgraded crosswalks;
192 provided further that the Alden road from 127 the Bridge street intersection to Main street in the
193 town of Fairhaven to the Acushnet 128 town line be reconstructed with upgrades of ramps
194 and sidewalks that comply with the Americans with Disabilities Act; provided further, that
195 \$750,000 shall be expended for the planning, design and construction of the lower, double barrel
196 culverts of the Quequechan River under the Massachusetts Bay Transportation Authority railroad
197 right of way at Battleship Cove in the city of Fall River; provided further that no less than \$5,000
198 shall be expended for the Department of Transportation to erect 3 signs providing directions to
199 the Iwo Jima World War II Memorial located at Bicentennial park in Fall River; provided
200 further, that funds shall be expended for resurfacing associated with the Main Street/Davis Straits
201 water main replacement project in the town of Falmouth; provided further, that not less than
202 \$250,000 shall be expended for design of comprehensive improvements to the John Fitch
203 highway in the city of Fitchburg, per the study by the Urban Land Institute and ongoing Master
204 Plan; provided further, that not less than \$450,000 shall be expended for the remaining design
205 plan for the Summer street improvement project located in the cities of Fitchburg, Leominster
206 and Lunenburg; provided further, that not less than \$750,000 shall be expended for the
207 signalization of the intersections of route 140 (Commercial boulevard) and the northern end of
208 Central street in the town of Foxborough; provided further, that not less than \$1,000,000 shall be
209 expended for the planning, engineering, design, or construction of projects to mitigate the impact
210 of the at-grade rail crossing at the intersection of route 126 and route 135 in the town of
211 Framingham; provided further, that not less than \$500,000 shall be expended for the planning,

212 engineering, design, or construction of intersection and signalization improvements and the
213 integration of pedestrian and bicycle safety upgrades conforming to the “complete streets”
214 concepts following the newly completed reconstruction of underground utilities to route 126 in
215 the town of Framingham; provided further, that \$250,000 shall be expended for the resurfacing
216 of Clark street, from Park street to the Templeton town line, in the city of Gardner; provided
217 further, that not less than \$2,000,000 shall be expended for the planning, design, construction
218 and rehabilitation of sidewalks on route 127 and route 133 in the city of Gloucester, and for
219 sidewalk improvements around the city's elementary schools and on Railroad avenue leading to
220 and from the train station in the city of Gloucester; provided further, that not less than \$400,000
221 shall be expended for the design, reconstruction and improvement of route 47, Bay road,
222 Knightly road, Bristol lane, North Maple street and Rocky Hill road in the town of Hadley;
223 provided further, that not less than \$130,000 shall be expended for resurfacing infrastructure
224 improvement to Forge Pond park in the town of Hanover; provided further, that \$100,000 shall
225 be expended for the replacement of guardrails on Main street, Maple street and Pantry road in the
226 town of Hatfield; provided further, that \$300,000 shall be expended for the replacement of the
227 Old Mill bridge on Prospect court in the town of Hatfield; provided further, that \$300,000 shall
228 be expended for the reconstruction of sidewalks along Main street in the town of Hatfield;
229 provided further, that \$12,000,000 shall be expended for improvement and repair work to
230 infrastructure along the Merrimack river, including but not limited to boardwalk and marina
231 access improvements, seawall repair, and boardwalk development, in the citycity of Haverhill;
232 provided further, that \$10,000,000 shall be expended for improvement and repair work to the
233 downtown area, including but not limited to parking garage repair and improvements, street-
234 scaping, traffic improvements, design and construction costs for sites with transportation

235 purposes, improvements of river access, in the city of Haverhill; provided further, that
236 \$1,500,000 shall be expended for the design and resurfacing of Brimfield road from the
237 Brimfield town line to the intersection of Stafford street in the town of Holland; provided further,
238 that \$150,000 shall be expended for planning, design and construction related to the Hopping
239 Brook cross culvert beneath route 16 in the town of Holliston; provided further, that not less than
240 \$100,000 shall be expended for planning, design and construction to provide limited public
241 access from Massachusetts Turnpike service plaza road in Hopkinton to the Massachusetts
242 Turnpike via the Westborough service plaza; provided, that not less than \$345,000 shall be
243 expended for the design of the Cox street bridge replacement over the Assabet river in the town
244 of Hudson; provided further, that \$100,000 shall be expended for a study on the feasibility of
245 constructing sidewalks on Bearses way intersecting with route 28 and Walton avenue
246 intersecting with route 28 in the town of Hyannis; provided further, that not less than \$1,500,000
247 shall be expended for the resurfacing of route 3A in the town of Kingston; provided further, that
248 \$1,000,000 shall be expended for the reconstruction and widening of route 114 between the city
249 of Lawrence and the town of North Andover; provided further, that not less than \$200,000 shall
250 be expended for the study, design, planning and replacement of structurally deficient bridges in
251 the town of Lee; provided further, that not less than \$345,000 shall be expended for the design of
252 the Cox street bridge replacement over the Assabet River in the town of Hudson; provided
253 further, that not less than \$1,000,000 shall be expended for the replacement or repair of the
254 Rawson street bridge in the town of Leicester; provided further, that no less than \$1,500,000
255 shall be expended for pavement reconstruction, curbing and a new sidewalk from Laurel street to
256 Dwight street in the town of Longmeadow; provided further, that \$800,000 shall be expended for
257 design, construction, right-of-way assembly and related project costs for transportation

258 improvements to support the Tanner street redevelopment plan in the city of Lowell; provided
259 further, that not less than \$2,000,000 shall be expended for the design and reconstruction of the
260 West street bridge in the town of Ludlow; provided further, that not less than \$1,035,000 shall be
261 expended for the design and reconstruction of the intersection of Sewall, Center, State and East
262 streets in the town of Ludlow; provided further, that \$2,600,000 shall be expended for the design
263 and construction of the Essex coastal scenic byway connecting certain municipalities including,
264 but not limited to, Lynn, Swampscott, Marblehead, Salem, Beverly, Manchester-by-the-Sea,
265 Gloucester, Rockport, Essex, Ipswich, Rowley, Newbury, and Newburyport; provided further,
266 that \$675,000 shall be expended to complete the construction of the Northern Strand community
267 trail, bike to the sea trail, located in the city of Malden; provided further, that \$1,750,000 shall be
268 expended for the design and reconstruction of route 99 in the city of Malden; provided further,
269 that \$1,000,000 shall be expended for the Main street improvement project in the city of Malden;
270 provided further, that \$30,000 shall be expended for countdown pedestrian signals at various
271 intersections in the city of Malden; provided further, that not less than \$200,000 shall be
272 expended for a project to increase access to the Mansfield railroad station commuter parking lots
273 in the town of Mansfield; provided further, that not less than \$250,000 shall be expended for the
274 city of Marlborough for the design and right-of-way costs for roadway and sidewalk
275 reconstruction of Maple street (route 85) from the Southborough town line to John street, in the
276 city of Marlborough; provided further, that not less than \$150,000 shall be expended for the
277 study, design, planning and replacement of structurally deficient bridges in the town of New
278 Marlborough; provided further, that not less than \$200,000 shall be expended for the purpose of
279 completing work undertaken by the Mass Department of Transportation in constructing the Sea
280 street bridge between the towns of Marshfield and Scituate; provided further, that \$100,000 shall

281 be expended for the study, design, planning and construction of intersection improvements at the
282 intersection of route 27 and Concord street in the town of Maynard; provided further, that
283 \$500,000 shall be expended for the right of way acquisition, planning, design or construction of
284 the Assabet river rail trail; provided further, that not less than \$1,000,000 shall be expended for a
285 parking control system in the downtown area of the city of Medford; provided further, that
286 \$1,000,000 shall be expended for the Medford square roadway project in the city of Medford;
287 provided further, that \$250,000 shall be expended for the design and construction of traffic
288 signals at the intersections of Harvard street with Main street and Willis avenue in the city of
289 Medford; provided further, that \$500,000 shall be expended for design and improvements at the
290 intersections of Boston avenue with route 16 in the city of Somerville, Boston avenue and
291 Winthrop street in the city of Medford, and pedestrian safety improvements on Winthrop street
292 between Boston avenue and route 16 in the city of Medford; provided further, that \$475,000
293 shall be expended for the Highlands infrastructure improvements in the city of Melrose; provided
294 further, that \$100,000 shall be expended for the planning and installation of a traffic signal at the
295 intersection of state highway route 16 and Hartford avenue in the town of Mendon; provided
296 further, that \$300,000 shall be expended to reconstruct North avenue in the town of Mendon and
297 provide signalization at the intersection of North avenue and Hastings street; provided further,
298 that \$800,000 shall be expended for the reconstruction and widening of route 110 in the city of
299 Methuen; provided further, that \$350,000 shall be expended for improved traffic signalization at
300 the entrance to Caritas Holy Family Hospital on East Street in the city of Methuen; provided
301 further, that not less than \$400,000 shall be expended for the construction of a sidewalk starting
302 500 feet south of Winneberg road on the east side of route 114 and proceeding in a northerly
303 direction for a total of 2,000 feet in the town of Middleton; provided further, that not more than

304 \$100,000 shall be expended for the design, permitting, construction and right-of-way acquisition
305 for phase I of the Veterans Memorial drive alternate route project in the town of Milford;
306 provided further, that not less than \$930,000 shall be expended for design and reconstruction of
307 the intersection of Exchange street, Curve street and Plain street in the town of Millis; provided
308 further, that notwithstanding chapter 82 of the Acts of 1997, or any other general law or special
309 law to the contrary, the town of Milton may make improvements, alterations or renovations to a
310 certain parcel of land in the town of Milton, consisting of the overpass spanning interstate 93 in
311 East Milton Square; provided, however, that no such improvements, alterations or renovations
312 shall result in less than 40 per cent of said parcel remaining recreational, open or green space;
313 provided further, that not less than \$1,000,000 shall be expended to reimburse the town of Milton
314 for planning, design and construction costs associated with such improvements, alterations or
315 renovations to the parcel; provided further, that not less than \$2,700,000 shall be expended to
316 complete phase 2 of the Blue Hills parkway project in the town of Milton; provided further, that
317 funds shall be expended for road, sidewalk and lighting improvements and plantings along Brush
318 Hill road and Truman parkway in the town of Milton; provided further, that \$20,000 shall be
319 expended shall be expended for the installation of crosswalks along route 28 in the town of
320 Milton and along that portion of Reedsdale road extending from the intersection of Route 28 and
321 Canton avenue to the intersection of route 28 and Randolph avenue and provided further that
322 said crosswalks shall be placed at appropriate intervals to effect the safe and convenient
323 pedestrian crossing of the roadway; provided further, that \$230,000 shall be expended shall be
324 expended for the repair of sidewalks along Granite avenue in the town of Milton and along that
325 portion of Granite avenue extending from the intersection of Granite avenue and Squantum street
326 to the intersection of Granite avenue and the on ramp to Interstate 93- North; provided further,

327 that \$500,000 shall be expended for emergency repairs to the Powder Mill Brook Bridge on
328 Main road in the town of Montgomery; provided further, that \$500,000 shall be expended for the
329 Access to State-owned Land program, pursuant to subsection (n) of section 3 of chapter 811 of
330 the acts of 1985; provided further, that the department, while authorized to expend up to
331 \$300,000, shall retain an independent, third-party, nationally recognized consultant in hazmat
332 transportation routing risk analysis to conduct a regional hazardous materials routing analysis
333 which: (i) addresses the safe and efficient transportation of hazardous materials through and
334 around the greater metropolitan Boston area; (ii) addresses the public safety capabilities,
335 environmental considerations and infrastructure capacity of impacted communities; and (iii)
336 makes recommendations for improving the transportation of hazardous materials while
337 safeguarding impacted communities; provided further, that \$408,000 shall be expended for the
338 stabilization and reconstruction of the retaining walls and revetments at the water-sheet and
339 subsequent milling and repaving of the landside area at Tudor Wharf in the town of Nahant;
340 provided further, that not less than \$160,000 shall be expended to make safety improvements for
341 a walk to school crossing on South Main street in the town of Natick; provided further; that
342 \$250,000 shall be expended for a rail trail in the towns of Needham, Dover and Medfield;
343 provided further, that not less than \$4,000,000 shall be expended to improve the John F.
344 Kennedy memorial highway in New Bedford and intersecting streets, including access between
345 the New Bedford Waterfront and the Downtown Historic Arts and Cultural District, provided
346 that not less than \$3,000,000 of said funds shall be expended for work south of Walnut street;
347 provided further, that not less than \$1,000,000 shall be expended for design, construction and
348 engineering cost of a bike and pedestrian path along the hurricane barrier in the city of New
349 Bedford; provided further, that not less than \$500,000 shall be expended for the design,

350 engineering and construction of a bike and pedestrian access way, including, but not limited to,
351 any necessary bridge, to Palmer Island in the city of New Bedford; provided further, that not less
352 than \$2,500,000 shall be expended to improve access to the south terminal in New Bedford;
353 provided further, that \$2,200,000 shall be expended for the design and reconstruction of Ravine
354 and Hardwick roads in the town of New Braintree; provided further, that \$1,000,000 shall be
355 expended for streetscape and safety improvements to the route 113 gateway (Storey avenue) in
356 Newburyport; provided further, that \$1,000,000 shall be expended for the Newburyport
357 intermodal transportation center; provided further, that \$1,000,000 shall be expended for the
358 design of the Rapid Transit Handicap Accessibility project for the Auburndale commuter rail in
359 the city of Newton; provided further, that not less than \$3,000,000 shall be expended for the
360 construction of a bridge over the Massachusetts Bay Transportation Authority railroad right of
361 way on Main street at the intersection of Boardman street in the town of Norfolk on the condition
362 that the town of Norfolk agrees to pay \$2,000,000, to be deposited into the General Fund, in
363 equal payments each year for 20 years commencing in fiscal year 2018, to reimburse the cost of
364 the bridge construction; provided further, that not less than \$900,000 shall be expended for
365 drainage improvements, roadway restoration, reconstruction of sidewalks and intersection
366 reconstruction at the intersections of Chestnut and Elm streets, as well as, Chestnut street and
367 route 1 in the town of North Attleborough; provided further, that not less than \$250,000 shall be
368 expended for a road construction project on Central street, from the intersections of North street
369 to Spruce street, in the town of North Reading; provided further, that not less than \$350,000 shall
370 be expended for a road construction project on Tower Hill Road in the town of North Reading;
371 provided further, that not less than \$3,000,000 shall be expended for storm water and drainage
372 improvements in the Meadows area along the interstate 91 corridor to the Northampton Airport

373 in the city of Northampton; provided further, that not less than \$1,000,000 shall be expended for
374 drainage system repairs, slope stabilization and Norwottuck rail trail abutment stabilization at
375 Old Water street in the city of Northampton; provided further, that \$200,000 shall be expended
376 for pedestrian and vehicle safety improvements, at the intersection of Ryan and Florence Roads
377 in the city of Northampton; provided further, that \$50,000 shall be expended for a feasibility
378 study for the construction of sidewalks on Glendale road, West Farms road and upper Ryan road
379 in the city of Northampton; provided further, that no less than \$250,000 shall be expended for the
380 town of Northborough for the permitting, engineering and replacement of the stone box culvert
381 under Church street at Cold Harbor brook; provided further, that not less than \$70,000 shall be
382 made available for a Preliminary Structure Report for the Schell Bridge in Northfield; provided
383 further, that not less than \$800,000 shall be expended for the resurfacing or reconstruction,
384 including minor drainage improvements of route 123 in the town of Norwell; provided further,
385 that not less than \$400,000 shall be expended for the reconstruction and signalization design
386 cost of the intersection of Washington street, Prospect street and Fulton street in the town of
387 Norwood; provided further, that not less than \$1,000,000 shall be expended for site work,
388 construction and implementation of a traffic light and subsequent road work to state highway
389 route 53 and Pleasant street in the town of Pembroke; provided further, that \$150,000 shall be
390 expended for the design and installation of a panelized bridge on Glen Valley road in the town of
391 Petersham; provided further, that not less than \$2,000,000 shall be expended for the demolition
392 and replacement of the Woodlawn avenue railroad bridge in the city of Pittsfield so that the
393 project is completed before the end of calendar year 2013; provided further, that not less than
394 \$500,000 shall be made available for the extension of the Ashuwillticook Rail Trail extension
395 project from the town of Lanesborough to Crane avenue in Pittsfield; provided further, that not

396 less than \$5,100,000 shall be expended for the reconstruction of roads, sidewalks, drainage and
397 paving of Taylor avenue in the town of Plymouth; provided further, that not less than \$2,000,000
398 shall be expended for the construction of a new parking garage owned and operated by the
399 Plymouth growth and development corporation in the town of Plymouth; provided further, that
400 not less than \$2,300,000 shall be expended for construction on route 140 between the Sterling
401 town line and East Princeton Village; provided further, that funds shall be expended on the
402 design and reconstruction of the route 53, Howard street/East Howard street intersection in the
403 city of Quincy; provided further, that \$250,000 shall be expended for the augmentation of the
404 work being done with PWED Grant money from Hall street to Eugenia street in the town of
405 Randolph; provided further, that not less than \$150,000 shall be expended for the rehabilitation
406 of the South street east bridge in the town of Raynham; provided further, that \$4,000,000 shall be
407 expended for the full depth reconstruction of West street from the Woburn city line to the
408 intersection of Longwood road and West street, including roadway work along the various side
409 streets within that expanse, and for the installation of new granite curbing, ADA accessible
410 sidewalks, improvements to the drainage system, installation of new pavement markings and
411 signs, and fully actuated traffic signals along this stretch in the town of Reading; provided
412 further, that not less than \$100,000 shall be expended for a pedestrian actuated signal at the
413 intersection of Salem street and Bay State road in the town of Reading; provided further, that
414 \$10,000,000 shall be expended for the lower north shore highway improvement project,
415 including but not limited to improvements to route 1 in the cities of Revere and Malden and the
416 town of Saugus, improvements at Mahoney circle, improvements at Brown circle, improvements
417 at Copeland circle, improvements at the intersection of Revere street and route 60 and
418 improvements at the intersection of route 145 and route 16; provided further that up to

419 \$10,000,000 for traffic and streetscape improvements on lower Revere and Ocean avenue in the
420 city of Revere; provided further, that funds shall be expended on the design, removal and
421 replacement of the Studley Pond Dam along Route 123 in the town of Rockland; provided
422 further, that \$7,000,000 shall be expended for the reconstruction of Canal street in the city of
423 Salem; provided further, that \$1,000,000 shall be expended for the design and reconstruction of
424 route 1 (Lafayette road) from Salisbury square to the New Hampshire border; provided further,
425 that \$900,000 shall be expended for the acquisition and construction of a rail trail from Rabbit
426 road in Salisbury to Elm street in Amesbury; provided further, that not less than \$2,000,000 shall
427 be expended for roadway, curbing and sidewalk improvements on Main street from route 130 to
428 route 6A and on Jarves street from Main street to route 6A in the town of Sandwich; provided
429 further, that not less than \$1,000,000 shall be expended for multi-use path or sidewalk from canal
430 access road off Freezer road, where Marina path will end, to Main street in the town of
431 Sandwich; provided further, that not less than \$1,000,000 shall be expended to lengthen the
432 acceleration and deceleration lanes at route 6, exits 3 and 4, both eastbound and westbound, in
433 the town of Sandwich; provided further, that not less than \$500,000 shall be expended for a
434 multi-use path or sidewalk along Sandy Neck road from route 6A to the existing sidewalk at the
435 town line in the town of Sandwich; provided further, that not less than \$1,600,000 shall be
436 expended for the reconstruction of Black Brook road in the town of Savoy; provided further, that
437 not less than \$50,000 shall be expended for the design of opticon traffic lights at the Seekonk
438 public safety complex on route 44 and opticon traffic lights at the intersection of route 44 and
439 Arcade avenue in the town of Seekonk; provided further, that not less than \$1,000,000 be
440 expended for signalization improvements at the intersection of North Main Street and Hixson
441 Farm road in the town of Sharon, including, but not limited to, installation of a traffic light and

442 improvements to the roadway and sidewalks; provided further, that not less than \$2,500,000 be
443 expended for the South Sharon Infrastructure Project at the intersection of Old Post road at South
444 Main street and Interstate Highway 95; provided further, that not less than \$1,000,000 shall be
445 expended for the construction of the Pine Hill access road in the town of Sherborn; provided
446 further, that not less than \$750,000 shall be expended for the resurfacing of Bolyston street in the
447 town of Shrewsbury; provided further, that not less than \$800,000 shall be expended for
448 construction for a bicycle path with lighting and related streetscape amenities for the Slade's
449 Ferry Landing Redevelopment Project located within the town of Somerset; provided further,
450 that \$1,000,000 shall be expended to remove the center bascules of the Brightman Street Bridge
451 spanning the Taunton River between the town of Somerset and the city of Fall River; provided
452 further, that \$3,000,000 may be expended to raze the Brightman Street Bridge spanning the
453 Taunton River between the town of Somerset and the city of Fall River; provided further, that the
454 department of transportation may expend not more than \$5,000,000 on the installation of sound
455 barriers on interstate 93 adjacent to the Nunnery Grounds neighborhood, so called, located
456 between Cross street and Mt. Vernon street in the city of Somerville; provided further, that
457 \$75,000 shall be expended for pedestrian safety improvements on route 16 in the vicinity of
458 Dilboy Stadium in the city of Somerville; provided further, that not less than \$600,000 shall be
459 expended for the design and reconstruction and improvement of the Maple street intersection and
460 the Falls area in the Town of South Hadley; provided further, that \$300,000 shall be expended
461 for the engineering costs for the emergency repair of the East street Bridge in the town of
462 Southampton; provided further, that \$500,000 shall be expended for the reconstruction of Fomer
463 road, from route 10 to Crooked Ledge Road in the town of Southampton; provided further, that
464 \$500,000 shall be expended for the acquisition of a rail line for the construction of a rail trail in

465 the town of Southampton; provided further, that no less than \$10,000,000 shall be provided for
466 the design, reconstruction and safety improvements to Riverside road, Plainfield street, Fisk
467 avenue, Birnie avenue and West street in the city of Springfield; provided further, that no less
468 than \$250,000 shall be expended for private ways, curbing, and sidewalk improvements for the
469 city of Springfield; provided further, that \$500,000 shall be expended for the upgrade of traffic
470 signals at the intersection of route 28/Main street and North street in the town of Stoneham;
471 provided further, that \$100,000 shall be expended for the upgrade of traffic signals at the
472 intersection of Marble street and Park street, in the town of Stoneham; provided further, that not
473 less than \$500,000 be expended for signalization improvements at the intersection of Ethyl way,
474 Erin road, and Central street in the town of Stoughton, including, but not limited to, installation
475 of a traffic light and improvements to the roadway and sidewalks; provided further, that not less
476 than \$100,000 shall be expended for a study of possible traffic improvements in the town of
477 Stoughton, focusing on routes 138 and 27 and the intersection of said roads in the downtown
478 area; provided further, that \$3,500,000 shall be expended for the reconstruction of Humphrey
479 street and Salem street in the town of Swampscott; provided further, that funds shall be expended
480 for the reconstruction, renovation and improvement of the tourist information center and sanitary
481 facility at the Swansea Visitor's Center on Interstate 195 in the town of Swansea including but
482 not limited to, new building construction, light and safety projects, installation of water lines,
483 landscaping, fencing, and sign installation; provided further, that when the department upgrades
484 sanitary facilities, it does so in such a way to enhance the environment by utilizing zero pollution
485 discharge technologies including recycling greywater systems; provided further, that \$250,000
486 shall be expended for improvement designs to the intersection at Williams street and the Gordon
487 Owen Riverway in the city of Taunton; provided further, that \$2,500,000 shall be expended for

488 the reconstruction and improvement of Main street/route 38 from Old Boston road to Livingston
489 street in the town of Tewksbury; provided further, that \$250,000 shall be expended for the study
490 and design of a new bridge spanning the Merrimack River in the town of Tyngsborough;
491 provided further, that not less than \$200,000 shall be expended for the design and reconstruction
492 of the Vernon street Roadway Improvements in Wakefield; provided further, that \$1,600,000
493 shall be expended for the design and construction of the Ware River Valley rail trail from the
494 Ware River to the Gilbertville covered bridge in the town of Ware; provided further, that not less
495 than \$450,000 shall be expended for improvements to the roadway, pedestrian crossings,
496 sidewalks and park entrances on Charles River road in the town of Watertown, conditioned on
497 matching commitments of not less than \$750,000 of additional funding from other public or
498 private sources for improvement of the adjoining parklands; provided further, that not less than
499 \$1,000,000 shall be expended for improvements to the Massachusetts Central rail trail along the
500 corridor extending through the towns of Wayland and Weston; provided further, that not less
501 than \$4,025,000 shall be expended for the planning, design, construction and any other
502 associated costs for drainage improvements along route 9 adjacent to Boulder brook and Morses
503 pond in the town of Wellesley; provided, that \$250,000 shall be expended for the construction of
504 sidewalks in the South street bridge area and along the section of Manley street from West
505 Center street to West street, all in the town of West Bridgewater; provided further, that not more
506 than \$500,000 shall be expended to improve safety with signalization, new geometry and related
507 work on Elm street at Westfield street in town of West Springfield; provided further, that not
508 less than \$3,000,000 shall be expended for the construction of a parking deck in the city of
509 Westfield; provided, further, that \$300,000 shall be expended for the reconstruction of the bridge
510 on South road in the town of Westhampton; provided further, that not less than \$600,000 be

511 expended for design and construction of route 140 between Mile Hill road and Gatehouse road in
512 the town of Westminster; provided further, that not less than \$2,100,000 shall be expended for
513 the planning, design, construction and any other associated costs for transportation
514 improvements at the intersection of route 30, South avenue and Wellesley street in the town of
515 Weston; provided further, that not less than \$400,000 shall be expended for traffic signals on
516 route 109 in the town Westwood; provided further, that not less than \$5,000,000 shall be
517 expended on the route 3A project in the city known as the town of Weymouth at the base of the
518 Fore River bridge extending southward to the intersection of Green street, Bridge street, and
519 Neck street for the grading and paving of roadways, as well as, construction and repair of
520 sidewalks as to conform to the Americans with Disabilities Act standards, placement of light
521 fixtures and ground mounted electronic signs to indicate bridge openings and current traffic
522 conditions, and for the installation of below grade utilities, and the planting of trees and
523 landscaping along the roadway; provided further that \$500,000 shall be expended on street
524 resurfacing of Washington street (route 53) in Weymouth at the intersection of Commercial
525 street and Front street extending to the intersection of Broad street, and furthermore for street
526 resurfacing and sidewalk improvements from the intersection of Broad street and Washington
527 street to the intersection of route 18 and route 53; provided, that not less than \$250,000 shall be
528 expended on the Weymouth Washington street (route 53) at Middle street and Winter street
529 Project for the repair or replacement and upgrade of the Winter street concrete barrier and chain-
530 link fencing with picket post cap fencing; provided further, that not less than \$820,000 shall be
531 expended for safety improvements by installing geometric improvements and full traffic
532 signalization at the intersection of Glen road, Wildwood street and Middlesex avenue (route 62)
533 in the town of Wilmington; provided further, that that \$250,000 be expended for planning,

534 engineering and construction of a traffic signal at the intersection of Middlesex avenue and Main
535 Street in the town of Wilmington; provided further, that \$528,000 shall be expended for the
536 replacement of sewer and drainage lines and for the reconstruction of North Vine street in the
537 town of Winchendon; provided further, that \$775,000 shall be expended for the construction of a
538 municipal parking lot on Front street in the town of Winchendon; provided further, that \$150,000
539 shall be expended for the upgrade of traffic signals at the intersection of Main street, Skillings
540 road and Lake street in the town of Winchester; provided further, that \$4,575,000 shall be
541 expended for the Winthrop street corridor project in the town of Winthrop; provided further, that
542 \$475,000 shall be expended for the Walk Winthrop initiative in the town of Winthrop; provided
543 further, that no less than \$3,000,000 shall be expended for the implementation of the Wayfinder
544 System in the city of Worcester; provided further, that not less than \$6,500,000 shall be
545 expended for the 444 design and reconstruction of route 143 in the town of Worthington
546\$325,000,000

547

548 SECTION 2B.

549

550 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

551 Rail and Transit Division

552

553 6622-1205 For the purposes of chapter 161B of the General Laws, including the purchase and
554 rehabilitation of rolling stock, related assets and support equipment necessary to safely serve
555 transit passengers, construction and rehabilitation of regional transit authority operations and
556 passenger facilities, and purchase of related appurtenances and tools.....\$11,000,000

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SECTION 2C.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Rail and Transit Division

6622-1280 For the purpose of implementing rail improvements under chapter 161C of the General Laws; provided, that funds may also be used for transportation planning, design, permitting, acquisition of interests in land and engineering for heavy rail, light rail, bus and other transit projects, including the industrial rail access program; provided, however, the department shall adopt regulations within 180 days of the effective date of this act implementing the industrial rail access program, which shall increase access to rail freight service and preserve or stimulate economic development through the generation of new or expanded rail service; provided further, that the secretary of transportation shall have the responsibility for evaluating and selecting eligible projects, in consultation with the secretary of housing and economic development, where the public benefit will be gained through improved use of the rail transportation network or that will facilitate economic growth through access to the rail assets within the commonwealth; and provided further, that the amounts specified in this item or for a particular project may be adjusted in order to facilitate other projects implementing rail improvements under chapter 161C of the General Laws; provided further, that \$6,000,000 shall be expended for planning, design, relocation, construction and enhancement of the inbound and outbound station platforms of the Massachusetts Bay Transportation Authority Green Line B branch stations at the intersection of Wallingford road and Commonwealth avenue and the

580 Washington street platform at the intersection of Washington street and Commonwealth avenue
581 in the city of Boston, and planning, design, relocation, construction and enhancement of a center,
582 side platform station of the Green Line B branch station located at the intersection of Lake street
583 and Commonwealth avenue in the city of Boston; provided further, that not less than \$500,000
584 be expended to improve pedestrian access and safety at the Canton Junction commuter rail
585 station; provided further, that not less than \$300,000 be expended for capital improvements to
586 the Canton Center commuter rail station; provided further, that not less than \$25,000 be
587 expended to study improved pedestrian and bike access at and around the Wachusett commuter
588 rail station; provided further, that not less than \$1,500,000 shall be used for the planning,
589 engineering, design or construction of a facility for the operations, maintenance and demand
590 respond dispatch of the MetroWest Regional Transit Authority; provided further, that not less
591 than \$2,000,000 shall be expended for the construction of a passenger rail platform, for the
592 knowledge corridor passenger rail project, in the city of Holyoke; provided further, that
593 \$1,500,000 shall be expended for the completion of work at the Blossom street extension and for
594 a 1 time purchase of a commuter water shuttle for operation of the Lynn-Boston commuter ferry
595 line in the city of Lynn; and provided further, that \$2,000,000 shall be expended for the South
596 Terminal Rail Extension in the city of New Bedford; provided further, that no less than \$50,000
597 shall be expended for the city of Newton's conversion of the abandoned, Massachusetts Bay
598 Transportation Authority controlled rail line parallel to Needham street in the city of Newton to a
599 linear park, with potential future conversion to a green-line extension; provided further, that
600 \$350,000 shall be expended for engineering and planning for an intermodal transportation center
601 adjacent to the existing north-south rail line in the city of Northampton that is part of the planned
602 high speed "Vermont" rail service expansion; provided further, that \$500,000 may be

603 expended for the design, siting and initial permitting for a commuter rail station at Wonderland
604 Park in the city of Revere; provided further, that not more than \$4,000,000 shall be provided for
605 the design and construction of the Springfield union intermodal station project, so-called, in the
606 city of Springfield; provided further, that not less than \$175,000 shall be expended on a matching
607 grant to the town of Stoughton or the Stoughton Redevelopment Authority for the purpose of
608 purchasing and/or refurbishing the Stoughton Railroad Station at 45 Wyman Street in the town of
609 Stoughton.....\$300,000,000

610

611 SECTION 3. Section 2 of chapter 6C of the General Laws, as appearing in the 2010 Official
612 Edition, is hereby amended by striking out subsection (b) and inserting in place thereof the
613 following subsection:-

614 (b) The department shall be governed and its corporate powers exercised by a board of directors.
615 The board shall consist of 7 members appointed by the governor for a term of 4 years, 3 of whom
616 shall be experienced in the field of public or private finance and management; 1 of whom shall
617 have experience in public policy; 1 of whom shall have experience in transportation planning and
618 policy; 1 of whom shall be the secretary of transportation, who shall serve ex officio; and 1 of
619 whom shall be a registered civil engineer with at least 10 years experience. The governor shall
620 designate 1 of the members, other than the ex-officio director, to serve as chairperson of the
621 board. Not more than 4 of the directors, except the ex-officio director, shall be members of the
622 same political party. Each director shall serve without compensation but may be reimbursed for
623 actual and necessary expenses reasonably incurred in the performance of their duties, including
624 reimbursement for reasonable travel; provided, however, that such reimbursement shall not
625 exceed \$3000 annually. Any person appointed to fill a vacancy in the office of a member of the

626 board shall be appointed in a like manner and shall serve for only the unexpired term of such
627 former member. Any director shall be eligible for reappointment. Any director may be removed
628 from his appointment by the governor for cause. The board shall annually elect 1 of its members
629 to serve as vice-chairperson.

630

631 SECTION 4. Said section 2 of said chapter 6C, as so appearing, is hereby further amended by
632 striking out, in line 30, the word “Four” and inserting in place thereof the following words:- A
633 majority of.

634

635 SECTION 5. Said section 2 of said chapter 6C, as so appearing, is hereby further amended by
636 striking out, in lines 67 and 68, the words “and the treasurer, as elected by the board pursuant to
637 subsection (f)” and inserting in place thereof the following words:- of the department.

638

639 SECTION 6. Said section 2 of said chapter 6C, as so appearing, is hereby further amended by
640 adding the following subsection:-

641 (k) The board shall adopt a written policy providing for the delegation in writing of any
642 of its powers and duties under this section and section 3; provided, however, that the policy shall
643 include a requirement that the board shall only review contracts valued at \$15,000,000 or more.

644

645 SECTION 7. Said chapter 6C is hereby further amended by adding the following section:-

646 Section 75. Notwithstanding any general or special law to the contrary, the department
647 shall not enter into, renew or renegotiate any contract providing for fuel services on service

648 stations on the turnpike without the contract requiring the fuel provider to provide for the
649 consumption of alternative fuel, as defined in section 1 of chapter 90.

650

651 SECTION 8. Chapter 85 of the General Laws is hereby amended by adding the following
652 section:-

653 Section 37. Notwithstanding any general or special law to the contrary, any provision,
654 clause, covenant or agreement contained in a motor carrier transportation contract that purports
655 to indemnify, defend or hold harmless, or has the effect of indemnifying, defending or holding
656 harmless, an indemnitee from or against any liability for loss or damage resulting from such
657 indemnitee's negligence or intentional acts or omissions shall be void and unenforceable. For the
658 purposes of this section, "motor carrier transportation contract" shall mean a contract, agreement
659 or understanding entered into, renewed, modified or extended on or after July 1, 2012,
660 concerning (i) the transportation of property for compensation or hire; (ii) the entry on public or
661 private property for the purpose of loading, unloading or transporting property for compensation
662 or hire; or (iii) a service incidental to the activities under clauses (i) and (ii); provided however,
663 that "motor carrier transportation contract" shall not include the Uniform Intermodal Interchange
664 and Facilities Access Agreement administered by the Intermodal Association of North America
665 or other agreements providing for the interchange, use or possession of intermodal chassis or
666 containers or other intermodal equipment.

667

668 SECTION 9. Chapter 161A of the General Laws is hereby amended by striking out section 7, as
669 so appearing, and inserting in place thereof the following section:-

670 Section 7. The authority shall be governed and its corporate powers exercised by the
671 board of directors of the Massachusetts Department of Transportation established under chapter
672 6C.

673
674 SECTION 10. Item 7004-0097 of section 2E of chapter 122 of the acts of 2006 is hereby
675 amended by striking out the words “provided further, that not less than \$2,000,000 is to be
676 appropriated to the City of Boston for a demonstration project to attempt to increase groundwater
677 levels in a section of the City adjacent to the Southwest Corridor, with all phases of the design
678 and implementation of the project to be overseen by the Boston Groundwater Trust; provided
679 further, that such funds are to be expended with the advance agreement of the Boston
680 Groundwater Trust and in consultation with, among others, the Massachusetts Bay
681 Transportation Authority; provided further, that in undertaking management of the
682 demonstration project, neither the City of Boston nor the Boston Groundwater Trust assume any
683 liability for the cause of the low groundwater levels in this area, and nor does the success or
684 failure of the project change any potentially responsible party’s accountability for the creation of
685 the low groundwater problem”, inserted by section 12 of chapter 192 of the acts of 2006, and
686 inserting in place thereof the following words:- provided further, that not less than \$2,000,000
687 shall be appropriated to the Massachusetts Bay Transportation Authority for a demonstration
688 project to increase groundwater levels in a section of the city of Boston adjacent to the Southwest
689 Corridor, with all phases of the design and implementation of the project to be conducted in
690 consultation with the executive office energy and environmental affairs, the city of Boston and
691 the Boston Groundwater Trust; provided further, that such funds shall only be expended
692 following the execution of a memorandum of understanding between the Massachusetts Bay

693 Transportation Authority, the executive office energy and environmental affairs, the city of
694 Boston and the Boston Groundwater Trust that details the design and review process of the
695 demonstration project, the project management process and the consultation process amongst the
696 parties;

697

698 SECTION 11. Section 8 of chapter 306 of the acts of 2008 is hereby amended by striking out the
699 second paragraph and inserting in place thereof the following 2 paragraphs:-

700 The board of directors shall consist of 21 persons who shall be voting members. The by-laws
701 shall contain provisions ensuring that as a director's term expires, the board of directors fill each
702 vacant position, provided that: (i) 1 such director shall be voted from nominees selected by the
703 state representative representing the third suffolk district for a term of 5 years and 1 such director
704 shall be voted from nominees selected by the state senator representing the first suffolk and first
705 middlesex district for a term of 5 years; (iii) 2 directors shall be selected by the board from a list
706 of names provided by the governor; (iv) 2 director shall be selected by the board from a list of
707 names provided by the mayor of the city of Boston; (v) 1 director shall be selected by the board
708 from a list of names provided by the secretary of transportation; (vi) 1 director shall be selected
709 from a list of names provided by the secretary of energy and environmental affairs; (vi) 1
710 director shall be selected from a list of names provided by the North End/Waterfront
711 Neighborhood Council; (vii) 1 director shall be selected from a list of names provided by the
712 Wharf District Council; (viii) 1 director shall be selected from a list of names provided by the
713 Chinatown Neighborhood Council; (ix) 1 director shall be selected from a list of names provided
714 by the Leather District Neighborhood Association; (x) the remaining directors shall be selected
715 for 3 year terms by a majority vote of said board then serving, notwithstanding the 2 term limited

716 board appointments from May of 2009. Those appointments shall expire and they shall revert to
717 the North End/Waterfront Residents Association and the Chinatown Residents Association who
718 shall each respectively submit a list of names for the board to select 1 director from each
719 organization.

720 All directors and committee members shall serve without compensation. No director or
721 committee member shall be deemed a public employee or a state, special state, municipal or
722 special municipal employee or a civil officer by virtue of such position as a director or
723 committee member. Other provisions relative to tenure, removal, resignation, quorum, meetings,
724 notices and the like shall be contained in the by-laws, which may be amended, revised and
725 adopted by the conservancy as it deems appropriate and in a manner not inconsistent with this act
726 or the agreement.

727

728 SECTION 12. Said chapter 306 is hereby further amended by inserting after section 8 the
729 following 2 sections:-

730 Section 8A. Except when meeting (i) in executive session, as permitted by subsection (a) of
731 section 21 of chapter 30A of the General Laws, or (ii) to discuss fundraising and non-
732 governmental revenue issues and opportunities, including but not limited to fundraising
733 prospects, fundraising or grant agreements, or fundraising strategy, the board shall comply with
734 sections 18 to 25, inclusive, of said chapter 30A. Any lease between the department of
735 transportation and the Conservancy described in section 10 shall provide that any material failure
736 of the board to comply with the provisions of sections 18 to 25, inclusive, of said chapter 30A
737 that is not cured in accordance with the terms of the lease or as ordered by the attorney general

738 shall be considered a default under said lease, and shall be subject to such remedies for default
739 set forth in said lease.

740 Section 8B. As to documents made or received on or after January 1, 2013, the board shall
741 comply with the requirements of clause Twenty-sixth of section 7 of chapter 4 and section 10 of
742 chapter 66 of the General Laws. Records pertaining to potential contributions and any donations
743 received by the Conservancy from a private individual, corporation or any other private source
744 shall be exempted from the provisions of this section. Any lease between the department of
745 transportation and the Conservancy described in Section 10 shall provide that any material
746 failure of the board to comply with the requirements of clause Twenty-sixth of section 7 of said
747 chapter 4 or section 10 of said chapter 66 that is not cured in accordance with the terms of the
748 lease, shall be considered a default under said lease, and shall be subject to such remedies for
749 default set forth in said lease.

750

751 SECTION 13. Section 9 of said chapter 306 is hereby repealed.

752

753 SECTION 14. To meet the expenditures necessary in carrying out section 2, the state treasurer
754 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to
755 be specified by the governor from time to time but not exceeding, in the aggregate,
756 \$171,750,000. All bonds issued by the commonwealth shall be designated on their face,
757 Transportation Improvement Loan Act of 2012, and shall be issued for a maximum term of
758 years, not exceeding 30 years, as the governor may recommend to the general court under
759 Section 3 of Article LXII of the Amendments to the Constitution. All bonds shall be payable not
760 later than June 30, 2047. All interest and payments on account of principal on these obligations

761 shall be payable from the Commonwealth Transportation Fund. Notwithstanding any other
762 provisions of this act, bonds and interest thereon issued under this section shall be general
763 obligations of the commonwealth.

764

765 SECTION 15. To meet the expenditures necessary in carrying out section 2A, the state treasurer
766 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to
767 be specified by the governor from time to time but not exceeding, in the aggregate,
768 \$325,000,000. All bonds issued by the commonwealth shall be designated on their face,
769 Transportation Improvement Loan Act of 2012, and shall be issued for a maximum term of
770 years, not exceeding 30 years, as the governor may recommend to the general court under
771 Section 3 of Article LXII of the Amendments to the Constitution. All bonds shall be payable not
772 later than June 30, 2047. All interest and payments on account of principal on these obligations
773 shall be payable from the Commonwealth Transportation Fund. Notwithstanding any other
774 provisions of this act, bonds and interest thereon issued under this section shall be general
775 obligations of the commonwealth.

776

777 SECTION 16. To meet the expenditures necessary in carrying out section 2B, the state treasurer
778 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to
779 be specified by the governor from time to time but not exceeding, in the aggregate, \$11,000,000
780 which shall be in addition to those bonds previously authorized for projects and programs which
781 are eligible to receive federal funding and which authorizations remain uncommitted or
782 unobligated on the effective date of this act. All bonds issued by the commonwealth as aforesaid
783 shall be designated on their face, Transportation Improvement Loan Act of 2012, and shall be

784 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
785 the general court under Section 3 of Article LXII of the Amendments to the Constitution. All
786 these bonds shall be payable not later than June 30, 2047. All interest and payments on account
787 of principal on these obligations shall be payable from the Commonwealth Transportation Fund.
788 Notwithstanding any other provisions of this act, bonds and interest thereon issued under this
789 section shall be general obligations of the commonwealth.

790
791 SECTION 17. To meet the expenditures necessary in carrying out section 2C, the state treasurer
792 shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to
793 be specified by the governor from time to time but not exceeding, in the aggregate, \$177,500,000
794 which shall be in addition to those bonds previously authorized for projects and programs which
795 are eligible to receive federal funding and which authorizations remain uncommitted or
796 unobligated on the effective date of this act. All bonds issued by the commonwealth as aforesaid
797 shall be designated on their face, Transportation Improvement Loan Act of 2012, and shall be
798 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
799 the general court under Section 3 of Article LXII of the Amendments to the Constitution. All
800 these bonds shall be payable not later than June 30, 2047. All interest and payments on account
801 of principal on these obligations shall be payable from the Commonwealth Transportation Fund.
802 Notwithstanding any other provision of this act, bonds and interest thereon issued under this
803 section shall be general obligations of the commonwealth.

804
805 SECTION 18. Notwithstanding any general or special law to the contrary, in carrying out
806 sections 2 to 2C, inclusive, and all other provisions of this act, the Massachusetts Department of

807 Transportation may enter into contracts, agreements, or transactions that may be appropriate with
808 other federal, state, local or regional public agencies or authorities. The contracts, agreements, or
809 transactions may relate to such matters as the department shall determine including, without
810 limitation, the research, design, layout, construction, reconstruction or management of
811 construction of all or a portion of these projects. The Massachusetts department of transportation
812 may enter into an agreement with the bureau of environmental health within the department of
813 public health to conduct the study mandated in sectionsection 154 of chapterchapter 25 of the
814 actsacts of 2009, and shall provide that the bureau shall report its findings together with
815 suggested legislation, if any, to the house and senate committees on ways and means on or before
816 June 30, 2013. In relation to any such contracts, agreements, or transactions the department may
817 advance monies to these agencies or authorities, without prior expenditure by the agencies or
818 authorities, and the agencies and authorities may accept monies necessary to carry out these
819 agreements; provided, however, that the department shall certify to the comptroller the amounts
820 so advanced; provided, further, that these agreements shall contain provisions satisfactory to the
821 department for the accounting of monies expended by any other agency or authority; and
822 provided, further, that all monies not expended under any such agreement shall be credited to the
823 account of the department from which they were advanced. The department shall report to the
824 house and senate committees on ways and means on any transfers completed under this section.

825

826 SECTION 19. (a) Notwithstanding any other general or special law to the contrary, the
827 Massachusetts Department of Transportation shall expend the sums authorized in section 2A for
828 the following purposes: projects for the laying out, construction, reconstruction, resurfacing,
829 relocation or necessary or beneficial improvement of highways, bridges, bicycle paths or

830 facilities, on- and off-street bicycle projects, sidewalks, telecommunications, parking facilities,
831 auto-restricted zones, scenic easements, grade crossing eliminations and alterations of other
832 crossings, traffic safety devices on state highways and on roads constructed under clause (b) of
833 the second paragraph of section 4 of chapter 6C of the General Laws, highway or mass
834 transportation studies, including, but not limited to, traffic, environmental or parking studies, the
835 establishment of school zones under section 2 of chapter 85 of the General Laws, improvements
836 on routes not designated as state highways without assumption of maintenance responsibilities
837 and projects to alleviate contamination of public and private water supplies caused by the
838 department's storage and use of snow removal chemicals which are necessary for the purposes of
839 highway safety and for the relocation of persons or businesses or for the replacement of
840 dwellings or structures including, but not limited to, providing last resort housing under federal
841 law and such functional replacement of structures in public ownership as may be necessary for
842 the foregoing purposes and for relocation benefits to the extent necessary to satisfy the
843 requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act
844 of 1970, 42 U.S.C. 4601 et seq., Pub. L. 97-646, 84 Stat. 1864 (1971), and to sell any structure
845 the title to which has been acquired for highway purposes; provided, however, that
846 environmental studies conducted under this subsection may include an assessment of both
847 existing and proposed highway rest stop facilities to determine the cost-effectiveness of sanitary
848 facilities that utilize zero pollution discharge technologies, including recycling greywater
849 systems. When dwellings or other structures are removed in furtherance of any of the foregoing
850 projects, the excavations or cellar holes remaining shall be filled in and brought to grade within 1
851 month after the removal. In planning projects funded by said section 2A, consideration shall be
852 made, to the extent feasible, to accommodate and incorporate provisions to facilitate the use of

853 bicycles and walking as a means of transportation; provided, however, that nothing in this
854 section shall be construed to give rise to enforceable legal rights in any party or a cause of action
855 or an enforceable entitlement as to the projects described in this section.

856 (b) Funds authorized in section 2A shall, except as otherwise specifically provided in this
857 act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter 718 of the acts
858 of 1956, if applicable, and, notwithstanding any general or special law to the contrary, may be
859 used for the purposes stated in this act in conjunction with funds of cities, towns and political
860 subdivisions.

861 (c) In addition to the foregoing, the Massachusetts Department of Transportation may
862 expend funds made available by this act to acquire from a person by lease, purchase, eminent
863 domain under chapter 79 of the General Laws or otherwise, land or rights in land for parking
864 facilities adjacent to a public way to be operated by the department or under contract with an
865 individual; expend funds made available by this act for the acquisition of van-type vehicles used
866 for multi-passenger, commuter-driven carpools and high-occupancy vehicles including, but not
867 limited to, water shuttles and water taxis; and, under all applicable state and federal laws and
868 regulations, exercise all powers and do all things necessary and convenient to carry out the
869 purposes of this act.

870 (d) In carrying out this section, the Massachusetts Department of Transportation may
871 enter into contracts or agreements with cities to mitigate the effects of projects undertaken under
872 this act and to undertake additional transportation measures within the city and may enter into
873 contracts, agreements or transactions with other federal, state, local or regional public agencies,
874 authorities, nonprofit organizations or political subdivisions that may be necessary to implement
875 these contracts or agreements with cities. Cities and other state, local or regional public agencies,

876 authorities, nonprofit organizations or political subdivisions may enter into these contracts,
877 agreements or transactions with the department. In relation to these agreements, the department
878 may advance to these agencies, organizations or authorities, without prior expenditure by the
879 agencies, organizations or authorities, monies necessary to carry out these agreements; provided,
880 however, that the department shall certify to the comptroller the amount so advanced; provided
881 further, that all monies not expended under these agreements shall be credited to the account of
882 the department from which they were advanced. The department shall report to the house and
883 senate committees on ways and means on any transfers completed under this subsection.

884

885 SECTION 20. Notwithstanding any other general or special law to the contrary, the
886 Massachusetts Department of Transportation shall take all necessary actions to secure federal
887 highway or transportation assistance which is or may become available to the department
888 including, but not limited to, actions authorized under or in compliance with Title 23 of the
889 United States Code, the Surface Transportation Act of 1987, Pub. L. 100-17, the Intermodal
890 Surface Transportation Efficiency Act of 1991, Pub. L. 102-240, the Transportation Equity Act
891 for the 21st Century, Pub. L. 105-178, the Safe, Accountable, Flexible, Efficient Transportation
892 Equity Act: A Legacy for Users, Pub. L. 109-59, Implementing Recommendations of the 9/11
893 Commission Act of 2007, Pub. Law 110-53 and any successor acts or reauthorizations of those
894 acts, and actions such as filing applications for federal assistance, supervising the expenditure of
895 funds under federal grants or other assistance agreements and making any determinations and
896 certifications necessary or appropriate to the foregoing. If a federal law, administrative regulation
897 or practice requires an action relating to federal assistance to be taken by a department, agency or

898 other instrumentality of the commonwealth other than the Massachusetts Department of
899 Transportation, the other department, agency or instrumentality shall take such action.

900

901 SECTION 21. Notwithstanding any other general or special law to the contrary, all construction
902 contracts funded in whole or in part by the funds authorized by this act shall include a price
903 adjustment clause for each of the following: fuel, both diesel and gasoline, asphalt, concrete and
904 steel. A base price for each material shall be set by the awarding authority or agency and
905 included in the bid documents at the time a project is advertised. The awarding authority or
906 agency shall also identify in the bid documents the price index to be used for each material or
907 supply. The adjustment clause shall provide for a contract adjustment to be made on a monthly
908 basis when the monthly cost change exceeds plus or minus 5 per cent.

909

910 SECTION 22. Notwithstanding any other general or special law to the contrary, section 61 and
911 sections 62A to 62I, inclusive, of chapter 30, chapter 91 and section 40 of chapter 131 of the
912 General Laws shall not apply to bridge projects of the Massachusetts Department of
913 Transportation and the Massachusetts Bay Transportation Authority for the repair,
914 reconstruction, replacement or demolition of existing state highway, authority and municipally-
915 owned bridges, including the immediate approaches necessary to connect the bridges to the
916 existing adjacent highway and rail system, in which the design is substantially the functional
917 equivalent of, and in similar alignment to, the structure to be reconstructed or replaced; provided,
918 however, that said section 61 and said sections 62A to 62I, inclusive, of said chapter 30 shall
919 apply to the repair, reconstruction, replacement or demolition project where the project requires a
920 mandatory environmental impact report under 301 CMR 11.00; provided, further, that all such

921 work shall be subject to the requirements of the then current edition of the Massachusetts
922 Department of Transportation's Stormwater Handbook as approved by the department of
923 environmental protection under applicable law, that notice shall be published in the
924 Environmental Monitor of any application to the department of environmental protection for a
925 water quality certification, and that the work shall be subject to performance standards prescribed
926 by the department of environmental protection under section 401 of the Federal Clean Water Act
927 if applicable to the project; provided ,further, that notwithstanding the foregoing, said section 61
928 and said sections 62A to 62I, inclusive, of said chapter 30, said chapter 91 and said section 40 of
929 said chapter 131 shall apply to any portions of the bridge and roadway approaches to the crossing
930 of the Charles river for the Central Artery/Tunnel Project. If any state highway, authority or
931 municipal bridge crosses over a railroad right-of-way or railroad tracks, the department or
932 authority, as applicable, shall seek the opinion of a railroad company, railway company or its
933 assigns operating on the track of a necessary clearance between the track and the bridge, but the
934 department and the authority and their agents or contractors may enter upon any right-of-way,
935 land or premises of a railroad company or railway company or its assigns for purposes that the
936 department or authority may consider necessary or convenient to carry out this section. If a
937 flagman is needed to carry out the section, the railroad company, railway company or its assigns
938 shall provide the flagman, the cost which shall be borne by the bridge project except in the case
939 of a bridge transferred under chapter 634 of the acts of 1971. For the purposes of this section,
940 "bridge" shall include any structure spanning and providing passage over water, railroad right-
941 of-way, public or private way, other vehicular facility or other area. Any project exempted from
942 any law under this section shall be subject to the public consultation process required by the then

943 current version of the Massachusetts Department of Transportation's project development and
944 design guidebook.

945

946 SECTION 23. Notwithstanding any general or special law to the contrary, the unexpended
947 balances of all capital accounts which otherwise would revert on June 30, 2012, but which are
948 necessary to fund obligations during fiscal year 2013, are hereby re-authorized.

949

950 SECTION 24. Notwithstanding any general law or special law or rule or regulation to the
951 contrary, the Massachusetts Department of Transportation shall commission a study to determine
952 the impact on the public safety of transporting ethanol by train through the cities of Boston,
953 Cambridge, Chelsea, Everett and Revere, . Public safety issues to be studied shall include, but
954 not be limited to, the proximity to residences, elderly housing complexes, schools, hospitals,
955 health care facilities and other population and demographic characteristics and emergency
956 response capabilities. The report shall be completed not later than 6 months after the effective
957 date of this act, and copies of the report shall be provided to the house and senate committees on
958 ways and means, the executive office of public safety and security and the department of
959 environmental protection. The department of environmental protection shall not issue a license
960 under chapter 91 of the General Laws for the transportation of ethanol through the cities of
961 Boston, Cambridge, Chelsea, Everett and Revere until it has received the report.

962

963 SECTION 25. Notwithstanding any general or special law or regulation to the contrary, the
964 Massachusetts Department of Transportation shall commission a study to determine the

965 feasibility of constructing sound barriers along route 1 to coincide with future construction of
966 route 1 or Copeland circle in the town of Revere.

967

968 SECTION 26. (a) The Massachusetts Department of Transportation shall conduct a review to
969 determine whether some or all of the state highway yard land located at Granite avenue in the
970 town of Milton is no longer necessary for department needs. Upon completion of its review the
971 department shall notify the town of Milton if any portion of said land is unnecessary.

972

973 (b) Notwithstanding sections 40E to 40I, inclusive, of chapter 7 of the General Laws or any other
974 general or special law to the contrary, if the department determines that the land reviewed under
975 subsection (a) is not necessary for the purposes of the department, the Massachusetts Department
976 of Transportation may transfer the portion of land determined unnecessary to the town of Milton.

977

978 (c) The exact boundaries of the state highway yard land located at Granite avenue in the town of
979 Milton shall be determined by the secretary of transportation after completion of a survey. The
980 parcel may be conveyed by deed without warranties or representations by the commonwealth.

981

982 (d) The secretary of transportation shall, 30 days before any conveyance authorized by this
983 section, or any subsequent amendment thereto, submit the proposed conveyance and a report
984 thereon to the inspector general for the inspector general's review and comment. The inspector
985 general shall issue a review and comment within 30 days of receipt of the proposed conveyance.

986 The secretary of transportation shall submit the proposed conveyance, and the reports and

987 comments of the inspector general, if any, to the house and senate committees on ways and

988 means and the joint committee on state administration and regulatory oversight at least 30 days
989 before execution of said conveyance.

990

991 SECTION 27. The Massachusetts Department of Transportation shall commission a study to
992 determine the status of the redesign and reconfiguration projects in the Sullivan square and
993 Rutherford avenue area in the Charlestown section of the city of Boston. Said department shall
994 report on the findings of said study, including remaining obstacles to completion, to the chairs of
995 the house and senate committees on ways and means and the joint committee on transportation
996 on or before December 31, 2012.

997

998 SECTION 28. The Massachusetts Department of Transportation shall establish a telephone
999 hotline for citizens to have the ability to report trash, graffiti and signage obstructions along the
1000 commonwealth's roadways.

1001

1002 SECTION 29. The Massachusetts Bay Transportation Authority shall provide written notice to
1003 the clerks of the house of representatives and senate no less than 90 days prior to the extension of
1004 any commuter line service through the town of Walpole.

1005

1006 SECTION 30. Notwithstanding any general or special law to the contrary, the Massachusetts
1007 Department of Transportation shall develop standards for reviewing the state of repair of any
1008 bridges that span a public way. At the request of the governing body of a municipality in which
1009 such bridge is located, the department may, based upon such standards, make maintenance and
1010 repair recommendations for any such bridge that has, within the previous 10 year period, been

1011 used for the purpose of public safety. The standards shall be finalized on or before January 1,
1012 2013.

1013

1014 SECTION 31. Notwithstanding any general or special law to the contrary, upon a vote of the
1015 appropriate governing body of the city of Lowell, on or before July 1, 2017, no action shall be
1016 maintained for personal injuries or property damage from defective ways, by a person the
1017 combined weight of whose carriage or vehicle and load exceeds that of the heaviest public safety
1018 vehicle employed by the municipality where the bridge is located in whole or in part.

1019

1020 SECTION 32. A special commission is hereby established to consider the circumstances under
1021 which project labor agreements should be utilized in the construction, repair and improvements
1022 to road, bridge and rail in the commonwealth, including, but not limited to, consideration of their
1023 appropriateness and function, the impact of the agreements on the cost of such road, bridges and
1024 rail projects for which they are utilized, and the size, complexity and duration of the road,
1025 bridges and rail projects for which they should be utilized. Said commission shall consist of 5
1026 members: 1 of whom shall be the secretary of administration and finance or a designee; 1 of
1027 whom shall be the secretary of transportation or a designee; 1 of whom shall be the secretary of
1028 labor and workforce development or a designee; 1 of whom shall be the attorney general or
1029 designee; and 1 of whom shall be the auditor or a designee. The commission shall hold not less
1030 than 1 public hearing. Said commission shall report to the general court the results of its
1031 investigation and study, and its recommendations ,if any, together with drafts of legislation
1032 necessary to carry such recommendations into effect, by filing the same with the clerk fo the

1033 house of representatives who shall forward the same to the to the joint committee on labor and
1034 workforce development and joint committee on transportation on or before July 1, 2013.

1035

1036 SECTION 33. Notwithstanding any general or special law to the contrary, the Massachusetts
1037 Bay Transportation Authority shall convey to the town of Stoughton the Stoughton Depot
1038 Building and underlying land consisting of approximately 6,100 square feet located at 45
1039 Wyman street in the town of Stoughton, on the Providence/Stoughton commuter rail line and
1040 permanent easements which shall provide the right of access and use of 30 adjacent parking
1041 spaces divided between the area immediately adjacent to the Stoughton Depot Building on the
1042 northwest side and in an area to the northeast of the Stoughton Depot Building, such parcels
1043 more specifically described in the document entitled "Massachusetts Bay Transportation
1044 Authority Through Transit Realty Associates, LLC, MBTA 12470, Invitation to Bid, Sale of
1045 Stoughton Depot Building" dated May 23, 2012; provided, however, that the conveyance shall
1046 be subject to encumbrances duly recorded; and provided further that any payment required of the
1047 town of Stoughton, by the Massachusetts Bay Transportation Authority, which payment shall not
1048 exceed fair market value, shall be made free of interest and shall be payable over a period of not
1049 less than 10 years.

1050 SECTION 34. Section 7 shall take effect on January 1, 2013.