ATTACHMENT O

July 28, 2022

To the Honorable Senate and House of Representatives,

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts, I am returning to you for amendment Section 109 of House Bill No. 5050, “An Act Making Appropriations for the Fiscal Year 2023 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 109 proposes to make changes to membership of the South Boston Community Development Foundation which was established in 1997 to mitigate impacts on the South Boston community resulting from construction of the Boston Convention and Exhibition Center (“BCEC”) in South Boston. The Foundation receives financial contributions from the Massachusetts Convention Center Authority (“MCCA”) from certain events that are hosted at the BCEC as well as a portion of on-site parking revenue. The Foundation is then able to dispense funds for the benefit of the South Boston residential, charitable, and business communities.

This section would add two members to the Foundation. One would be appointed by the state senator from the first Suffolk district and would be required to be a veteran or active-duty service member, and one would be appointed by the state representative from the fourth Suffolk district who would be required to be a member of the local hospitality workforce. The Foundation currently permits the state senator and state representative or their designees to sit on the board but this participation comes without voting rights over the distribution of Foundation funds. The section as enacted by the Legislature would remove this restriction.

I am concerned about making a change that would allow elected members of the Legislature to direct funds in their districts outside of the legislative process and outside of their official capacity as elected officials. I am therefore proposing an amendment to the section that would allow the two additional members described above to join the Foundation; however, I would propose that the other provisions governing board membership remain intact.

For the reasons stated above, I recommend that section 109 be amended by striking out the section and inserting in place thereof the following section:-

SECTION 109. Paragraph (i) of subsection (g) of section 4 of chapter 152 of the acts of 1997, as amended by chapter 256 of the acts of 2006, is hereby further amended by inserting after the words “the representative from the fourth Suffolk district or his designee, who shall be a non-voting member;” the following words:- 1 member appointed by the senator from the first Suffolk district who shall be a veteran or active duty service member; 1 member appointed by the representative of the fourth Suffolk district, who shall be a member of the local hospitality workforce;.

Respectfully submitted,

Charles D. Baker

Governor