



Expansion and development of military installations in the Commonwealth

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

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance

1100-1590 For the improvement, expansion and development of military installations as recommended by the military asset and security strategy task force and for base realignment preparation and mitigation projects, as defined in section 33; provided that not less than \$250,000 be expended for the relocation and renovation of the Otis Memorial Park at Joint Base Cape Cod.....\$177,000,000

SECTION 3. Clause Forty-seventh of section 7 of chapter 4 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 4. Chapter 6 of the General Laws is hereby amended by adding the following section:-

Section 216. (a) Within the office of the governor, there shall be a military asset and security strategy task force which shall be chaired by the governor. The task force shall also be co-chaired with up to 2 current or former elected officials to be appointed by the governor, and shall include at least 1 member of the federal congressional delegation, who shall serve on the task force through at least the first full year of a new gubernatorial administration for continuity purposes. The task force shall consist of the following members: the secretary of public safety and security or a designee; the adjutant general of the Massachusetts national guard or a designee; the commander of the Massachusetts air national guard or a designee; the secretary of housing and economic development or a designee; the secretary of labor and workforce development or a designee; the secretary of energy and environmental affairs or a designee; the secretary of education or a designee; the secretary of administration and finance or a designee; the secretary of the Massachusetts Department of Transportation or a designee; the chief executive officer of the Massachusetts Port Authority or a designee; the secretary of the

department of veterans services or a designee; the president and chief executive officer of Massachusetts Development Finance Agency or a designee; 2 representatives from the defense sector appointed by the governor; 2 representatives from institutions of higher education appointed by the governor; 2 members of the senate appointed, 1 of whom shall be appointed by the minority leader; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader.

(b) The military asset and security strategy task force may:

(i) engage with representatives from the military, business community and government, including municipal officials and community members surrounding each installation in order to enhance, expand, add or otherwise improve missions, programs, facilities and operations on or affecting the military installations;

(ii) engage with community partners, including, but not limited to, chambers of commerce, business associations, education officials, workforce development officials, municipal officials, elected officials and veteran and military family support agencies, located in the vicinity of each military installation to create and expand upon the impact each installation has on the municipality and surrounding cities and towns;

(iii) engage with regional partners, including, but not limited to, Connecticut, Maine, New Hampshire, Vermont and Rhode Island to identify opportunities to finance and otherwise support military installations on a regional basis;

(iv) develop, coordinate and implement workforce training programs, infrastructure improvements, environmental and utility savings, housing renovations or construction and transportation improvements to support the missions at each military installation;

(v) identify initiatives that can be implemented to address or resolve operational or mission weaknesses at the military installations;

(vi) identify initiatives to support existing military installations and allow for future adaptive civilian use;

(vii) identify opportunities for local businesses, municipalities, state or public agencies, community colleges or other institutions of higher education to contract and partner with the military installations to provide goods, services, training or education;

(viii) consider establishing “military enterprise zones” to offer low-cost loans and other state assistance to municipalities and private businesses for initiatives that support existing military installations, encourage private investment and job creation and diversify and revitalize local economies, without encroaching on existing military installations; and

(xi) advise the governor and executive and legislative branch officials regarding efforts by the United States Department of Defense to close, realign, restructure, streamline or otherwise take actions that would impact the military installations.

(c) To the extent permitted by law, every agency within the executive branch and public agencies or authorities shall make all reasonable efforts to cooperate with the task force and to furnish all information and assistance requested by the task force.

(d) The governor, in consultation with the Massachusetts Development Finance Agency and the Massachusetts national guard, shall serve as the point of contact for the military asset and security strategy task force with federal, state and local elected and non-elected officials to coordinate with the military, government and the public and private sectors.

(e) The military asset and security strategy task force shall meet at times and places to be determined by the chair or co-chairs and may establish working groups, meetings, forums and any other activity deemed necessary to carry out its mandate.

(f) The military asset and security strategy task force, through the Massachusetts Development Finance Agency, may engage or contract with the University of Massachusetts or other institutions or entities to supply statistical data, reports, curriculum and other information and assistance necessary to support the work of the task force.

SECTION 5. Subsection (a) of section 3 of chapter 23G of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 217, the word “companies.” and inserting in place thereof the following words:- ; and

(35) to contract or enter into agreements, licenses and easements, with municipalities, the federal government, any agency thereof or any other person or entity including, but not limited to, the commonwealth, state and public agencies of the commonwealth, regional entities and utility companies, to provide utility services, including, but not limited to, electricity, gas, cable television, broadband and telephone services and to acquire, construct, maintain and operate any such systems for utility services.

SECTION 6. Subsection (g) of section 3 of chapter 32 of the General Laws, as so appearing, is hereby amended by striking out, in lines 286 and 287, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 7. Section 94 of said chapter 32, as so appearing, is hereby amended by striking out, in line 14, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 8. Section 94A of said chapter 32, as so appearing, is hereby amended by striking out, in lines 8 and 9, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 9. Section 94B of said chapter 32, as so appearing, is hereby amended by striking out, in lines 10 and 11, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 10. Section 100 of said chapter 32, as so appearing, is hereby amended by striking out, in line 89, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 11. Section 100A of said chapter 32 is hereby amended by striking out, in lines 36 and 37, as so appearing, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 12. Section 138 of chapter 33 of the General Laws, as so appearing, is hereby amended by striking out, in lines 4, 11 and 12, 13 and 14 and 18, the words “Massachusetts military reservation” and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

SECTION 13. Section 111F of chapter 41 of the General Laws, as so appearing, is hereby amended by striking out, in lines 21 and 23, the words “Massachusetts military reservation” and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

SECTION 14. Section 59A of chapter 48 of the General Laws, as so appearing is hereby amended by striking out, in line 8, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 15. Section 1 of chapter 148 of the General Laws, as so appearing, is hereby amended by striking out, in lines 7 and 8, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 16. Section 30A of chapter 149 of the General Laws, as so appearing, is hereby amended by striking out, in lines 28 and 29, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 17. Chapter 841 of the acts of 1974 is hereby amended by striking out, in line 8, the words “Massachusetts Military Reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 18. Section 1 of chapter 19 of the acts of 1988 is hereby amended by striking out, in line 6, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 19. Section 2 of chapter 352 of the acts of 2000 is hereby amended by striking out, in line 18, the words “Massachusetts Military Reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 20. Section 1 of chapter 47 of the acts of 2002 is hereby amended by striking out, in lines 6 and 9, the words “Massachusetts military reservation” and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

SECTION 21. Said section 1 of said chapter 47 is hereby further amended by striking out, in lines 9, 15 and 16, the word “MMR” and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

SECTION 22. Section 6 of said chapter 47 is hereby amended by striking out, in lines 4 and 8, the word “MMR” and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

SECTION 23. Section 8 of said chapter 47 is hereby amended by striking out, in lines 1, 14, 18 and 22, the word “MMR” and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

SECTION 24. Section 16 of said chapter 47 is hereby amended by striking out, in line 2, the word “MMR” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 25. Section 1 of chapter 240 of the acts of 2006 is hereby amended by striking out, in line 8, the words “Massachusetts Military Reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 26. Section 5 of said chapter 240 is hereby amended by striking out, in line 6, the words “Massachusetts Military Reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 27. Item 7100-1000 of section 2 of chapter 258 of the acts of 2008 is hereby amended by striking out the words “improvements to the Medical School’s Shriver Center facility in the city of Waltham” and inserting in place thereof the following words:- excess costs to relocate the Massachusetts Department of Transportation District 3 Headquarters from its present site to a new site, to enable transfer of its present site to the University for establishment of a collaboration between the Medical School and the Veterans Administration of Central Western Massachusetts to address health needs of veterans; provided, however, that “excess costs” shall be costs as defined in this line item which exceed the Massachusetts Department of Transportation’s cost for constructing a new headquarters on its present site and which are associated with its operational needs, such as fueling stations and communications infrastructure comparable to those currently existing at the present site.

SECTION 28. Section 13 of chapter 308 of the acts of 2008 is hereby amended by striking out, in lines 3 and 5, the words “Massachusetts military reservation” and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

SECTION 29. Section 14 of said chapter 308 is hereby amended by striking out, in line 2, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 30. Section 15 of said chapter 308 is hereby amended by striking out, in line

2, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 31. Section 16 of said chapter 308 is hereby amended by striking out, in line 3, the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 32. The first paragraph of section 1 of chapter 180 of the acts of 2012 is hereby amended by striking out the words “Massachusetts military reservation” and inserting in place thereof the following words:- Joint Base Cape Cod.

SECTION 33. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Base realignment preparation and mitigation projects”, the planning, permitting, design, environmental rehabilitation, or any combination thereof, of military installations, or portions of such installations, scheduled for partial or complete realignment, in order to minimize the economic and social impact of such reduced or eliminated use.

“MassDevelopment”, the Massachusetts Development Finance Agency as established by chapter 23G of the General Laws.

“Military installations mission improvement and expansion projects”, the planning, permitting, design, acquisition, purchase, ownership, use, reuse, rehabilitation, renovation, improvement, furnishing, equipping, construction, reconstruction, operation, development, mortgaging and sale, or any combination thereof, of military installations, and any components thereof, including military related-education projects on and off such installations, in accordance with this act and in furtherance of reducing operating costs and retaining and expanding mission and, whenever appropriate, the term shall also mean all lands, buildings, structures, parking and appurtenances.

(b) MassDevelopment shall be the public agency or instrumentality of the commonwealth authorized and empowered to do all acts and things necessary or convenient to oversee and implement military installations mission improvement and expansion projects or base realignment preparation and mitigation projects, including, without limitation, the acquisition, management and disposition of all or any portion of military installations, or interests therein, including improvements thereon and, without limitation, buildings and utility systems, equipment and personal property, all in accordance with the terms of this act. MassDevelopment may, to implement military installations improvement and expansion projects or base realignment preparation and mitigation projects in its own name or in conjunction with others, acquire title to the land, buildings and improvements that comprise all or any portion of military installations upon the transfer or disposition of any portion of the military installations by the federal government. Implementation of the projects shall be a corporate purpose of MassDevelopment under chapter 23G of the General Laws, and specifically shall be deemed an exercise of its powers under clause (6) of section 3 of said chapter 23G. MassDevelopment shall be reimbursed for its reasonable administrative costs and out of pocket expenditures, as

determined by the secretary of administration and finance, incurred in implementing this subsection.

SECTION 34. Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance shall, subject to such terms and conditions as the commissioner may prescribe, convey to the Massachusetts Department of Transportation a certain parcel of land owned by the commonwealth located in the towns of Mashpee, Bourne and Sandwich comprised of the railroad right-of-way generally shown on the plan entitled, "Massachusetts Military Reservation Cantonment Area Map". A copy of the plan is held in the offices of the division of capital asset management and maintenance. The exact boundaries of the parcel of land shall be determined by the commissioner, in consultation with the Massachusetts Department of Transportation, after completion of a land boundary survey to be obtained by the Massachusetts Department of Transportation. The Massachusetts Department of Transportation shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and lease preparation related to the conveyance authorized in this act as such costs may be determined by the commissioner of capital asset management and maintenance.

SECTION 35. To meet a portion of the expenditures necessary in carrying out section 2, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, but not exceeding in the aggregate the sum of \$177,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Military Mission Improvement and Expansion Act of 2014, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2049. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Notwithstanding any general or special law to the contrary, bonds and interest thereon issued under this section shall be general obligations of the commonwealth.

SECTION 36. The secretary of administration and finance shall submit a report on the progress of any projects funded under this act and included in the governor's 5-year capital investment plan to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means and the chairs of the senate and house committees on bonding, capital expenditures and state assets. The report shall include, but not be limited to: the previous year planned spending, previous year spending, current year planned spending, current year spending to date, original estimated total project cost, project description, including the purpose and intended use of the project, location of the project, type of spending, type of asset and useful life of the project once completed. The report shall be submitted on June 30 and December 31 of each year for a period of 8 years after the effective date of this act.

SECTION 37. The secretary of administration and finance shall, at least 30 days prior to the Massachusetts Development Finance Agency's execution of any contract in furtherance of any military installations mission improvement and expansion project or base realignment preparation and mitigation project, as defined in section 33, submit a report containing a

description of the project, the purpose of the project and its projected cost to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means and the chairs of the senate and house committees on bonding, capital expenditures and state assets.

SECTION 38. Notwithstanding any general or special law to the contrary, the unexpended and unencumbered balances of the bond-funded authorizations in the following accounts shall cease to be available for expenditure 90 days after the effective date of this act: 1100-1570, 1100-1580.

SECTION 39. Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may, with the concurrence of the adjutant general of the military forces of the commonwealth, convey to the Massachusetts Development Finance Agency for \$1 fee interests or any other title interest in or easements on any land or infrastructure owned by the commonwealth and located at Joint Base Cape Cod in the towns of Bourne, Falmouth, Mashpee and Sandwich and as more generally shown on a plan entitled "Massachusetts Military Reservation Cantonment Area Map" dated February 2007, by 1 or more conveyances or grants of easements. A copy of such plan is held in the offices of the division of capital asset management and maintenance. The exact boundaries of any land to be conveyed or easements to be granted shall be determined by the commissioner, in consultation with Massachusetts Development Finance Agency, after completion of a land boundary survey by Massachusetts Development Finance Agency in the event that such boundaries are not known. The Massachusetts Development Finance Agency shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys and appraisals related to the conveyance authorized in this section as such costs may be determined by the commissioner of capital asset management and maintenance. Any land conveyed from the commonwealth to Massachusetts Development Finance Agency shall be used for military purposes, or used for purposes consistent with chapter 23G of the General Laws, provided the land shall be used to encourage the development of marine science, education, energy, defense, aviation, environmental related businesses or any other economic development use that the adjutant general approves.