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senate committees on ways and means a copy of each such waiver application filed with the federal government, copies of correspondence to and from the federal government explaining and elaborating upon said applications, and final documentation of any waivers granted by the federal government upon their receipt. The department shall further file with said committees an explanation of how any waivers granted by the federal government will be implemented.

SECTION 141. Each provision of this act, shall, regardless of whether it includes a specific proviso, be subject to federal approval, if required, and federal financial participation. In any case in which the state fails to receive a waiver for any said provision of this act or otherwise would fail to receive federal financial participation in the implementation of such provision, then such provision shall not be implemented unless the full amount required for said implementation without federal participation is appropriated for said implementation.

SECTION 142. Any provision of this act that is inconsistent with federal law or regulations shall be void unless the department receives an exemption or waiver from the federal government to implement said provision.

SECTION 143. This act shall take effect upon its passage.

Approved February 10, 1995.

Chapter 6. AN ACT RELATIVE TO DEVELOPMENT OF CONVENTION FACILITIES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. It is hereby found and declared that the construction of a new convention center located within the city of Boston will enhance the city of Boston and the commonwealth overall and prevent the creation of any blighted open areas which would be detrimental to the safety, health, morals and welfare of the community.

It is hereby further found and declared that the construction of a new convention center in the city of Boston will: (1) induce large-scale national and international conventions, trade shows and meetings which cannot be accommodated at the existing Hynes Convention Center to locate and conduct their activities and business within the commonwealth; and (2) promote the prosperity and general welfare of all citizens of the commonwealth by increasing gainful employment, increasing the tax base of the commonwealth, and encouraging investment within and around the city of Boston as well as the commonwealth generally.

It is hereby further found and declared that a new convention center complex, and the resulting public benefits, would not occur solely by the operation of private enterprise and financing and that public financing of a convention center complex to some extent is essential for the creation of such a facility.

SECTION 1A. To provide for supplementing certain items in the general appropria-

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tion act for the fiscal year ending June thirtieth, nineteen hundred and ninety-five, the sums set forth in section two are hereby appropriated for the several purposes and subject to conditions specified in chapter sixty of the acts of nineteen hundred and ninety-four and subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in said chapter sixty for the fiscal year ending June thirtieth, nineteen hundred and ninety-five; provided, however, that the sums so appropriated shall be in addition to any amounts made available for said purposes.

SECTION 2.

1599-9955 For the costs associated with conducting the studies provided by section three of this act; provided, however, that the amount appropriated shall be transferred no later than ten days after the effective date of this act to the Massachusetts Convention Center Authority for the purposes stated herein; and provided, further, that any remaining balance after the completion of the requirements stated herein shall be transferred to the General Fund \$1,000,000

SECTION 3. There shall be established a thirteen person commission to make formal recommendations and to file proposed legislation for the selection and acquisition of the site, design, costs, development and construction of a new convention center containing not less than six hundred thousand square feet of exhibition space to accommodate large-scale national and international conventions and trade shows. Said commission shall consist of one person appointed by the governor, the executive director of the Boston Redevelopment Authority, the executive director of the Massachusetts Convention Center Authority, five members of the house of representatives to be appointed by the speaker of the house of representatives and five members of the senate to be appointed by the president of the senate. Section two A of chapter four of the General Laws shall not be applicable to said commission. Seven members of the commission shall constitute a quorum and a majority of all members present and voting shall be required for any action voted by said commission, including, but not limited to, voting on formal recommendations or proposed legislation. The chair of the commission shall be selected by the members thereof.

The commission shall include, but not necessarily limit its review, analysis and consideration to the following sites: (a) the "C" Street site in the Fort Point channel district of the city of Boston; (b) the Northern avenue site in the Fort Point channel district of the city of Boston; (c) the existing Hynes Convention Center; (d) the South Bay site; and (e) the Massachusetts Avenue/Crosstown site, as each are further identified in an interim report prepared by the Boston Redevelopment Authority entitled "Boston's New Exposition Center and Stadium" dated October 4, 1994.

The commission, as part of its review, analysis and consideration of each site, shall focus on the following issues and impacts:

- (1) whether the site is appropriate to build a convention center having the design and amenities necessary to attract large scale conventions and trade shows;
- (2) whether the site is large enough to construct a convention center of at least six

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hundred thousand square feet of exhibition space;

(3) whether the site is accessible to transportation, hotels and other attractions;

(4) whether the site is accessible to pedestrians;

(5) whether the site is publicly or privately owned; if privately owned, the number of different owners;

(6) whether use of the site for a convention center would result in displacement of any businesses, homeowners and tenants;

(7) whether use of the site's use as a convention center would result in any loss of jobs presently on the site;

(8) whether the site would attract other economic development to its area, such as hotels, businesses, restaurants, etc.;

(9) whether the site enhances the convention center's marketability;

(10) whether use of the site results in any loss of tax revenue to the city of Boston;

(11) whether the site presents any preparation concerns;

(12) whether the site presents any environmental concerns;

(13) whether the site presents any geotechnical concerns;

(14) whether the site would require any traffic and service infrastructure modifications and improvements;

(15) whether the site would have an adverse impact on adjacent neighborhoods regarding traffic, noise and other quality of life issues;

(16) whether use of the site as a convention center would be compatible with the existing uses and future plans for the adjacent neighborhood;

(17) whether the site would provide an opportunity for future expansion; and

(18) the cost of a six hundred thousand square foot convention center at each site, including land acquisition, site preparation, construction, business relocation, infrastructure and associated costs.

Said commission, as part of its review, shall study the need, feasibility, costs, financing and benefits of constructing an integral fixed-seating component as part of the new convention center or a separate facility not part of the new convention center, with a capacity of seventy thousand spectators more or less, making dual use of a portion of the space for civil, religious, recreational, entertainment and athletic events, including professional football and major league baseball, which shall include, but not necessarily be limited to:

(a) the incremental cost of constructing and operating the fixed-seating component as an integral part of the new convention center;

(b) the cost of constructing and operating a separate facility;

(c) the incremental effect of the additional fixed-seating component on convention and trade show attendance;

(d) identification, projected attendance, economic and fiscal effects, and frequency of events that could be accommodated in the fixed-seating component but could not be accommodated in a facility lacking the fixed seating component;

(e) the incremental effects of a fixed-seating component on the economic and fiscal benefits to the commonwealth;

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(f) the expected incremental operating revenues and expenses of a fixed-seating component, including revenues and expenses that might result from an agreement with the National Football League franchise known as the New England Patriots, or from an agreement with the Major League Baseball franchise known as the Boston Red Sox;

(g) the adverse economic impacts on other regions of the state of the construction of a seventy thousand seat, fixed-seating component of the new convention center facility or of any construction of a football stadium or baseball park in connection with the expanded convention center facility; and

(h) the feasibility, costs and financing, whether public or private or a combination thereof, of constructing a separate football stadium to be used by the National Football League franchise known as the New England Patriots and a separate baseball park to be used by the Major League Baseball franchise known as the Boston Red Sox.

Said commission, as part of its review, analysis and consideration of each site to the extent the commission reasonably determines such studies or components thereof to be practicable and warranted, shall have conducted a comprehensive environmental study of each site pursuant to chapter twenty-one E of the General Laws, a comprehensive traffic and parking study relating to each site and other geotechnical or preparatory tests or studies relating to said commission's review pursuant to this section. Said report shall also contain proposed legislation to finance the new convention center, and shall review public and private financing options and alternative methods of financing subject to applicable laws and regulations. The Massachusetts Convention Center Authority shall pay the costs and expenses of tests or studies authorized by item 1599-9955 in section two, which the commission deems necessary and approves.

Said commission shall consult with the Boston Redevelopment Authority and the Massachusetts Convention Center Authority, utilizing the respective and relevant experience and expertise of said authorities, in performing said commission's review, analysis and consideration pursuant to this act.

The Boston Redevelopment Authority and the Massachusetts Convention Center Authority are further authorized and directed to provide to the commission joint recommendations necessary or relevant to the discharge of the commission's duties. If said Boston Redevelopment Authority and said Massachusetts Convention Center Authority fail to agree on such joint recommendations then each entity is further authorized and directed to provide a separate written comment and evaluation of the issues which are in dispute. Said commission shall consider all such recommendations, comments, and evaluations in the discharge of its duties, but shall not be bound by any joint recommendations or separate evaluations.

Said commission shall submit a copy of a final report of its findings resulting from its review, analysis and consideration, including a site recommendation, to the governor, president of the senate, speaker of the house of representatives, chairmen of the house and senate committees on ways and means, the chairmen of the house and senate committees on state administration and the chairmen of the house and senate committees on commerce and labor on or before June first, nineteen hundred and ninety-five, and shall file said report with

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the clerk of the house of representatives; provided, however, that said commission may submit to the above named persons an interim report or reports before June first, nineteen hundred and ninety-five, if said commission determines such an interim report or reports necessary in performing said commission's review, analysis and consideration pursuant to this act.

Said commission, in consultation with the mayor of the city of Springfield, shall conduct a study of the renovation, construction and expansion of the civic and convention centers in the city of Springfield, including the use of the Steiger's site, so-called, in said city, which might be necessary to increase capacity in the commonwealth for activities such as conventions, trade shows, concerts, theatrical exhibitions and recreational activities, including shows, expositions and professional and amateur athletic events. Said study shall focus on (1) the need for an expanded convention and civic center; (2) the nature and costs of renovations and construction; (3) public and private financing of said renovations and construction; (4) the potential economic impact on the city of Springfield; (5) the impact on traffic, parking and environment in the city of Springfield, and (6) the ownership and management of said facilities. Said commission shall, in consultation with the mayors of the cities of Fitchburg, Marlboro and Lowell, conduct a study of the renovation, construction and expansion of existing or proposed civic and convention centers in said cities, which might be necessary to increase capacity in the commonwealth for activities, such as conventions, trade shows, concerts, theatrical exhibitions and recreational activities, including shows, expositions and professional and amateurs athletic events. A copy of the results of said studies shall be submitted to the governor, president of the senate, speaker of the house of representatives, chairmen of the house and senate committees on ways and means, the chairmen of the house and senate committees on state administration and the chairmen of the house and senate committees on commerce and labor on or before December first, nineteen hundred and ninety-five and said commission shall file the results of said study with the clerk of the house of representatives.

Said commission is further directed to review and evaluate the costs and benefits associated with the expansion, modernization, or creation of additional convention facilities in other regions of the commonwealth. Said study shall include consideration of a convention center in the city of Haverhill. Said study shall include consideration of establishing a southeastern Massachusetts conference and convention center at the University of Massachusetts at Dartmouth and, for said purpose, the commission shall consult with the Southeastern Regional Planning and Economic Development District, the Bristol County Convention and Visitors Bureau and regional chambers of commerce. Said study shall include consideration of establishing a southeastern Massachusetts conference and convention center in the southeastern Massachusetts region, and for said purpose, the commission shall consult with the appropriate regional planning and economic development districts, county convention and visitors bureaus, and regional chambers of commerce. Said study shall include consideration of establishing a Cape Cod convention center in the mid-Cape area, and for said purpose the commission shall consult with the Cape Cod Economic Development Council. Said study shall include consideration of establishing a

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Fort Devens regional convention center in central Massachusetts and, for said purpose, the commission shall consult with the Devens enterprise commission. A copy of the results of said studies shall be submitted to the governor, president of the senate, speaker of the house of representatives, chairmen of the house and senate committees on ways and means, the chairmen of the house and senate committees on state administration and the chairmen of the house and senate committees on commerce and labor on or before July first, nineteen hundred and ninety-six and said commission shall file the results of said study with the clerk of the house of representatives.

Any department, division, commission, public body, authority, board, bureau or agency of the commonwealth or the city of Boston is hereby authorized, empowered and directed to cooperate with the commission for the purpose of providing information deemed relevant to the construction, operation and maintenance of vehicular, mass transportation, convention center and pedestrian access facilities for the new convention center in said city of Boston and for the renovation and construction of the civic and convention center in the city of Springfield and in other regions of the commonwealth.

The commission shall be dissolved as of September first, nineteen hundred and ninety-six.

SECTION 4. The executive office of transportation and construction and the department of highways are hereby authorized and directed to prepare a plan detailing all the options, with associated costs and benefits of each, for a project to alleviate traffic congestion on Route 1 north and south to improve public access to Foxborough stadium in the town of Foxborough. Said plan shall consider the option of widening Route 1 north and south from the entrances and exits at Foxborough stadium north to interstate Route 95 and south to interstate Route 495. Said executive office and said department shall file said plan with the house and senate committees on ways and means not later than June first, nineteen hundred and ninety-five.

SECTION 5. This act shall take effect upon its passage.

Approved February 10, 1995.

Chapter 7. AN ACT ESTABLISHING A SICK LEAVE BANK FOR ANTONETTE TOCCHIO, AN EMPLOYEE OF THE DEPARTMENT OF EDUCATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately establish a sick leave bank for a certain employee of the department of education, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law, rule or regulation to