

HOUSE No. 7808

The Commonwealth of Massachusetts



FRANCIS W. SARGENT
GOVERNOR

EXECUTIVE DEPARTMENT
STATE HOUSE . BOSTON 02133

November 16, 1973

TO THE HONORABLE SENATE AND HOUSE OF REPRESENTATIVES:

In accordance with the provisions of Article LVI of the Amendments to the Constitution, I am returning, herewith, House Bill No. 3100 entitled "AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY FOR THE CONSTRUCTION OF ICE SKATING RINKS AND SWIMMING POOLS, AND PROVIDING FOR REIMBURSEMENT OF ONE QUARTER OF THE COST OF SUCH CONSTRUCTION FROM CERTAIN FUNDS."

This bill authorizes cities and towns to borrow money in order to construct and equip ice skating rinks and swimming pools. It also provides that such cities and towns within the Metropolitan Parks District shall be reimbursed for one quarter of the cost of construction from the Metropolitan Parks District Fund and that similar reimbursement to other cities and towns shall be made from the State Recreation Areas Fund.

There is significant merit to encouraging the cities and towns to construct their own rinks and pools, especially because the demand for such facilities exceeds the ability of the State and the Metropolitan District Commission to provide them. However, the bill contains a number of deficiencies which could seriously hinder the effectiveness of the proposed program.

Federal funding is available through the Interior Land and Water Conservation Fund Program. One of the requirements of obtaining such assistance is that the facility conform to a state-approved master plan. This bill does not contain such a requirement. Nor does it specifically authorize the Metropolitan District Commission or the Commissioner of Natural Resources to approve the proposed site. I think this is essential to assure compatibility with appropriate land use policy and to assure appropriate spacing of facilities. In addition, there is no specific requirement that the approval of plans and specifications by the Metropolitan District Commission or by the Commissioner of Natural Resources be obtained in advance of the start of construction. This should be clearly expressed in the bill.

The amendments which I am recommending insert the following requirements: that the Secretary of Environmental Affairs determine, prior to the start of construction, that the facility will conform to the State Comprehensive Outdoor Recreation Plan; that the Secretary of Environmental Affairs and the Commissioner of Administration determine, before construction is commenced, that sufficient funds for reimbursement will be available; and, that the approval of the site, plans, and specifications also be obtained before construction is begun. In addition, I am recommending that projects which meet the requirements and are authorized by vote of a city council or town meeting after July 1, 1974 shall be eligible for reimbursement. This will allow the agencies to prepare the review processes. To permit the reimbursement to be available to projects authorized as early as January 1, 1974, as proposed in the bill, would result in a cost to the State of approximately \$830,000 from the metropolitan area alone.

I therefore recommend that House Bill No. 3100 be amended as follows:-

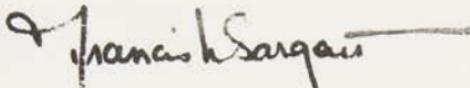
By striking out all after the enacting clause and inserting in place thereof the following:-

SECTION 1. Section 7 of chapter 44 of the General Laws is hereby amended by adding the following clause:-

(23) For acquiring land, preparing plans and specifications, constructing and originally equipping ice skating rinks and swimming pools, fifteen years, four per cent; provided that the secretary of the executive office of environmental affairs determines prior to the start of construction, that the proposed facility will conform to the state comprehensive outdoor recreation plan; provided that the secretary of the executive office of environmental affairs, in conjunction with the commissioner of administration, determines that sufficient funds for reimbursement will be available; provided, that the site, plans and specifications for such ice skating rinks and swimming pools have been submitted and approved in advance of the start of construction by the metropolitan district commission in the case of cities and towns comprising the metropolitan parks district and by the commissioner of natural resources in the case of all other cities and towns; and, provided further, that cities and towns comprising the metropolitan parks district shall be reimbursed upon the completion of such rinks or pools up to one quarter of the cost of their construction from the metropolitan parks district fund, and all other cities and towns shall be reimbursed upon such completion up to one quarter of the cost of construction from the state recreation areas fund, from such funds as are appropriated therefor.

SECTION 2. Any project which complies with the requirements of section one of this act and was authorized by vote of a city council or town meeting on or after July first, nineteen hundred and seventy-four, shall be eligible for reimbursement under this act.

Respectfully submitted,

A handwritten signature in black ink, reading "Francis Sargau". The signature is written in a cursive style with a long horizontal line extending to the right.

Governor
Commonwealth of Massachusetts

