
Chapter 112. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO PAY OR PROVIDE FOR CERTAIN COSTS RELATED TO THE OPERATIONS, SALE, TRANSFER, OR CLOSURE OF SPRINGFIELD MUNICIPAL HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law, city charter provision or local ordinance to the contrary, the city of Springfield is hereby authorized to borrow, upon the order of the mayor, and with the approval of the city council, which approval shall not be subject to the provisions of section twenty-three of chapter forty-three of the General Laws, at one time or from time to time, and as provided for herein, such sums as the commissioner of revenue shall approve as related to the sale, transfer, or closure of the Springfield Municipal Hospital or deficits deriving from the operation thereof, but in no event in an amount in the aggregate in excess of thirty million dollars, and to issue therefor bonds or notes of said city of Springfield. Upon the order of the mayor, and approval of the city council, and as approved by the commissioner of revenue, the proceeds of such bonds or notes shall be used to pay costs, expenses or liabilities, or to defray deficits, relating to or deriving directly or indirectly from the operations, sale, transfer or closure of the Springfield Municipal Hospital.

Bonds or notes issued under authority of this act shall be in such form, and include such terms and conditions, as the commissioner of revenue shall approve and shall be general obligation bonds or notes of the city of Springfield. Bonds or notes issued under authority of this act shall be eligible to be issued as qualified bonds pursuant to chapter forty-four A of the General Laws. Notwithstanding the provisions of section five of said chapter forty-four A or any other general or special law to the contrary, the maturity of any bond or note issued under authority of this act shall not be after June thirtieth of the year two thousand and six.

The maturities of each issue of bonds or notes authorized under authority of this act, including any refunding bonds, may, if approved by the city officers authorized to issue said bonds or notes and the commissioner of revenue, be arranged so that for each issue the amounts payable in the several years for principal and interest combined are as nearly equal as is practicable in the opinion of the officers authorized to issue said bonds or notes, or in the alternative, in accordance with a schedule providing for a more rapid amortization of principal.

SECTION 2. To the extent that the city of Springfield has not issued bonds or notes in the full amount authorized under section one, the city, by order of the mayor and with the approval of the city council, and with the approval of the commissioner of revenue, and subject to such terms, conditions, and requirements as said commissioner may impose, may capitalize such sums as said commissioner approves as expenses, liabilities or deficits resulting directly or indirectly from the operations, transfer, sale or closure of the Springfield Municipal Hospital, hereinafter an amortization amount, and fund such amortization amount over a term not to exceed two years. In no event shall any amortization authorized pursuant to the authority of this section extend beyond June thirtieth, nineteen hundred and ninety-

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eight. An amortization amount approved by said commissioner as authorized herein shall be funded by the city in annual installments as amounts to be raised pursuant to such schedule as said commissioner shall require or by the issuance of bonds or notes pursuant to the authority of section one, or by a combination of both. Amounts to be raised in each fiscal year under authority of this section shall be determined and certified by said commissioner and amortization in any fiscal year shall be permissible only to the extent that said commissioner determines and approves with respect to each year that such amortization is necessary and appropriate to achieving and maintaining fiscal stability in said city of Springfield.

SECTION 3. Indebtedness incurred under the provisions of this act shall not be included in determining the statutory limit of indebtedness of the city of Springfield under section ten of chapter forty-four of the General Laws but, except as provided for herein, shall otherwise be subject to the provisions of said chapter forty-four.

Amounts raised to pay indebtedness incurred under authority of section one or to fund amortization amounts pursuant to the provisions of section two shall be subject to the provisions of section twenty-one C of chapter fifty-nine of the General Laws.

SECTION 4. Notwithstanding the provisions of section sixty-three of chapter forty-four of the General Laws or any other general or special law to the contrary, upon the order of the mayor, with the approval of the city council, and with the approval of the commissioner of revenue, and without further appropriation, the proceeds from the transfer or sale of the real estate, personal property, accounts receivable or other assets of the Springfield Municipal Hospital shall be used to pay costs, expenses or liabilities, or to defray deficits, relating to or deriving directly or indirectly from the operations, sale, transfer or closure of said Springfield Municipal Hospital.

SECTION 5. In any year during which bonds or notes authorized under the provisions of this act remain outstanding, or any amortization amounts determined pursuant to the authority of this act remain unfunded, the commissioner of revenue shall not certify the annual tax rate of the city of Springfield until an audit report for the preceding fiscal year has been received and accepted by said commissioner. Such audit report shall be prepared by a certified public accountant in accordance with generally accepted auditing standards and include accompanying financial statements.

In any year during which bonds or notes authorized under the provisions of this act remain outstanding, or any amortization amounts determined pursuant to the authority of this act remain unfunded, the city shall submit to said commissioner quarterly reports presenting a budget to actual comparison of revenues and expenditures. Such written reports shall be submitted within thirty days of the conclusion of each fiscal quarter and shall be in such form and include such information and detail as said commissioner may prescribe.

In any year during which bonds or notes authorized under the provisions of this act remain outstanding, or any amortization amounts determined pursuant to the authority of this act remain unfunded, the city shall not issue any bond, note or other form of indebtedness without written notification to, and the approval of said commissioner.

Upon the city demonstrating to the commissioner of revenue evidence of the city

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achieving a balanced budget for three consecutive fiscal years, the city shall not be required to notify or seek the approval of said commissioner before the issuance of any bond, note or other form of indebtedness.

SECTION 6. This act shall take effect upon its passage.

Approved June 5, 1996.

Chapter 113. AN ACT PROVIDING FOR AN ACCELERATED TRANSPORTATION DEVELOPMENT AND IMPROVEMENT PROGRAM FOR THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for an accelerated transportation development and improvement program for the commonwealth, 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:

SECTION 1. To partially provide for a program of transportation development and improvements in anticipation of additional sums to be appropriated subsequent to this act, the sums set forth in sections two and two A, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and approval thereof.

SECTION 2.

EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.

Massachusetts Highway Department.

6033-1961 For projects, pursuant to the provisions of sections six and seven, on the interstate federal aid highway system; provided, that said sum may be expended for the costs of said projects including, but not limited to, the non-participating portions of such projects and the costs of engineering and other services essential to such projects, rendered by department employees or by consultants; provided further, that amounts expended for department employees may include the salary and salary related expenses of such employees to the extent that they work on or in support of such projects, provided that such expenses are federally reimbursed; provided further, that notwithstanding the provisions of any general or special law to the contrary, or any other provision of this act, the department shall not enter into any obligations for projects which are eligible to receive federal funds pursuant to the authority granted under this act unless state matching funds exist which have been specifically authorized and