

## The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT  
STATE HOUSE, BOSTON, June 18, 1971.

*To the Honorable Senate and House of Representatives:*

Pursuant to G.L. c. 7, s. 4, I am submitting herewith legislation relative to inclusion in the lease of the Charles F. Hurley Employment Security Building to the Division of Employment Security of certain provisions necessary to obtain federal funds to meet the costs of construction, operation, maintenance and repair of said building and land appurtenant thereto.

Under St. 1960, c. 635, s. 6, the Government Center Commission was authorized to construct, among other things, what is now known as the Charles F. Hurley Employment Security Building, and the State Superintendent of Buildings was authorized to lease the completed building to the Division of Employment Security. While such a lease between two state agencies is unusual and would ordinarily be unnecessary, its purpose here is to recover the total costs of construction, operation and maintenance of the building and its appurtenances from the Federal Government: under the lease, the Division of Employment Security would pay "rental" for use of the building, as well as operation and maintenance costs, from funds provided to it by the United States Department of Labor, and this "rental" would be sufficient to pay the full debt service on the Commonwealth bonds issued to finance the building's construction.

The Department of Labor now insists upon the inclusion of certain provisions in the lease which were not anticipated by the draftsmen of the existing legislation. Most of these provisions are of a technical nature, dealing with the rights of the parties in the unlikely event that the Division of Employment Security vacates the premises during the term of the lease. The Department of Labor also insists that the Division of Employment Security, after the expiration of the twenty-year term of the lease, have an option to renew it as many times as the Division wishes — rather than only once, as the present law seems to provide.

The Division of Employment Security has been occupying and using the premises for more than a year at the expense of the Commonwealth. Well over \$1,000,000 is owing in back "rental". Yet

the Federal Government has paid nothing and will pay nothing until the provisions referred to are included in the lease.

The purpose of the appended legislation is to permit insertion of these federally-required provisions in the lease, so that federal reimbursement for the cost of constructing, operating and maintaining the premises can begin. I strongly recommend that this legislation be enacted.

Respectfully submitted,

CHARLES E. SHEPARD,  
*Commissioner of Administration.*

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT RELATIVE TO INCLUSION IN THE LEASE OF THE CHARLES F. HURLEY EMPLOYMENT SECURITY BUILDING TO THE DIVISION OF EMPLOYMENT SECURITY OF CERTAIN PROVISIONS NECESSARY TO OBTAIN FEDERAL FUNDS TO MEET THE COSTS OF CONSTRUCTION, OPERATION, MAINTENANCE AND REPAIR OF SAID BUILDING AND LAND APPURTENANT THERETO.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. The third paragraph of section 6 of chapter 635  
2 of the acts of 1960, as appearing in section 2 of chapter 685 of  
3 the acts of 1962, is hereby amended by inserting after the ninth  
4 sentence the following sentence: — Said lease shall also contain  
5 such further provisions as are required by any federal rule or  
6 regulation established by the United States Department of Labor,  
7 or by the Manpower Administration, as a condition to the use of  
8 federal funds for the payment of the rental to be charged for the  
9 use of said building and land appurtenant thereto, or for the  
10 payment of the costs of operation, maintenance and repair  
11 thereof.

1 SECTION 2. Said paragraph of said section 6 of said chapter  
2 635, as so appearing, is hereby further amended by inserting after  
3 the word "option", in line 39, the following words: — from time  
4 to time.

1 SECTION 3. Said paragraph of said section 6 of said chapter  
2 635, as so appearing, is hereby further amended by striking out,  
3 in lines 43 and 44, the words "Said renewal of said lease shall  
4 not" and inserting in place thereof the following words: — No  
5 such renewal of said lease shall.

The Constitution of the State

Article I. The Legislative Branch

Section 1. The legislative power shall be vested in a Senate and House of Representatives, which shall be styled "The General Assembly".

Section 2. The Senate shall be composed of members elected for terms of four years.

Section 3. The House of Representatives shall be composed of members elected for terms of two years.

Section 4. The General Assembly shall have the power to impeach and remove any officer of the State.

Section 5. The General Assembly shall have the power to originate and pass all bills for raising revenue.