

By Mr. Karol of Attleborough, petition of Stephen J. Karol relative to further regulating the issuance of revenue bonds by the Massachusetts Health and Educational Facilities Authority. Education.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

AN ACT FURTHER REGULATING THE ISSUANCE OF REVENUE BONDS BY THE MASSACHUSETTS HEALTH AND EDUCATIONAL FACILITIES AUTHORITY.

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. Chapter 614 of the acts of 1968 is hereby
2 amended by striking out section 1, as most recently amended by
3 section 1 of chapter 419 of the acts of 1984, and inserting in place
4 thereof the following section: —

5 Section 1. It is hereby declared that for the benefit of the people
6 of the commonwealth, the increase of their commerce, welfare and
7 prosperity and the improvement of their health and living
8 conditions it is essential that this and future generations of youth
9 be given the fullest opportunity to learn and to develop their
10 intellectual and mental capacities; that it is essential that
11 institutions for higher education, institutions for secondary
12 education, institutions for elementary education, and schools for
13 the handicapped within the commonwealth be provided with
14 appropriate additional means to assist such youth in achieving the
15 required levels of learning and development of their intellectual
16 and mental capacities; that it is essential that hospitals within the
17 commonwealth be provided with appropriate additional means
18 to expand, enlarge and establish health care, hospital and other
19 related facilities; that it is essential that cultural institutions within
20 the commonwealth be provided with appropriate additional
21 means to expand the services and resources which they offer for
22 the intellectual and artistic enrichment of the people of the

23 commonwealth and for educational and scientific purposes; and
24 that it is the purpose of this act to provide a measure of assistance
25 and an alternative method to enable institutions for higher
26 education, institutions for secondary education, institutions for
27 elementary education, schools for the handicapped, hospitals and
28 cultural institutions in the commonwealth to provide the facilities
29 and structures which are sorely needed to accomplish the purposes
30 of this act, all to the public benefit and good, to the extent and
31 manner provided herein.

1 SECTION 2. Section 3 of chapter 614 of the acts of 1968 is
2 hereby amended by striking out paragraph (b), as appearing in
3 section 1 of chapter 789 of the acts of 1985, and inserting in place
4 thereof the following paragraph: —

5 (b) "Project", in the case of a participating institution for higher
6 education, a participating institution for secondary education, a
7 participating institution for elementary education or participating
8 institution for the handicapped, a structure or structures suitable
9 for use as a dormitory or other multi-unit housing facility for
10 students, faculty, officers or employees, a dining hall, student
11 union, administration building, academic building, library,
12 laboratory, research facility, classroom, athletic facility, health
13 care facility, maintenance, storage or utility facility and other
14 structures or facilities related to any of the foregoing or required
15 or useful for the instruction of students or the conducting of
16 research or the operation of an institution for higher education,
17 a participating institution for secondary education, a participating
18 institution for elementary education, or participating institution
19 for the handicapped, including parking and other facilities or
20 structures essential or convenient for the orderly conduct of such
21 institution for higher education, a participating institution for
22 secondary education, a participating institution for elementary
23 education, or participating institution for the handicapped, and
24 shall also include landscaping, site preparation, furniture,
25 equipment and machinery and other similar items necessary or
26 convenient for the operation of a particular facility or structure
27 in the manner for which its use is intended and shall further include
28 any furnishings, equipment, machinery and other similar items
29 necessary or convenient for the operation of an institution of

30 higher education, a participating institution for secondary
31 education, a participating institution for elementary education, or
32 participating institution for the handicapped, whether or not such
33 items are related to a particular facility or structure financed under
34 this act, but shall not include such items as books, fuel, supplies
35 or other items the cost of which are customarily deemed to result
36 in a current operating charge, and shall not include any facility
37 used or to be used for sectarian instruction or as a place of religious
38 worship nor any facility which is used or to be used primarily in
39 connection with any part of the program of a school or department
40 of divinity for any religious denomination; and, in the case of a
41 participating hospital, a structure or structures suitable for use
42 as a hospital, clinic, comprehensive gerontology facility, nursing
43 home, or other health care facility, laboratory, laundry, nurses or
44 interns residence or other multi-unit housing facility for staff,
45 employees, patients or relatives of patients admitted for treatment
46 in such hospital, or for the aged, doctors office building,
47 administration building, research facility, maintenance, storage or
48 utility facility and other structures or facilities related to any of
49 the foregoing or required or useful for the operation of a hospital,
50 including parking and other facilities or structures essential or
51 convenient for the orderly conduct of such hospital, and shall also
52 include landscaping, site preparation, furniture, equipment and
53 machinery and other similar items necessary or convenient for the
54 operation of a particular facility or structure in the manner for
55 which its use is intended and shall further include any furnishings,
56 equipment, machinery and other similar items necessary or
57 convenient for the operation of a hospital, whether or not such
58 items are related to a particular facility or structure financed under
59 this act, but shall not include such items as fuel, supplies or other
60 items the cost of which are customarily deemed to result in a
61 current operating charge; and in the case of a particular cultural
62 institution, a structure or structures suitable for its purposes,
63 whether or not to be used to provide educational services, or
64 research resources and shall also include supporting facilities,
65 landscaping, site preparation, furniture, equipment, machinery
66 and other related items and shall further include any furnishings,
67 equipment, machinery and other similar items necessary or
68 convenient for the operation of a cultural institution, whether or

69 not such items are related to a particular facility or structure
70 financed under this act, but shall not include books, works of art,
71 or other items for display or, exhibition, or items the cost of which
72 are customarily deemed to result in a current operating charge;
73 and "project" may include any combination of one or more of
74 the foregoing undertaken jointly by one or more participating
75 institutions with each other or with other parties.

1 SECTION 3. Paragraph (m) of section 3 of said chapter 614,
2 as amended by section 3 of chapter 419 of the acts of 1984, is
3 hereby further amended by inserting after the word "education",
4 in line 2, the words: —, an institution for secondary education,
5 an institution for elementary education.

1 SECTION 4. Paragraph (n) of section 3 of said chapter 614,
2 as amended by section 3 of said chapter 419, is hereby further
3 amended by inserting after the word "education", in line 2, the
4 words: —, a participating institution for secondary education, a
5 participating institution for elementary education.

1 SECTION 5. Said section 3 of said chapter 614 is hereby
2 further amended by adding the following four paragraphs: —

3 (q) "Institution for secondary education", a nonprofit
4 secondary school within the commonwealth which is accredited
5 by a recognized accrediting body.

6 (r) "Participating institution for secondary education", an
7 institution for secondary education which, pursuant to the
8 provisions of this act, undertakes the financing and construction
9 or acquisition of a project or undertakes the refunding or
10 refinancing of obligations or of a mortgage or of advances as
11 provided in this act.

12 (s) "Institution for elementary education", a nonprofit
13 elementary school within the commonwealth which is accredited
14 by a recognized accrediting body.

15 (t) "Participating institution for elementary education", an
16 institution for elementary education which, pursuant to the
17 provisions of this act, undertakes the financing and instruction
18 or acquisition of a project or undertakes the refunding or
19 refinancing of obligations or of a mortgage or of advances as
20 provided in this act.