

By Ms. McGovern, a petition (accompanied by bill, Senate, No. 124) of Patricia McGovern for legislation to improve the conditions of court facilities. Counties.

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**The Commonwealth of Massachusetts**

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

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**AN ACT TO IMPROVE THE CONDITIONS OF COURT FACILITIES.**

*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 Division of Capital Planning and Operations  
2 within the Executive Office for Administration and Finance,  
3 hereinafter called the Division, is hereby authorized and directed  
4 to establish a program to assist counties to undertake feasibility  
5 studies and projects to renovate, modernize, reconstruct, repair  
6 and rehabilitate facilities currently owned by a county and occu-  
7 pied in whole or in part by the Supreme Judicial Court, Appeals  
8 Court or Trial Court of the Commonwealth.

1     **SECTION 2.** The Division shall establish rules and regulations  
2 which shall govern the application for and distribution of grant  
3 funds under the provisions of this act. Any such rules or regula-  
4 tions, or any amendments thereto shall, after compliance with all  
5 applicable provisions of chapter thirty A of the General Laws, be  
6 filed with the clerk of the house of representatives and the clerk of  
7 the senate.

8     Such regulations shall require that all projects to renovate,  
9 modernize, reconstruct, repair and rehabilitate facilities shall be in  
10 accordance with the applicable provisions of chapter five hundred  
11 seventy-nine of the acts of nineteen hundred and eighty, as  
12 amended.

13     Any county which receives a grant to improve a facility pursuant  
14 to this act shall not dispose of any such facility without approval of  
15 the General Court.

1 SECTION 3. There is hereby established an advisory commit-  
2 tee on court facilities.

3 The advisory committee shall consist of the chief justice of the  
4 supreme judicial court, the chief justice of the appeals court, the  
5 chief administrative justice of the trial court of the commonwealth,  
6 and the administrative justice of each of the departments of said  
7 trial court.

8 The members of the committee shall serve without compensa-  
9 tion but shall be reimbursed for all expenses reasonably incurred  
10 by them in the performance of their duties.

11 The advisory committee may consult with, and make recom-  
12 mendations to the Division on matters concerning space needs of  
13 the supreme judicial court, appeals court and trial court of the  
14 Commonwealth. Such recommendations may include priorities  
15 for renovating buildings occupied by said courts and owned by the  
16 counties.

1 SECTION 4. Any county, except the counties of Suffolk or  
2 Nantucket, may by a majority vote of the county commissioners  
3 and the approval of the county advisory board make application to  
4 the Division for financial assistance in undertaking a project de-  
5 scribed in section one. In Suffolk County such application may be  
6 made by the Mayor of the city of Boston and in Nantucket County  
7 such application may be made by the Board of Selectmen of the  
8 town of Nantucket. The application shall include the proposed cost  
9 of the project, the specific location of the project, and any other  
10 such information specified by the rules and regulations of the  
11 Division. The amount of assistance for any such project shall not  
12 exceed one hundred percent of the total cost of any one project.

13 In determining the level of any funding for any such project, the  
14 Division shall consider among others the following factors: (a)  
15 recommendations of the advisory committee on Court facilities,  
16 (b) the existence of building, health or safety code violations,  
17 (c) structural defects which impede the operation of the courts, (d)  
18 the need for additional space for the efficient operation of the  
19 courts, and (e) energy conservation potential.

1 SECTION 5. The deputy commissioner of capital planning and  
2 operations, acting on behalf of the Division is hereby authorized to  
3 expend fifty million dollars for the purpose of making grants

4 pursuant to section one of this act. Of the amount herein appro-  
5 priated no more than seventeen million dollars in the aggregate shall  
6 be approved by said deputy commissioner for projects located in  
7 any one county.

1 SECTION 6. The state treasurer may borrow from time to time  
2 on the credit of the Commonwealth such sums of money as may be  
3 necessary for the purposes of meeting payments, as authorized by  
4 section five of this act, and may issue and renew from time to time  
5 notes of the commonwealth thereof, bearing interest payable at  
6 such time and at such rates as shall be fixed by the state treasurer.  
7 Such notes shall be issued and may be renewed one or more times  
8 for such terms, not exceeding one year, as the governor may  
9 recommend to the general court in accordance with Section 3 of  
10 Article LXII of the Amendments to the Constitution of the Com-  
11 monwealth, but the final maturities of such notes, whether original  
12 or renewal, shall not be later than June thirtieth, nineteen hundred  
13 and ninety-two. Notes and the interest thereon issued under the  
14 authority of this section, notwithstanding any other provisions of  
15 this act, shall be general obligations of the commonwealth.

1 SECTION 7. To meet the expenditures necessary in carrying  
2 out the provisions of section five of this act, the state treasurer  
3 shall, upon request of the governor, issue and sell bonds of the  
4 commonwealth to an amount to be specified by the governor from  
5 time to time, not exceeding in the aggregate, the sum of fifty million  
6 dollars. All bonds issued by the commonwealth, as aforesaid, shall  
7 be designated on their face, Court Facilities Improvement Loan,  
8 Act of 1987 and shall be issued for such maximum term of years not  
9 exceeding twenty years, as the governor may recommend to the  
10 General Court pursuant to Section 3 of Article LXII of the  
11 Amendments to the Constitution of the Commonwealth; pro-  
12 vided, however, that all such bonds shall be payable not later than  
13 June thirtieth, two thousand and twelve. Bonds and interest there-  
14 on issued under the authority of this section shall, notwithstanding  
15 any other provision of this act, be general obligations of the  
16 Commonwealth.

