

The Commonwealth of Massachusetts

THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133



MICHAEL S. DUKAKIS  
GOVERNOR

March 15, 1984

To the Honorable Senate and House of Representatives:

I am submitting herewith for your consideration proposed amendments to Chapter 773 of the Acts of 1960, an Act further Regulating Certain Powers of the University of Massachusetts Building Authority.

Recent amendments to the Internal Revenue Code of 1954, as amended, (the "Code") require that bonds on which the interest is exempt from federal income taxes under the Code be issued in registered form, thus necessitating the delivery of a new bond on each transfer of ownership. In order to deliver such new bonds in the time required, it is convenient and may be necessary that facsimile signatures be used. The legislative proposals set forth herein constitute technical amendments to Section 10 of Chapter 773 of the Acts of 1960, as most recently amended by Chapter 708 of the acts of 1983, permitting the guaranty of The Commonwealth of Massachusetts to be executed on bonds and notes of the Authority guaranteed by the Commonwealth by the facsimile signature of an officer of the board of trustees of the University of Massachusetts.

Inasmuch as the proposed legislation involves the borrowing of money and the pledging of credit of the Commonwealth, in order to comply with applicable requirements of the Constitution of the Commonwealth I specifically recommend as the terms for borrowing by the Authority (under the proposed legislation) the terms set forth in Section 7 of Chapter 773 of the Acts of 1960, as most recently amended by Chapter 708 of the Acts of 1983, and I request that the legislation be enacted by two-thirds vote by the yeas and nays in each branch of the general court.

Because the timely initiation and completion of projects to be financed by bonds of the Authority depend on the prompt issuance of bonds by the Authority and may affect the health and safety of the public, I ask that enactment of the proposed legislation be considered a matter of urgency.

Respectfully submitted,

*Michael S. Dukakis*  
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Governor

## The Commonwealth of Massachusetts

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

### AN ACT FURTHER REGULATING CERTAIN POWERS OF THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

1       *Whereas*, The deferred operation of this act would cause great  
2 inconvenience in the issuance of bonds and notes by the University  
3 of Massachusetts Building Authority to carry out its purposes of  
4 providing urgently needed facilities for the University of Massa-  
5 chusetts and improvements to existing facilities, therefore it is  
6 hereby declared to be an emergency law, necessary for the imme-  
7 diate preservation of the public safety and convenience.

*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. Section 10 of Chapter 773 of the acts of 1960, as  
2 most recently amended by chapter 708 of the acts of 1983, is hereby  
3 amended by striking out the first paragraph and inserting in place  
4 thereof the following paragraph: —

5       *Section 10.* The commonwealth, acting by and through the  
6 trustees, may enter into a contract or contracts with the Authority  
7 for state financial assistance in the form of a guaranty by the  
8 commonwealth of bonds of the Authority issued to achieve any of  
9 its corporate purposes or to refund outstanding indebtedness of  
10 the Authority incurred under this act or any other authority for  
11 any such purpose. Such guaranty shall be executed on each bond  
12 by the signature or facsimile signature of an officer of the trustee  
13 In case any officer of the trustees whose signature or a facsimile  
14 whose signature shall appear on any bond shall cease to be suc-  
15 officer before the delivery thereof, such signature or facsimile  
16 signature shall nevertheless be valid and sufficient for all pu-  
17 poses, the same as if such officer had remained in office until  
18 such delivery. Each such contract shall contain such limitations as  
19 to the cost of any project or projects to be financed by the bonds t

20 be guaranteed pursuant thereto and current operating and admin-  
21 istrative expenses of the Authority to be allocated thereto, and  
22 such other provisions, as the trustees may require.

1 SECTION 2. Said Section 10 of said chapter 773 is further  
2 amended by striking out the third paragraph and inserting in place  
3 thereof the following paragraph: —

4 Any such contract may provide for the guaranty by the com-  
5 monwealth of notes of the Authority issued under section seven,  
6 the total amount of which shall not exceed the amount specified in  
7 the contract for state financial assistance. Such guaranty shall be  
8 executed on each note by the signature or facsimile signature of an  
9 officer of the trustees. In case any officer of the trustees whose  
10 signature or a facsimile of whose signature shall appear on any  
11 note shall cease to be such officer before the delivery thereof, such  
12 signature or facsimile signature shall nevertheless be valid and  
13 sufficient for all purposes, the same as if such officer had remained  
14 in office until such delivery.

