

HOUSE No. 6808

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, November 9, 1983.

The committee on Bills in the Third Reading, to whom was referred the Bill to provide for renovation and energy conservation in long term care facilities (House No. 732), reports recommending that the same be amended by the substitution of the accompanying bill (House, No. 6808).

For the committee,

ALFRED E. SAGGESE, JR.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO RENOVATIONS TO NURSING HOMES AND CONVALESCENT HOMES FOR ENERGY CONSERVATION PURPOSES.

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 I of chapter 40D of the General Laws is hereby amended
2 by striking out paragraph (1), as most recently amended by chapter
3 778 of the acts of 1981, and inserting in place thereof the following
4 paragraph:—

5 (1) "industrial enterprise", an enterprise engaged in applying skill
6 and labor to the giving of new shapes, new qualities or new combi-
7 nations to matter as material products or to the assembly, process-
8 ing, preservation, storage, handling or transportation of manufac-
9 tured or natural products, or to stationary facilities and equipment
10 necessary or useful in connection with railroad operations, includ-
11 ing railroad rights of way and all associated tracks and facilities or
12 to the making of works of art by self-employed artists or to the
13 construction and renovation of a nursing or convalescent home
14 licensed under the provisions of section seventy-one of chapter one
15 hundred and eleven, including renovations for energy conservation
16 purposes. In any city or in a town subject to the provisions of clause
17 (k) of subdivision (2) of section twelve, industrial enterprise shall
18 also include commercial enterprise, which shall mean the conduct
19 of a trade or business. Facilities for the use of governmental and
20 nonprofit entities shall be considered facilities to be used in a
21 commercial enterprise, and bonds may be issued under this chapter
22 to finance costs of such facilities, including such costs paid prior to
23 the authorization of such bonds as the board of directors of the
24 Massachusetts Industrial Finance Agency, referred to in this chap-
25 ter as the MIFA board, shall approve in connection with the
26 provision of such facilities; and for this purpose the term commer-
27 cial enterprise shall be read to include the operation of such facili-
28 ties, but the requirements of clause (e) of subsection (2) of section

29 twelve shall not apply if the MIFA board determines that the
30 issuance of the bonds will result in a public benefit. Rental housing,
31 other than facilities to be rented primarily to transient guests, may
32 not be financed under this chapter. Artists' studios having inciden-
33 tal living accommodations attached thereto shall not be deemed to
34 be rental housing within the meaning of this chapter.

