

SENATE No. 260

By Mr. Rosenberg, a petition (accompanied by bill, Senate, No. 260) of Stanley C. Rosenberg for legislation relative to affordable housing for faculty, staff and students at public colleges and universities. Education, Arts and Humanities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four

AN ACT RELATIVE TO AFFORDABLE HOUSING FOR FACULTY, STAFF, AND STUDENTS AT PUBLIC COLLEGES AND UNIVERSITIES.

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

1 Chapter 15A of the General Laws, as appearing in the 1992
2 Official Edition, is hereby amended by adding at the end thereof
3 the following two sections: —

4 Section 22. For the purposes of section twenty-three, the fol-
5 lowing words and phrases shall have the following meanings: —

6 “Academic affordable housing”, (a) rental housing intended to
7 serve students and employees of public institutions of higher edu-
8 cation, said employees earning less than eighty percent of the
9 median income for their geographical area as defined by the
10 federal Department of Housing and Urban Development or suc-
11 cessor agency; or, (b) ownership housing produced for students
12 and employees of public institutions of higher education for which
13 there are long term or permanent restrictions on resale, profits,
14 and returns on equity, said restrictions being designed to maintain
15 the affordability of said housing.

16 “Authority”, the University of Massachusetts Building Author-
17 ity as established by chapter seven hundred seventy-three of the
18 acts of nineteen hundred and sixty; the University of Lowell
19 Building Authority as established by chapter five hundred fifty-
20 seven of the acts of nineteen hundred and sixty-one; the Massa-
21 chusetts State College Building Authority as established by chap-

22 ter seven hundred and three of the acts of nineteen hundred and
23 sixty-three; and the Southeastern Massachusetts University
24 Building Authority as established by chapter seven hundred and
25 three of the acts of nineteen hundred and sixty-four.

26 “Public institution”, any public nonprofit institution within the
27 commonwealth authorized by law to provide a program of educa-
28 tion beyond the high school level, or any organization affiliated
29 therewith; provided, that an “organization affiliated” with any
30 such public institution may be any organization or association, in
31 any form, the activities of which are a part of the activities of such
32 public institution and are subject to regulation by the board of
33 trustees or other governing body of such public institution, or any
34 research foundation, teaching hospital and associated clinics, or
35 other research or educational organization, the operation of which
36 in conjunction with such public institution is approved by the
37 board of trustees or other governing body of such public institu-
38 tion, or any other entity whose activities are approved by the
39 board of trustees or other governing body of such educational
40 institution as further the purposes of the educational institution, or
41 in the case of a public institution of higher education, the board of
42 regents established under section two of chapter fifteen A of the
43 General Laws.

44 “Turn-key procurement”, any construction project wherein a
45 private developer assumes responsibility for design, construction,
46 and interim financing of the building project, on the condition
47 that, upon completion of said project, an authority or public insti-
48 tution shall purchase said project from the developer, unless the
49 said project does not meet contract requirements.

50 Section 23. For the purposes of providing academic affordable
51 housing, an authority or public institution may:

52 (a) at the request of a board of trustees, sell, convey, or lease
53 real or personal property under its control, or grant easements,
54 licenses, or any other rights therein, as necessary;

55 (b) notwithstanding the provisions of section forty F of chapter
56 seven of the General Laws, enter into lease agreements for a term
57 not to exceed thirty years, with a renewal clause providing for no
58 more than two terms of ten years; and,

59 (c) design and construct academic affordable housing by means
60 of turn-key procurement; provided, that an authority or public

61 institution shall establish certification criteria by which private
62 developers shall be judged eligible to participate in said turn-key
63 procurement projects; provided, further, that all phases of said
64 projects, including the establishment of said certification criteria,
65 shall conform to procedures outlined in a report entitled
66 "Procedures for the Procurement of Design and Construction
67 Services Under the Turnkey Method", dated June thirteenth, nine-
68 teen hundred and eighty-eight, and filed with the General Court.

