

HOUSE No. 4715

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 19, 1968.

The committee on Ways and Means, to whom was referred the Bill to provide for a public outdoor recreation program for the Commonwealth (House, No. 2044), report that the same ought to pass, in the form of a new draft herewith submitted (House, No. 4715).

For the committee,

JAMES J. CRAVEN, JR.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Eight.

AN ACT TO PROVIDE FOR A SPECIAL RECREATION PROGRAM FOR THE METROPOLITAN PARKS DISTRICT.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is to provide funds immediately for
3 a special recreation program for the metropolitan parks
4 district, therefore it is hereby declared to be an emergency
5 law, necessary for the immediate preservation of the public
6 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. The metropolitan district commission is hereby
2 authorized and directed to expend a sum not exceeding three
3 million dollars to construct recreational facilities within the
4 metropolitan parks district, and to enlarge and improve
5 existing facilities, in such manner and at such locations as it
6 may determine, and in a manner designed to serve all parts of
7 the metropolitan parks district equally in proportion to the
8 need, and shall charge reasonable fees wherever feasible to
9 cover the cost of operation and maintenance of its facilities.
10 Said commission may enter into leases or other agreements
11 relating to the operation of its facilities with public or other
12 bodies or individuals, upon such terms and conditions as it
13 may deem just and expedient. The terms of such leases or
14 agreements may include the right to charge fees as herein
15 authorized, and full and complete information regarding any
16 and all such leases and agreements and the operation result-
17 ing therefrom shall be a matter of public record and shall, at
18 all times, be available upon request. Said commission, acting
19 so far as may be in consultation with the proper local boards,
20 may, on behalf of the commonwealth, take by eminent
21 domain in fee or otherwise, or acquire by purchase, gift or
22 devise, such public or private lands, water rights, rights of
23 way, easements or other interests in land as it may deem

24 necessary or desirable for carrying out the provisions of this
25 act; provided, that no payment shall be made for the
26 purchase of said property until an independent appraisal of
27 the value of the property has been made by a qualified,
28 disinterested appraiser; and further provided, that nothing in
29 this act shall be construed to limit existing rights of any city
30 or town in relation to water supply purposes, or in any way
31 obstruct such rights.

1 SECTION 2. Funds provided in this act shall be in addition
2 to prior appropriations authorized for the purposes defined in
3 section one and shall not be subject to the provisions of
4 section thirty A of chapter seven of the General Laws;
5 provided, that no expenditure shall be made for consultant
6 services, so called, or services coded in accordance with the
7 expenditure code manual under the subsidiary title "03
8 Services—Non-employees" unless the rate of compensation for
9 such services shall have been approved by the commissioner
10 of administration. Said commissioner shall, immediately upon
11 the approval of any such rate or rates, file copies of the
12 schedule or schedules of approved rates with the comptroller
13 and with the house and senate committees on ways and
14 means. Before engaging such consultant services under said
15 subsidiary title "03", as so coded, as "Professional", said
16 commission shall certify to the budget director that funds are
17 available for the purpose and shall then file a statement of
18 intent with the budget director, the comptroller and the
19 house and senate committees on ways and means. Such
20 statement shall include the rate of compensation, the period
21 of time for which the services are to be engaged or scope of
22 work to be done, and such other pertinent information as
23 may be necessary to establish the maximum limit of the
24 commonwealth's obligation.

1 SECTION 3. To meet the expenditure necessary in carrying
2 out the provisions of section one, the state treasurer shall,
3 upon request of the governor, issue and sell at public or
4 private sale bonds of the commonwealth, registered or with
5 interest coupons attached, as he may deem best, to an
6 amount to be specified by the governor from time to time,
7 but not exceeding, in the aggregate, the sum of three million

8 dollars. All bonds issued by the commonwealth, as aforesaid,
9 shall be designated on their face, Metropolitan District
10 Commission Recreation Loan, Act of 1968, and shall be on
11 the serial payment plan for such maximum term of years, not
12 exceeding ten years, as the governor may recommend to the
13 general court pursuant to Section 3 of Article LXII of the
14 Amendments to the Constitution of the Commonwealth, the
15 maturities thereof to be so arranged that the amounts pay-
16 able in the several years of the period of amortization other
17 than the final year shall be as nearly equal as in the opinion
18 of the state treasurer it is practicable to make them. Said
19 bonds shall bear interest semiannually at such rate as the
20 state treasurer, with the approval of the governor, shall fix.
21 The initial maturities of such bonds shall be payable not later
22 than one year from the date of issue thereof and the entire
23 issue not later than June thirtieth, nineteen hundred and
24 seventy-nine.

1 SECTION 4. All interest payments and payments on account
2 of principal on such obligations shall be paid from metro-
3 politan parks district funds, to be assessed by methods fixed
4 by law.