

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

BILL FILING TEMPLATE

Be It Enacted, by the Senate and House of Representatives, etc., as follows:

SECTION 1. Section 6 of chapter 293 of the acts of 2006 is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) In addition to the provisions of said chapter 23G and said chapter 40D of the General Laws pertaining to the security of bonds issued by the agency, bonds issued by the agency pursuant to this act may be secured by a pledge of state infrastructure development assistance as provided in section 8 under a trust agreement or other financing document with such terms and conditions as the agency may determine in accordance with this act and the applicable provisions of said chapter 23G and said chapter 40D; provided, however, that any state infrastructure development assistance provided pursuant to section 8 of this act shall be applied solely to the payment of and security for bonds issued for the purposes described in paragraph (a) in accordance with the infrastructure development assistance agreement between the agency, the commonwealth, the municipality and the developer executed pursuant to section 8 of this act and shall not exceed the amount necessary for debt service payments on such bonds.

SECTION 2. Subsection (c) of said section 6 of said chapter 293 is hereby amended by striking out in the first sentence the words “section 10” and inserting in place thereof the words: - section 8.

SECTION 3. Section 7 of said chapter 293 is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) The secretary shall certify no more than 5 economic development proposals received pursuant to the provisions of this act; provided that the aggregate principal amount of bonds issued pursuant to section 6 of this act shall not exceed \$200,000,000; provided further, that no economic development proposal which secured municipal approval pursuant to subparagraph (b) of this section 7 prior to the effective date of this act shall be certified by the secretary; provided further, that no economic development proposal shall be certified by the secretary after January 1, 2012; and provided further, that the secretary shall not approve more than 2 economic development proposals from any one municipality.

SECTION 4. Subsection (a) of section 8 of said chapter 293 is hereby amended by striking out clause (iv) and inserting in place thereof the following clause: – (iv) the commonwealth shall provide infrastructure development assistance to the agency in amounts sufficient to pay the debt service payable in each fiscal year on any bonds issued by the agency to finance costs of public infrastructure improvements included in such economic development project, subject to reimbursement of all or a portion of such state infrastructure development assistance through the collection of infrastructure assessments as provided in section 9 of this act and, under the circumstances provided in section 10 of this act, from local infrastructure assistance provided by the municipality.

SECTION 5. Subsection (b) of section 8 of chapter 293 of the acts of 2006 is hereby amended by adding at the end thereof the following sentence: -

The obligation of the commonwealth to pay such state infrastructure development assistance to the agency at the times and in the amounts provided in the infrastructure development assistance agreement shall constitute a general obligation of the

commonwealth for which the full faith and credit of the commonwealth shall be pledged for the benefit of the agency.

SECTION 6. Section 10 of said chapter 293 is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) To the extent, and for so long as, the commissioner determines that the new state tax revenues generated by a completed and occupied commercial component of a certified economic development project is less than the allocable debt service apportioned to that commercial component, such amount shall constitute a revenue shortfall for said commercial component and the municipality shall be obligated to provide local infrastructure development assistance in an amount equal to the amount of the shortfall. Local infrastructure development assistance provided by the municipality shall be paid to the commonwealth in reimbursement for state infrastructure development assistance provided by the commonwealth with respect to such certified economic development project. Local infrastructure development assistance shall constitute a general obligation of the municipality to which its full faith and credit shall be pledged. To the extent the municipality shall fail to provide all or any portion of such local infrastructure development assistance to or for the credit of the commonwealth, the secretary shall certify the amount that is unpaid to the state treasurer and the state treasurer shall reduce amounts distributable or payable by the commonwealth to such municipality by the amount unpaid in accordance with section 20 of chapter 59 of the General Laws. Notwithstanding the foregoing, once the cumulative new state tax revenues attributable to an assessment parcel allocable to a commercial component of a certified economic development project first equal or exceed an amount equal to the principal amount of

bonds issued by the agency which are allocable to such commercial component, plus an amount equal to all interest accrued on such bonds to such date, the municipality shall have no obligation thereafter to provide local infrastructure development assistance with respect to such assessment parcel.