

SECTION 1. This section would make a technical change related to the elimination of the Massachusetts Aeronautical Commission.

SECTION 2. This section would make a technical change to section 17A of chapter 6 of the General Laws related to the elimination of the Executive Office of Transportation.

SECTION 3. This section would repeal the enabling sections for the Massachusetts Aeronautics Commission.

SECTION 4. This section would make a technical change reflecting the restructuring of the highway bureaucracy under the new Highway Division of the Department of Transportation.

SECTION 5 This section would repeal the enabling sections for the Executive Office of Transportation and Public Works.

SECTION 6 The section would repeal the enabling sections for the Office of Transportation planning.

SECTION 7 This section would repeal the Massachusetts Mobility Compact which was enacted in chapter 303 of the acts of 2008 (Transportation Bond Bill II).

SECTION 8 This section would establish the Massachusetts Department of Transportation:

Section 1. This section would define certain terms used in the newly created Chapter 6C.

Section 2. This section would establish the Massachusetts Department of Transportation. This section would also establish a board of directors for the Authority, to be comprised of 5 members appointed by the governor for 4 year terms. The members would be appointed according to the following requirements: two would have experience in transportation finance, two would have experience in transportation planning, and one would be a registered civil engineer with at least ten years of experience. This section would also allow the Governor to appoint a secretary as chief executive officer of the Department of Transportation.

Section 3. This section would establish the powers of the Authority.

Section 4. This section would establish the Massachusetts Transportation Trust Fund.

Section 5. This section would require the Department of Transportation to be organized and to function as a single state agency, for purposes including, but not limited to, of the accounting and financial system of the Commonwealth. This section would also require the secretary to identify administration activities and function common to the separate offices, divisions, and commissions within the department and designate such functions as core administrative functions in order to improve administrative efficiency and preserve fiscal resources. This section would also require, beginning on December 15, 2009 and occurring every 6 months thereafter, that the secretary make a report on the progress of the implementation of this section to the Joint Committee on Transportation, House and Senate Committees on Bonding, and House and Senate Committees on Ways and Means.

Section 6. This section would establish an Office of Performance Management and Innovation within the department.

Section 7. This section would require the secretary to design and implement a program for performance evaluation of employees.

Section 8. This section would provide that all monies received pursuant to this chapter would be deemed to be trust funds to be held and applied solely as provided in this chapter.

Section 9. This section would establish an internal special audit unit, to be headed by a director appointed by the inspector general council for a six year term. This office would be charged with monitoring the quality, efficiency, and integrity of the department as well as detecting and preventing fraud and abuse within the system.

Section 10. This section would establish an office of transportation planning to oversee and administer the planning responsibilities of the department. This section would further require that the office be responsible for the preparation of a comprehensive and coordinated intermodal transportation plan for the Commonwealth.

Section 11. This section would require the department to publish, every five years beginning April 30, 2010, in the Massachusetts Register, a comprehensive state transportation plan for the 5 succeeding fiscal years. The plan shall provide for meeting not less than 5% annually of the estimated construction, reconstruction, and repair needs of public highways and bridges of the Commonwealth.

Section 12. This section would require that the department develop and implement an integrated asset management system to oversee and coordinate the maintenance, preservation, reconstruction, and investment of all its assets by January 1, 2012.

Section 13. This section would allow the authority to fix and revise tolls over the turnpike and metropolitan highway system. This section would also preserve existing toll discount programs.

Section 14. This section would provide that the department would be deemed a public agency for the purposes of sections 44A to 44H of chapter 149 and section 39M of chapter 30 of the General Laws.

Section 15. This section would require that the department use the state accounting system, state payroll system, and state-supported interest application for procurement.

Section 16. This section would require the department to submit an annual finance plan to the executive office of administration and finance.

Section 17. This section would allow the department to issue bonds for the purpose of refinancing outstanding bonds of the Massachusetts Turnpike Authority.

Section 18. This section would authorize the Attorney General to represent the department.

Section 19. This section would allow the department to take property by eminent domain.

Section 20. This section would allow the department to sell or lease any real property.

Section 21. This section would allow the department to take possession of unclaimed property.

Section 22. This section would grant the superior court department of the trial court jurisdiction over this chapter.

Section 23. This section would provide that the department would exist until terminated by law. Said termination would not be able to occur until the satisfactory disposition of outstanding bonds was to occur.

Section 24. This section would allow all state, county, and municipal entities to work in conjunction with the department.

Section 25. This section would require the secretary, administrators, and directors of the department to be sworn faithful to the performance of their official duties.

Section 26. This section would apply chapter 12A of the General Laws, related to the attorney general, to the department.

Section 27. This section would grant the authority tax-exempt status.

Section 28. This section would require the department to submit an annual revenue and expenditure report to the chairs of the Joint Committee on Transportation and the House and Senate Committees on Ways and Means.

Section 29. This section would establish an office of planning and programming within the department, to include four administrative units including the division of highways, the mass transit division, the registry of motor vehicles, and the aeronautics division.

Section 30. This section would designate the office of planning and programming as the principal agency for developing transportation planning and policies.

Section 31. This section would authorize the secretary to establish within the office of planning and programming additional administrative units, as necessary.

Section 32. This section would allow the secretary to accept on behalf of the Commonwealth any federal gift, loan, or grant.

Section 33. This section would establish the healthy transportation compact between the Secretary of Transportation and the Secretary of Health and Human Services to further cooperation, adoption of best practices, and increased efficiency for the purposes of achieving positive health outcomes through the coordination of land use, transportation, and public health policy.

Section 34. This section would require a fiscal analysis for any infrastructure project exceeding \$15 million in projected capital costs.

Section 35. This section would require the secretary to submit a report on the department's activities within 90 days of the end of the fiscal year to the house and senate clerks, the chairs of the Joint Committee on Transportation and the House and Senate Committees on Ways and Means.

Section 36. The section would define terms to be used in the following 10 sections on the division of highways.

Section 37. This section would create within the department a division of highways to administer, implement, and enforce the department's authority over state highways.

Section 38. This section would establish the powers and duties of the highway division over the state highway system.

Section 39. This section would allow the highway administrator to establish administrative units within the Highway Division as necessary for efficiency.

Section 40. This section would require the highway administrator to establish a procedure for the review of contracts.

Section 41. This section would authorize the administrator of the Highway Division to establish a program of engineering internship and to recruit qualified persons to serve in the division as highway engineer interns.

Section 42. This section would authorize the administrator of the Highway Division to establish a co-operative engineer program and to enter into agreements with colleges of recognized standing within the Commonwealth, including colleges which have summer

programs that have established a curriculum leading to a degree of bachelor of science in engineering on a so-called co-operative basis, contemplating regularly rotating work activity in the field of engineering and an equal period of classroom training.

Section 43. This section would establish within the Highway Division a Real Estate Review Board. This section would also prohibit the Highway Division from purchasing or acquiring by eminent domain any real property or any interest in real property with a value in excess of \$300,000 without the written approval of the board.

Section 44. This section would authorize the Highway Division provide functional replacement of real property in public ownership whenever the division has acquired such property in whole or in part under this chapter or when such property is significantly and adversely affected as a result of the acquisition of property for a highway or highway-related project and whenever the division determines that functional replacement is necessary and in the public interest. This section also requires the relocation of public utilities because of construction of a project which is to be reimbursed federally in whole or in part and establishes a reimbursement formula.

Section 45. This section would authorize the Highway Division to reimburse utilities for the relocation of underground utilities because of construction of a project which is to be reimbursed federally in whole or in part and establishes a reimbursement formula.

Sections 46-47. These sections would establish rules for governance of air rights over the turnpike.

Section 48. This section would allow the administrator to re-establish a small town rural assistance program (STRAP) to assist towns with populations of 7,000 or less in undertaking projects to design, construct, reconstruct, widen, resurface, rehabilitate and otherwise improve roads and bridges or for the construction of chemical storage facilities.

Section 49. This section would allow the administrator to re-establish a Public Works Economic Development Program to assist municipalities with non-federally reimbursable intermodal transit center economic development projects, to design, construct, repair and improve roads, roadways, rail lines, and other transit oriented or related facilities, as deemed necessary for economic development by the secretary in consultation with the secretary of economic development upon the petition of an appropriate local governmental body.

Section 50. This section would require the administrator to establish a Regional Mobility Assistance Program to assist cities and towns in geographic regions of the Commonwealth with public works improvements and enhancements for transportation-related projects for the (1) development, rehabilitation, and improvement of tourism expansion corridors, (2) protection of historic centers, (3) promotion of improved mobility and access from neighboring states, and (4) promotion of local economic growth and reliability for transportation facilities in rural and less accessible regions of the Commonwealth.

Section 51. This section would define terms to be used in the following three sections related to the mass transit division.

Section 52. This section would establish within a department a division of mass transit.

Section 53. This section would establish the powers and duties of the division.

Section 54. This section would allow the administrator of Mass Transit to establish subdivisions within the Division of Mass Transit as necessary for efficiency. This section

would also require the administrator to maintain a current statement of the organization of the division.

Section 55. This section would define terms as to be used in the following two sections related to the registry of motor vehicles.

Section 56. This section would establish within the department a registry of motor vehicles.

Section 57. This section would allow the registrar to establish administrative units within the registry as necessary for efficiency. This section would also require the registrar to maintain a current statement of the organization of the registry.

Section 58. This section would define terms as to be used in the following three sections related to the aeronautics division.

Section 59. This section would establish within the department an aeronautics division to administer and enforce the department's authority over aviation matters.

Section 60. This section would establish the powers and duties of the aeronautics division.

Section 61. This section would allow the administrator of the aeronautics division to establish subdivisions within the division as necessary for efficiency. This section would also require the administrator to maintain a current statement of the organization of the division.

Sections 62-73. These sections would authorize the department to enter into Public-Private Partnerships.

SECTION 9. This section would make a technical change to section 17A of chapter 6 of the General Laws related to the elimination of the Executive Office of Transportation.

SECTIONS 10-11. These sections would make technical changes to reflect the elimination of the Massachusetts Turnpike Authority.

SECTION 12. This section would make a technical change to section 53 of chapter 7 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 13. This section would make a technical change to section 9A of chapter 10 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 14. This section would repeal section 63 of chapter 10 of the General Laws which establishes the Central Artery and Statewide Road and Bridge Infrastructure Fund.

SECTION 15. This section would make technical changes to 63A of chapter 10 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 16 . This section would make a technical change to subsection (c) of section 63A of the General Laws related to the elimination of the Executive Office of Transportation.

SECTION 17. This section would repeal section 69A of chapter 10 of the General Laws which establishes the Transportation Deferred Maintenance Trust Fund.

SECTION 18. This section would repeal the enabling language for the Department of Highways.

SECTION 19. This section would make a technical change to section 11A of chapter 21A of the General Laws related to the elimination of the Executive Office of Transportation and Public Works.

SECTION 20. This section would make a technical change to section 11A of chapter 21A of the General Laws related to the elimination of the Massachusetts Highway Department.

SECTION 21. This section would make a technical change to section 13A of chapter 22 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTIONS 22-23. These sections would make technical changes to section 29 of chapter 22C of the General Laws upon dissolution of the Massachusetts Turnpike Authority.

SECTIONS 24-25. These sections would make changes relative to the jurisdiction of the Colonel of state police over section 29 of chapter 22C of the General Laws.

SECTION 26. This section would repeal sections 61 of chapter 22C of the General Laws upon dissolution of the Massachusetts Turnpike Authority, which allows the Colonel to appoint Mass Turnpike employees as Special State Police Officers.

NO SECTION 27

SECTION 28. This section would make a technical change to section 3I of chapter 23A of the General Laws related to the elimination of the Executive Office of Transportation and Public Works.

SECTION 29. This section would make a technical change to section 13C of chapter 23A of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 30. This section would make a technical change to section 59 of chapter 23A of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 31. This section would make a technical change to section 1 of chapter 29 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 32. This section would repeal section 2E of chapter 29 of the General Laws which establishes the Federal Highway Construction Program Fund.

SECTION 33. This section would repeal the Infrastructure Fund established pursuant to section 20 of chapter 29.

This section would also authorize the Treasurer, upon a 2/3 vote of the General Court and request of the Governor, to issue bonds the proceeds of which shall be credited to the Commonwealth Transportation Fund.

SECTION 34. This section would repeal section 2DD of chapter 29 of the General Laws which establishes the Capital Expenditures Reserve Trust Fund.

SECTION 35. This section would establish the Commonwealth Transportation Fund. The following would be credited to the fund: all fees received by the Registry of Motor Vehicles, all receipts credited under chapters 64A, 64E, 64F, all monies received in satisfaction of claims by the Commonwealth for damage to highway safety signs, signals, guardrails and other highway facilities, and all receipts received by the treasurer under section 8 of chapter 10.

Remaining revenues would be used, subject to appropriation, to carry out the provisions of law relative to the use and operation of motor vehicles and trailers and for expenses authorized to administer the law relative to the gas tax. The balance then remaining would be transferred to the Fund. Annual receipts into the Fund would be deemed to meet the full obligation of the Commonwealth to the Authority.

SECTIONS 36-37. These sections would make technical changes related to the elimination of the Massachusetts Turnpike Authority.

SECTION 38. This section would make a technical change to section 64A of chapter 29 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 39. This section would amend the definition of “major contract” in subsection (a) of section 39M1/2 of chapter 30 of the General Laws, inserted by section 12 of chapter 303 of the acts of 2008 (agencies or authorities’ powers and duties) to include the procurement, directly or indirectly the construction, repair or rehabilitation of a privately-owned, publicly-used highway, railway, bridge, tunnel, building platform or any component thereof.

SECTIONS 40-45. These sections establish Qualifications Based Selection (QBS) as the standard procurement practice for horizontal construction projects.

SECTION 46. This section would amend the definition of “employee” in section 1 of chapter 32 of the General Laws (state retirement) to include employees of the Massachusetts Department of Transportation.

SECTIONS 47-53. These sections would make technical changes related to the elimination of the Massachusetts Turnpike Authority.

SECTION 54. This section would repeal subsection 4½ of section 20 of chapter 32 of the General Laws related to the Massachusetts Turnpike Authority retirement system.

SECTION 55. This section would make a technical change in section 20 of chapter 32 of the General Laws related to the elimination of the Massachusetts Turnpike Authority retirement system.

SECTION 56. This section would repeal clause (e) of subsection 7 of section 22 of chapter 32 of the General Laws related to the Massachusetts Turnpike Authority retirement system.

SECTIONS 57-62. These sections would make technical changes related to the elimination of the Massachusetts Turnpike Authority.

NO SECTION 63.

SECTION 64. This section would amend the definition of “employee” in section 2 of Chapter 32A of the General Laws (Group Insurance Commission) to include employees of the Massachusetts Department of Transportation and the Massachusetts Bay Transportation Authority.

SECTION 65. This section would make a technical change to section 24 of chapter 40B of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 66. This section would make a technical change to section 5 of chapter 59 of the General Laws related to the elimination of the Massachusetts Aeronautics Commission.

SECTION 67. This section would make a technical change to section 7 of chapter 64A of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 68. This section would amend section 13 of chapter 64A of the General Laws by providing that all sums received from the excise imposed on aviation fuel would be credited to the Commonwealth Transportation Fund as would all other sums received under the excise.

SECTION 69. This section would make a technical change to section 5 of chapter 64E of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 70. This section would amend section 13 of chapter 64E of the General Laws by providing that all sums received under this chapter would be credited to the Commonwealth Transportation Fund.

SECTION 71. This section would make a technical change to section 3 of chapter 64F of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 72. This section would amend section 14 of chapter 64F of the General Laws by providing that all sums received under this chapter would be credited to the Commonwealth Transportation Fund.

SECTIONS 73-74. These sections would make technical changes related to the elimination of the Massachusetts Aeronautics Commission.

SECTION 74A. This section would make a technical change to section 1 of chapter 81 of the General Laws related to the elimination of the Massachusetts Highway Department.

SECTION 75. This section would repeal the Massachusetts Turnpike Authority enabling statute.

SECTION 76. This section would make a technical change to section 7A of chapter 85 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 77. This section would make a technical change to section 1 of chapter 90 of the General Laws related to the elimination of the Massachusetts Highway Department.

SECTION 78. This section would make a technical change to section 1A of chapter 90 related to the elimination of Massachusetts Turnpike Authority.

SECTION 79. This section would make a technical change to section 7A of chapter 90 of the General Laws related to the elimination of the Highway Fund.

SECTION 80. This section would make a technical change to section 20G of chapter 90 of the General Laws related to the elimination of Massachusetts Turnpike Authority.

SECTION 81. This section would direct all fees received in the issuance of veterans plates, in excess of the fees set for the registration of motor vehicles into the General Fund. Remaining revenues would be used, subject to appropriation, to carry out the provisions of law relative to the use and operation of motor vehicles and trailers and for expenses authorized to administer the law relative to the gas tax and \$2 from each motorcycle registration fee would be paid into the General Fund and appropriated for the purpose of promoting motorcycle safety. The balance then remaining would be transferred to the Fund. Annual receipts into the Fund would be deemed to meet the full obligation of the Commonwealth to the Authority.

SECTION 82. This section would repeal section 34 ½ of Chapter 90 related to the elimination of EOT.

SECTIONS 83-85. These sections would make technical changes related to the elimination of the Massachusetts Aeronautics Commission.

SECTION 86. This section would make a technical change to section 1 of chapter 90C of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 87-90. These sections would make technical changes related to the elimination of the Massachusetts Highway Department.

SECTION 91. This section would require that the Department of Conservation and Recreation to submit its plans to the Secretary of Transportation and the Administrator for Highways so that it may be included in their capital plans.

SECTION 92. This section would make a technical change to section 1A of chapter 119A of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTIONS 93-94. These sections would make technical changes related to the elimination of the Massachusetts Aeronautics Commission.

SECTIONS 95-97. These sections would make technical changes related to the elimination of the Massachusetts Turnpike Authority.

SECTION 98. This section would amend section 20 of chapter 149A of the General Laws to apply all other provisions of the public bidding laws, including select sections of chapter 149 and chapter 30, but excluding §39M of chapter 30, to all design build projects procured.

SECTION 99. This section would amend the definition of “employer” in section 1 of chapter 150E of the General Laws to include the Massachusetts Department of Transportation.

SECTION 100. This section would make a technical change in section 7 of chapter 150E of the General Laws related to the creation of the Massachusetts Department of Transportation.

SECTIONS 101-102. These sections would make technical changes related to the elimination of the Massachusetts Turnpike Authority.

SECTION 103. This section would require all present and former employees of the MBTA who are or were injured and thereby entitled to a disability pension or to workmen’s compensation to choose one or the other, but not both.

SECTION 104. This section would make a technical change to section 1 of chapter 159A of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 105. This section would make a technical change to section 1 of chapter 161A of the General Laws related to the elimination of the Massachusetts Highway Department.

SECTION 106. This section would make a technical change to section 1 of chapter 161A of the General Laws related to the elimination of the Executive Office of Transportation and Public Works.

SECTION 107. This section would amend section 5(g) of Chapter 161A related to the powers of the MBTA Advisory Board.

SECTION 108. This section would reconfigure the Board of Directors of the MBTA to mirror that of the MassDOT Board. The new board would consist of 5 directors with the following requirements: two would have experience in the fields of finance or accounting, two would have experience in transportation planning, and one would be a registered civil engineer with at least ten years of experience.

SECTION 109. This section would amend the powers of the MBTA Advisory Board.

SECTION 110. This section would eliminate the MBTA bond cap.

SECTION 111. This section would extend the time for which the MBTA Board has to approve a budget from March 1 to March 15 and the time for which the MBTA has to submit a budget to the MBTA Advisory Board from March 15 to April 1. This section would also make changes related to the powers of the MBTA Advisory Board.

SECTION 112. This section would limit the MBTA's liability for negligence.

SECTION 113. This section would limit the MBTA's liability for negligence.

SECTION 114. This section would require a railroad company operating commuter rail service to have a liability insurance policy in the name of the MBTA for \$75M.

SECTION 115. This section would allow the MBTA to enter into "a legal agreement" in addition to a contract with railroad companies.

SECTIONS 116-121. These sections would make technical changes related to the elimination of the Executive Office of Transportation and Public Works.

SECTION 122. This section would make a technical change to section 1 of chapter 218 of the General Laws related to the elimination of the Massachusetts Turnpike Authority.

SECTION 123. This section would make the MBTA and the Massachusetts Turnpike Authority "public employers" for the purposes of chapter 258.

SECTION 124. This section would remove the MBTA and the Massachusetts Turnpike Authority from the definition of "public employers" for the purposes of chapter 258.

SECTION 125. This section would define the term "serious bodily injury" for the purposes of chapter 258 of the General Laws.

SECTION 126. This section would add an exemption for serious bodily injury for the MBTA liability cap.

SECTION 127. This section would amend the Massport enabling statute related to the Massport Advisory Board created pursuant to section 118.

SECTION 128. This section would create a Massport Advisory Board.

SECTION 129. This section would require the Department of Transportation (Department), instead of the Railroad, to provide for flag protection while the Department is performing routine maintenance to bridges crossing railroad tracks.

SECTION 130. This section would make a technical change related to the elimination of the Central Artery and Statewide Road and Bridge Infrastructure Fund.

SECTION 131. This section would make a technical change related to section 11 of chapter 233 of the General Laws (the Accelerated Bridge Program).

SECTION 132. This section would authorize the MBTA to convey, lease, etc., or otherwise dispose of the North Station parking garage.

SECTION 133. This section would require the Massachusetts Department of Transportation (MassDOT) and the Massachusetts Turnpike Authority to develop and implement a transfer agreement providing for the orderly transfer and provisional appointment of personnel from the authority to the MassDOT consistent with the provisions contained herein as well as the transfer of all assets, liabilities, obligations, and debt of said authority to said department.

This section also specifies that the transfer of the assets, liabilities, obligations, and debt of the Massachusetts Turnpike Authority to the MassDOT under this act shall be effective upon dissolution of said authority and shall bind all persons, with or without notice and without any further action or documentation. In addition, this section authorizes the Administrator of the Highway Division to execute and record execute and record and file for registration with any Registry of Deeds or the Land Court or with the Secretary of the Commonwealth, as appropriate, a certificate confirming the Commonwealth's ownership of any interest in real or personal property formerly held by the Massachusetts Turnpike Authority and transferred pursuant to the provisions of this act.

SECTION 134. This section would require that any rule, regulation, license, permit, certificate or approval of the Massachusetts Turnpike Authority continue after the dissolution of the MTA until revoked by the Department of Transportation.

SECTION 135. This section would allow the Massachusetts Department of Transportation to enter into contracts to create and permit employee contributions to individual retirement accounts for employees of the authority.

SECTION 136. This section would require the Department of Transportation, in consultation with the Federal Highway Administration, inventory the requirements for, and assume the responsibilities of, rehabilitating and reconstructing the turnpike and metropolitan highway system in compliance with Title 23 of the United States Code.

SECTION 137. This section would transfer employees of the Massachusetts Turnpike Authority to the Massachusetts Department of Transportation. This section would also provide that MTA employees would be transferred without impairment of current seniority and accrued benefits.

SECTION 138. This section would transfer current Massachusetts Turnpike Authority employees to the GIC.

SECTION 139. This section would ensure that all new Massachusetts Turnpike Authority employees would be members of the state retirement system.

SECTION 140. This section would transfer all employees and retirees of the Massachusetts Bay Transportation Authority to GIC effective after the expiration of the current collective bargaining agreement.

SECTION 141. This section would prohibit the Massachusetts Turnpike Authority, for so long as they shall exist from entering into any new or amended employment agreements, which fix the compensation and conditions of employment or otherwise bind said authorities to designated contract periods.

SECTION 142. This section would specify that the terms and conditions of any collective bargaining agreement that is in effect upon the dissolution of the Massachusetts Turnpike Authority with response to employees of said authority shall continue in effect until the stated expiration date of such agreement, at which point the agreement shall expire. This section would also prohibit the Massachusetts Turnpike Authority from negotiating any future collective bargaining agreements.

SECTION 143. This section would make each employee of the Massachusetts Port Authority, who is employed primarily to work on the Tobin Bridge become an employee of the Massachusetts Department of Transportation without impairment of seniority, salary or benefits. This section would provide for the orderly and fair transition of Tobin Bridge employees.

SECTION 144. This section would require the Massachusetts Port Authority to transfer the Tobin Bridge, including all rights and obligations, to the division of roads and bridges in the Massachusetts Department of Transportation.

SECTION 145. This section would provide for the orderly transfer of Tobin Bridge employees to the Massachusetts Department of Transportation.

SECTION 146. This section would prohibit any MBTA employees hired on or after the effective date of this act from collecting retirement benefits before having reached at least 25 years of service and 55 years of age. This section would provide an exemption for disability pensions.

SECTION 147. This section would require the Secretary of Transportation to ensure the efficient transfer of (i) the Massachusetts turnpike authority's functions, assets, liabilities, and obligations, (ii) the Tobin memorial bridge owned and operated by the Massachusetts port authority, and (iii) the vehicular bridges and appurtenances under the control of the department of conservation and recreation, to the Massachusetts Transportation and Infrastructure Authority pursuant to this act.

This section would also provide that: any order, rule or regulation duly promulgated by or on behalf of the department of highways, the Massachusetts Aeronautics Commission, the registry of motor vehicles, and the Massachusetts turnpike authority, shall continue in full force

and effect to the extent consistent with this act and the laws of the Commonwealth, and shall continue to be enforced, until superseded, revised, rescinded or cancelled by the secretary of transportation.

SECTION 148. This section would authorize the City of Worcester to transfer to the Massachusetts Port Authority the Worcester Regional Airport, owned by the city and operated by the authority, within one year of the effective date of this act. Said transfer shall be for fair market value.

SECTION 149. This section would create an Office of Transition Management for with the Executive Office of Administration and Finance to accomplish the purposes of this act. The office would monitor compliance with this act, and recommend regulations to facilitate the transfer of assets and functions from the Massachusetts Turnpike Authority, Massport, the Department of Conservation and Recreation, and Massachusetts Highway Department to Massachusetts Department of Transportation.

SECTION 150. This section would require the Secretary of the Department of Transportation, in consultation with the Secretary of the Executive Office of Labor and Workforce Development and Director of Workforce Development, to institute a workforce retraining initiative to mitigate potential impacts to employees displaced by the organizational efficiencies and agency restructuring directed by this act.

SECTION 151. This section relates to facilitating the orderly transfer of employees, proceedings, rules and regulations, property, and legal obligations of the following agencies: (1) the functions of the Executive Office of Transportation, as the transferor agency, to the Massachusetts Department of Transportation, as the transferee agency; (2) the functions of the Department of Highways, as the transferor agency, to the Massachusetts Transportation and Infrastructure Authority Highway Division, as the transferee agency; (3) the functions of the Registry of Motor Vehicles, as the transferor agency, to the Massachusetts Transportation and Infrastructure Authority, Registry of Motor Vehicles, as the transferee agency; and (4) the functions of the Massachusetts Aeronautics Commission, as the transferor agency, to the Massachusetts Transportation and Infrastructure Authority, Aeronautics Division, as the transferee agency.

Specifically, this section would : (i) provide for the seamless transfer of employees between the transferor and transferee agencies; (ii) provide that all petitions, requests, investigations and other proceedings appropriately and duly brought before each transferor agency or duly begun by each transferor agency and pending before it before the effective date of this act, shall continue unabated and remain in force, but shall be assumed and completed by the department of transportation; (iii) provide that all orders, rules and regulations duly made and all approvals duly granted by each transferor agency, which are in force immediately before the effective date of this act, shall continue in force and shall thereafter be enforced, until superseded, revised, rescinded or canceled, in accordance with law, by the department of transportation; (iv) provide that all books, papers, records, documents, equipment, buildings, facilities, cash and other property, both personal and real, including all such property held in trust, which immediately before the effective date of this act are in the custody of each transferor

agency shall be transferred to the department of transportation; and (v) provide that all duly existing contracts, leases and obligations of each transferor agency shall continue in effect but shall be assumed by the respective transferee agency.

SECTION 152. This section would require all Regional Transit Authorities to adopt a forward funding budgeting system by July 1, 2011. This section would also require the Secretary of the Executive Office for Administration and Finance to develop a plan and timetable for accomplishing this conversion to forward funding and to seek the necessary appropriations to implement the plan.

SECTION 153. This section would require the Highway Division of the Massachusetts Department of Transportation to enter into an agreement with the Massachusetts Bay Transportation Authority to assume all bridge inspection responsibilities for any bridges owned and operated by said Authority over the roads of the Commonwealth.

SECTION 154. This section would direct the bureau of environmental health to conduct a study on the health effects of particulate air pollution from surface and air transportation in Massachusetts.

SECTION 155. This section would require the Office of the State Auditor to perform a close out audit of each agency or authority admitted to the Massachusetts Department of Transportation including a catalogue of any issues relating to the agency or authority's current and future finances and operations, revenues, debt structure and internal policies and procedures that he believes are not within financial accounting board standards or practice or may violate other laws, rules or procedures.

SECTION 156. This notwithstanding section would, as of July 1, 2009, deem all amounts of any kind received by the Commonwealth which are derived from or related to the operation of the state highway system or the Massachusetts Turnpike Authority to be held in trust for and transferred and paid over to the Massachusetts Department of Transportation. This section would also, as of July 1, 2010, deem all amounts of any kind received by the Commonwealth which are derived from or related to the operation of the Tobin Bridge to be held in trust for and transferred and paid over to the Massachusetts Department of Transportation.

SECTION 157. This section would direct the Secretary of Transportation to make a report on the life cycle costs of all projects authorized under the American Recovery and Reinvestment Act and produce an annual report annually until all projects have been completed.

SECTION 158. This section would require that all uncommitted and unexpended funds and authorizations, which have been appropriated from time to time to the Executive Office of Transportation and Public Works, including any agency and authority within said Executive Office be transferred to the Massachusetts Department of Transportation for use by the department or any of its divisions for purposes consistent with such authorizations.

SECTION 159. This section would provide for the transfer of the Massachusetts Turnpike Authority retirement system to the state retirement system.

SECTION 160. This section would require that the Governor's initial appointments to the Massachusetts Transportation and Infrastructure Authority board be staggered.

SECTION 161. This section would allow the Executive Office of Administration and Finance to enter into contracts or agreements with Massachusetts Department of Transportation to transfer bonds and notes issued by the Commonwealth for transportation purposes to the Authority.

SECTION 162. This section would credit any existing or future balance in the Infrastructure Fund to the Massachusetts Transportation Trust Fund.

SECTION 163. This section would direct the Comptroller to transfer the balance of the Highway Fund to the Commonwealth Transportation Fund.

SECTION 164. This section would direct the Comptroller to transfer the balance of the Transportation Deferred Maintenance Trust Fund to the Commonwealth Transportation Fund.

SECTION 165. This section would grandfather projects that have previously been exempted from the jurisdiction of EOEEA.

SECTION 166. This section would deem the provisions of this act to provide an additional, alternative and complete method for accomplishing the purposes of this act, and to be supplemental and additional to, and not in derogation of, powers conferred upon the Massachusetts Department of Transportation and others by laws, and if the provisions of this act are inconsistent with the provisions of any general or special law, administrative order or regulation, the provisions of this act would be controlling.

SECTION 167. This section would establish a Tollpayer Advocate and a Ridership Advocate, to attend all board meetings and advocate on behalf of system users.

SECTION 168. This section would direct the Comptroller to transfer the balance of the Central Artery and Statewide Road and Bridge Infrastructure Fund to the Commonwealth Transportation Fund.

SECTION 169. This section would require extend the period to dispute an overcharge by the FastLane system of the Massachusetts Turnpike Authority to three years following the overcharge.

SECTION 170. This section would set appointment dates of August 30, 2009 for the special public-private infrastructure oversight commission established in section 70 of chapter 7 of the General Laws.

SECTION 171. This section would require the Massachusetts Department of Transportation to develop an inventory of all real property owned by the department, to be filed with the House and Senate Clerks no later than 180 after the effective date of this act.

SECTION 172. This section would require the Massachusetts Department of Transportation to develop an inventory of all information technology assets owned by the department no later than April 1, 2010.

SECTION 173. This notwithstanding section would make the turnpike free of tolls only after all notes and bonds relating to the turnpike have been paid or a sufficient amount has been set aside in a trust and the turnpike is deemed to be in good condition and repair to the satisfaction of the division.

SECTION 174. This section would require the initial progress report required under subsection (d) of section 8 of chapter 81B of the General Laws to be filed by the Massachusetts Department of Transportation on December 15, 2009.

SECTION 175. This section would authorize the Attorney General to enter into an agreement with the Massachusetts Bay Transportation Authority to assume representation of the authority.

SECTION 176. This section would transfer all Department of Conservation and Recreation bridges to the Massachusetts Department of Transportation, with 13 named bridges transferred only after the execution of an MOU between DCR and MassDOT.

SECTION 177. This section would transfer 8 named parkways from Department of Conservation and Recreation to the Massachusetts Department of Transportation. This section would also require MassDOT and DCR to file an evaluation of all remaining DCR parkways with the House and Senate Committees on Ways and Means and the Joint Committee on Transportation.

SECTION 178. This section would facilitate the orderly transfer of bridges and named parkways from the Department of Conservation and Recreation to the Massachusetts Department of Transportation.

SECTION 179. This section would maintain that nothing in this act shall be construed to transfer any other lands, roadways, parkways, boulevards, bridge underpasses, approaches or other facilities from the Department of Conservation and Recreation.

SECTION 180. This section would direct the colonel of state police to work with the secretary of transportation to implement cost-saving measures related to assignments made pursuant to section 29 of chapter 22C of the General Laws.

SECTION 181. This section would prohibit on the rehire of any retiree the Massachusetts Department of Transportation for at least 1 year after their date of retirement.

SECTION 182. This section would make the board of the Massachusetts Department of Transportation effective November 1, 2009.

SECTION 183. This section would provide for sections 108, 144, and 145 to take effect on November 1, 2009.

SECTION 184. This section would provide for sections 133, 134 to 139, and 141 to 143 to take effect on January 1, 2010.

SECTION 185. This section would make this act, except as otherwise provided, take effect on July 1, 2009.