

SENATE No. 2776

The Commonwealth of Massachusetts

—————
In the One Hundred and Ninety-Second General Court
(2021-2022)
—————

SENATE, March 17, 2022.

The committee on Senate Ways and Means to whom was referred the House Bill making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4578); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2776.

(Total Appropriation: \$1,639,368,522.00).

For the committee,
Michael J. Rodrigues

SENATE No. 2776

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2022, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2022. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. These sums shall be
8 made available until June 30, 2023.

9 SECTION 2.

10 SECRETARY OF THE COMMONWEALTH

11 Secretary of the Commonwealth

12 0521-0000.....\$5,000,000

13 COMMISSION ON THE STATUS OF WOMEN

14 Commission on the Status of Women

15 0950-0000.....\$500,000

16	MASSACHUSETTS GAMING COMMISSION	
17	Massachusetts Gaming Commission	
18	1050-0140.....	\$391,240
19	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
20	Reserves	
21	1599-6903.....	\$55,000,000
22	1599-9817.....	\$346,056,813
23	Human Resources Division	
24	1750-0100.....	\$1,908,823
25	EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
26	Office of the Secretary of Energy and Environmental Affairs	
27	2000-0100.....	\$250,000
28	2000-0101.....	\$359,154
29	Department of Conservation and Recreation	
30	2810-0100.....	\$1,660,000
31	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
32	Office of Immigrants and Refugees	

33	4003-0100.....	\$10,000,000
34	Department of Transitional Assistance	
35	4408-1000.....	\$10,000,000
36	Department of Children and Families	
37	4800-0038.....	\$8,400,000
38	Department of Public Health	
39	4513-1020.....	\$8,000,000
40	4513-1026.....	\$10,000,000
41	4516-1000.....	\$1,780,754
42	Department of Mental Health	
43	5046-0000.....	\$5,000,000
44	Department of Elder Affairs	
45	9110-0100.....	\$435,400
46	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
47	Office of the Secretary of Housing and Economic Development	
48	7002-0010.....	\$190,000
49	Department of Housing and Community Development	

50 7004-0102.....\$2,800,000

51 7004-9316.....\$100,000,000

52 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

53 Executive Office of Labor and Workforce Development

54 7003-0101..... \$1,500,000

55 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

56 Department of Fire Services

57 8324-0050..... \$1,750,000

58 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
59 provide for an alteration of purpose for current appropriations, and to meet certain requirements
60 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
61 specifically designated otherwise in this section, for the several purposes and subject to the
62 conditions specified in this section, and subject to the laws regulating the disbursement of public
63 funds for the fiscal year ending June 30, 2022. Except as otherwise stated, these sums shall be
64 made available until June 30, 2023.

65 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

66 Reserves

67 1599-0766 For grants to Massachusetts approved special education schools to address
68 the impacts of 2019 novel coronavirus and subsequent variants.....\$140,000,000

69 1599-0793 For a reserve to support the commonwealth’s continuing testing,
70 treatment, vaccination, public awareness, prevention and public health response efforts for 2019
71 novel coronavirus and subsequent variants; provided, that the secretary of administration and
72 finance may transfer from this item to state agencies as defined in section 1 of chapter 29 of the
73 General Laws; provided further, that not less than \$433,000,000 shall be expended for testing
74 including, but not limited to, rapid tests, tests for schools and school-aged children, surveillance
75 testing in congregate care settings and public testing efforts; provided further, that not less than
76 \$72,000,000 shall be expended for treatment including, but not limited to, monoclonal
77 antibodies; provided further, that not less than \$45,500,000 shall be expended for vaccination
78 efforts including, but not limited to, vaccination sites, clinics and testing infrastructure; provided
79 further, that not less than \$125,000,000 shall be expended to support the workforce involved in
80 2019 novel coronavirus-related response efforts including, but not limited to, temporary staffing
81 and nursing rapid response teams; provided further, that if a direct funding source is more
82 appropriate for spending authorized in this item, the secretary of administration and finance may
83 spend from the other direct funding source and reduce spending from this item accordingly;
84 provided further, that if the secretary of administration and finance, in consultation with the
85 secretary of health and human services, determines that the actual need for a particular purpose is
86 less than is authorized to be spent in this item for that purpose, the secretary of administration
87 and finance may reduce spending accordingly; provided further, that the secretary of
88 administration and finance shall notify the house and senate committees on ways and means not
89 less than 7 days prior to reducing or increasing spending for a particular purpose authorized in
90 this item; provided further, that the secretary of administration and finance shall pursue the
91 highest allowable rate of federal reimbursement for all eligible expenditures from this item;

92 provided further, that the executive office for administration and finance, in consultation with the
93 department of elementary and secondary education, the department of early education and care
94 and the executive office of health and human services, shall make available on a public website:
95 (i) the total number of tests purchased and distributed; (ii) the total number of tests in reserve;
96 (iii) the number of vaccinations and the location of vaccination sites funded through this item;
97 (iv) the number of support staff funded through this item, locations to which support staff were
98 deployed and the purpose for their deployment; and (v) any additional expenditures made from
99 this item; provided further, that the website shall be updated quarterly; and provided further, that
100 funds shall be prioritized for communities disproportionately impacted by the 2019 novel
101 coronavirus pandemic.....\$700,000,000

102 1599-4448 For a reserve for collective bargaining and related labor costs; provided,
103 that funds shall be used for fiscal years 2020, 2021 and 2022 costs of contracts once validated
104 pursuant to section 7 of chapter 150 of the General Laws; provided further, that funds may be
105 used for non-union pay increases; and provided further, that the secretary of administration and
106 finance may authorize the transfer of funds from this account to other accounts to meet the
107 projected costs.....\$113,044,765

108 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

109 Department of Housing and Community Development

110 7004-1000 For the federal Low Income Home Energy Assistance Program under 42
111 U.S.C. 8621 et seq., to assist eligible low-income elders, working families and other households
112 with assistance paying a portion of winter heating bills; provided, that the department of housing
113 and community development shall establish the maximum assistance for which a household shall

114 be eligible; and provided further, that not later than June 30, 2022, the department shall submit a
115 report to the house and senate committees on ways and means detailing the distribution of funds
116 from this item, including the number of households served by region.....\$20,000,000

117 SECTION 2B. To provide for supplementing certain intragovernmental chargeback
118 authorizations in the general appropriation act and other appropriation acts for fiscal year 2022,
119 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for
120 an alteration of purpose for current intragovernmental chargeback authorizations and to meet
121 certain requirements of law, the sum set forth in this section is hereby authorized from the
122 Intragovernmental Service Fund for the several purposes specified in this section or in the
123 appropriation acts and subject to the provisions of law regulating the disbursement of public
124 funds for the fiscal year ending June 30, 2022. This sum shall be in addition to any amounts
125 previously authorized and made available for the purposes of this item.

126 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

127 Office of the Secretary of Health and Human Services

128 4000-1701.....\$20,000,000

129 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from
130 the General Fund to the trust funds named within each item unless specifically designated
131 otherwise in this section, for the purposes and subject to the conditions specified in this section
132 and subject to the laws regulating the disbursement of public funds for the fiscal year ending
133 June 30, 2022. Any transfers under this section shall be made by the comptroller not later than
134 June 30, 2022.

135 TRANSPORTATION

136 Massachusetts Department of Transportation

137 1595-6380 For an operating transfer to the Massachusetts Transportation Trust Fund
138 established in section 4 of chapter 6C of the General Laws for grants to municipalities for a
139 winter recovery assistance program; provided, that funds may be expended for transportation
140 projects including, but not limited to: (i) the rehabilitation, reconstruction, resurfacing or
141 preservation of roadways and appurtenances; (ii) the repair or replacement of traffic control
142 devices, signage, guardrails and storm grates; or (iii) road striping or painting; provided further,
143 that funds shall be distributed using a formula based on each municipality’s share of road
144 mileage; and provided further, that not later than September 30, 2022, the Massachusetts
145 Department of Transportation shall submit a report to the house and senate committees on ways
146 and means and the joint committee on transportation that shall include, but not be limited to: (a)
147 the methodology used to distribute funds from this item; (b) a list of all municipalities that
148 received funding for projects through these grants; (c) the amount of grant funds awarded to each
149 municipality; and (d) a description of the projects implemented in each municipality

150\$100,000,000

151 Commonwealth Transportation Fund.....100%

152 SECTION 3. Section 7 of chapter 23H of the General Laws, as appearing in the 2020
153 Official Edition, is hereby amended by inserting after the word “designee”, in line 7, the
154 following words:- ; the commissioner of the Massachusetts commission for the blind or the
155 Massachusetts rehabilitation commission or a designee.

156 SECTION 4. Said section 7 of said chapter 23H, as so appearing, is hereby further
157 amended by striking out, in line 11, the figure “17” and inserting in place thereof the following
158 figure:- 18.

159 SECTION 5. Said section 7 of said chapter 23H, as so appearing, is hereby further
160 amended by striking out subsection (g) and inserting in place thereof the following subsection:-

161 (g) The members of the board shall serve at the pleasure of the governor and shall serve
162 without compensation. The terms of the appointed members shall expire as designated by the
163 governor at the time of appointment but shall not exceed 2 years.

164 SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after
165 2QQQQQ the following 2 sections:-

166 Section 2RRRRR. There is hereby established and set up on the books of the
167 commonwealth a separate, non-budgeted special revenue fund known as the Massachusetts
168 Rehabilitation Commission Vocational Rehabilitation Reimbursement Fund. The commissioner
169 of the Massachusetts rehabilitation commission shall be the administrator of the fund.

170 The fund shall be credited with: (i) all payments received from the federal government
171 and allocated to the Massachusetts rehabilitation commission under the federal Social Security
172 Administration Vocational Rehabilitation Cost Reimbursement program, 29 U.S.C. 728; (ii)
173 reimbursement received by the commission for successful employment outcomes of participants
174 in the program; and (iii) any interest received thereon. Amounts credited to the fund shall be
175 expended without further appropriation for the vocational rehabilitation program administered by
176 the commission as described in sections 74 to 80, inclusive, of chapter 6. Expenditures from the
177 fund shall be made consistent with federal requirements for administering the vocational

178 rehabilitation program; provided, however, that no funds shall be deducted for pensions, group
179 health or life insurance or any other indirect costs of federally-reimbursed state employees.

180 Money remaining in the fund at the end of a fiscal year shall remain available for
181 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund
182 to be in deficit at the close of the fiscal year. The commission shall report the amount remaining
183 in the fund at the end of each fiscal year to the house and senate committees on ways and means.

184 Section 2SSSSS. There shall be a separate, non-budgeted special revenue fund known as
185 the Massachusetts Commission for the Blind Vocational Rehabilitation Reimbursement Fund.
186 The commissioner of the Massachusetts commission for the blind shall be the administrator of
187 the fund.

188 The fund shall be credited with: (i) all payments received from the federal government
189 and allocated to the Massachusetts commission for the blind under the federal Social Security
190 Administration Vocational Rehabilitation Cost Reimbursement program, 29 U.S.C. 728; (ii)
191 reimbursement received by the commission for successful employment outcomes of participants
192 in the program; and (iii) any interest received thereon. Amounts credited to the fund shall be
193 expended without further appropriation for the vocational rehabilitation program administered by
194 the commission as described in section 129 of chapter 6. Expenditures from the fund shall be
195 made consistent with federal requirements for administering the vocational rehabilitation
196 program; provided, however, that no funds shall be deducted for pensions, group health or life
197 insurance or any other indirect costs of federally-reimbursed state employees.

198 Money remaining in the fund at the end of a fiscal year shall remain available for
199 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund

200 to be in deficit at the close of the fiscal year. The commission shall report the amount remaining
201 in the fund at the end of each fiscal year to the house and senate committees on ways and means.

202 SECTION 7. Chapter 69 of the General Laws is hereby amended by striking out section
203 30, as appearing in the 2020 Official Edition, and inserting in place thereof the following
204 section:-

205 Section 30. (a) Any person or entity, regardless of its anticipated corporate form, that
206 seeks to incorporate, register or operate as a college, junior college, university or other post-
207 secondary educational institution with the power to grant degrees and any person or entity,
208 regardless of its corporate form, that seeks to amend the charter of an existing entity to give it the
209 power to grant degrees or to change its name to include the term college, junior college or
210 university shall make application to, and receive approval from, the board of higher education by
211 submitting to the board articles of incorporation, articles of amendment, certificate of
212 organization or foreign corporation certificate of registration, in draft form, along with an
213 application and supporting materials as required by the board. The board shall immediately make
214 an investigation as to the applicants for incorporation of such an institution and as to the
215 purposes thereof and any other material facts relative thereto. The board may approve such
216 application for a junior college, the name of which does not include the word junior; provided,
217 however, that the charter of such educational institution shall require that the name when used on
218 its official documents and publications be accompanied by a descriptive phrase that in the
219 judgment of the board shall effectively distinguish the institution from a senior college. In the
220 case of a proposed amendment to the charter of an existing educational institution giving it the
221 power to grant degrees or change its name to include the terms college, junior college or
222 university, the board shall make an investigation of the institution, its faculty, equipment, courses

223 of study, financial organization, leadership and other material facts relative thereto. The board
224 shall establish a policy providing for public notice and the opportunity for public comment on
225 such certificates or articles submitted to it pursuant to this section, where appropriate. The board,
226 after making its investigation and subject to section 31, shall make a determination approving or
227 disapproving the application submitted to it and shall report its findings to the applicant. After
228 approval by the board, the applicant shall file final articles of incorporation, articles of
229 amendment, certificate of organization or foreign corporate certificate of registration with the
230 state secretary along with the approval letter from the board. If the board disapproves an
231 application pursuant to this section, it shall inform the applicant of the reason for its disapproval.

232 (b) If an application is not approved, the applicant may appeal to the superior court and
233 the superior court shall hear the case and determine whether the application shall be approved.

234 (c) To determine evidence of improvement and growth, the board of higher education,
235 through its agents, shall make periodic inspections of every college, junior college, university or
236 other post-secondary educational institution within the 12 years following the board's approval
237 of an institution's application submitted pursuant to this section.

238 SECTION 8. Chapter 75 of the General Laws is hereby amended by striking out section
239 45, as appearing in section 35 of chapter 102 of the acts of 2021, and inserting in place thereof
240 the following section:-

241 Section 45. There shall be within the McCormack graduate school of policy and global
242 studies at the University of Massachusetts, the Edward J. Collins, Jr. center for public
243 management. The center shall seek to improve efficiency, effectiveness, governance,

244 responsiveness and accountability at all levels of government, with a particular focus on local
245 and state government. The center shall:

246 (i) provide high-quality, pragmatic, agile and affordable fee-for-service technical
247 assistance and consulting on public management issues to public entities;

248 (ii) offer practical, low-cost and customized public management training, education and
249 professional development to public officials and aspiring public officials;

250 (iii) collaborate with faculty and practitioners on research and initiatives that drive
251 change in public management practices and help remove barriers for improving public
252 management;

253 (iv) create publicly-available resources to support public officials; and

254 (v) integrate public management practitioners with students and faculty at the University
255 of Massachusetts at Boston and throughout the University of Massachusetts system in formal and
256 informal ways that strengthen public entities, the center, the University of Massachusetts system
257 and the world at-large.

258 SECTION 9. The sixth paragraph of section 25A of chapter 111 of the General Laws, as
259 appearing in the 2020 Official Edition, is hereby amended by adding the following sentence:-

260 The department may enter into agreements with the federal Food and Drug Administration
261 pursuant to 21 C.F.R. 20.88 for the purpose of receiving records and information; provided,
262 however, that any information received pursuant to such agreements shall be exempt from
263 disclosure as a public record as required pursuant to said 21 C.F.R. 20.88.

264 SECTION 10. Section 181 of chapter 25 of the acts of 2009 is hereby amended by
265 striking out the words “1 year” and inserting in place thereof the following words:- 6 months.

266 SECTION 11. Item 2000-7081 of section 2A of chapter 209 of the acts of 2018 is hereby
267 amended by striking out the words “cities and towns” and inserting in place thereof the following
268 words:- the commonwealth’s political subdivisions, including, but not limited to, cities, towns,
269 counties and districts, federal and state recognized tribes and any authority, commission, board
270 or instrumentality of any such political subdivision or tribe.

271 SECTION 12. Said item 2000-7081 of said section 2A of said chapter 209 is hereby
272 further amended by striking out the words “municipal governmental bodies on lands held by
273 nonprofit conservation organizations or on private lands shall require the affirmative vote of a
274 majority of all the members of the city council in a city having a Plan D or Plan E charter, the
275 vote of the city council in a city not having such a charter, subject to the charter of such a city,
276 and the majority vote of the selectboard in a town” and inserting in place thereof the following
277 words:- governmental bodies on lands held by nonprofit conservation organizations or on private
278 lands shall require the affirmative vote of a majority of the grantee’s legislative body, board of
279 directors or equivalent body.

280 SECTION 13. Section 13 of chapter 53 of the acts of 2020 is hereby amended by striking
281 out the words “May 1, 2022”, inserted by section 1 of chapter 20 of the acts of 2021, and
282 inserting in place thereof the following words:- April 1, 2023.

283 SECTION 14. Section 14 of chapter 92 of the acts of 2020 is hereby amended by striking
284 out subsection (b) and inserting in place thereof the following subsection:-

285 (b) Notwithstanding section 38G of chapter 71 of the General Laws or any other general
286 or special law to the contrary, in order to address disruptions caused by the outbreak of the 2019
287 novel coronavirus and subsequent variants, also known as COVID-19, the commissioner of
288 elementary and secondary education may issue emergency educator licenses to individuals upon
289 application to the commissioner. The commissioner may issue emergency educator licenses for a
290 period of 180 days after the termination of the May 28, 2021 declaration of a state of emergency
291 pursuant to section 2A of chapter 17 of the General Laws. An emergency educator license shall
292 be valid for 1 year and may be extended by the commissioner for up to 2 additional years if an
293 individual is participating in a formal educator mentoring program and progressing towards
294 completing a standard educator license, including by enrolling in an approved licensure program
295 or coursework related to education, or such other actions as identified by the commissioner. The
296 commissioner may suspend or revoke an emergency license for cause, pursuant to standards and
297 procedures established by the board of elementary and secondary education.

298 SECTION 15. Subsection (c) of said section 14 of said chapter 92 is hereby amended by
299 striking out the first sentence and inserting in place thereof the following sentence:- To be
300 eligible to receive an emergency educator license, an individual shall meet the education
301 requirements for an entry-level license in the field sought and any additional requirements
302 identified by the commissioner for specific licenses.

303 SECTION 16. The first sentence of subsection (d) of said section 14 of said chapter 92 is
304 hereby amended by striking out the words “by June 30, 2021” and inserting in place thereof the
305 following words:- within 2 years of receiving an emergency license.

306 SECTION 17. Subsection (b) of section 2 of chapter 118 of the acts of 2020 is hereby
307 amended by striking out the words “May 1, 2022”, inserted by section 10 of chapter 20 of the
308 acts of 2021, and inserting in place thereof the following words:- April 1, 2023.

309 SECTION 18. Section 93 of chapter 124 of the acts of 2020 is hereby amended by
310 striking out the words “in direct response to the state of emergency declared by the governor on
311 March 10, 2020” and inserting in place thereof the following words:- from the start of the state of
312 emergency declared by the governor on March 10, 2020 and thereafter to support the
313 commonwealth’s ongoing response to the 2019 novel coronavirus, also known as COVID-19,
314 and its subsequent variants.

315 SECTION 19. Subsection (b) of section 2 of chapter 257 of the acts of 2020, as amended
316 by section 16 of chapter 20 of the acts of 2021, is hereby further amended by striking out the
317 words “during the COVID-19 emergency or until April 1, 2022, whichever is later” and inserting
318 in place thereof the following words:- until March 31, 2023.

319 SECTION 20. Said subsection (b) of said section 2 of said chapter 257, as so amended, is
320 hereby further amended by adding the following sentence:- A court having jurisdiction over an
321 action for summary process under said chapter 239, including the Boston municipal court, shall
322 inform the parties of their protections and resources pursuant to this section.

323 SECTION 21. Subsection (c) of said section 2 of said chapter 257, as so amended, is
324 hereby further amended by striking out the words “during the COVID-19 emergency or until
325 April 1, 2022, whichever is later” and inserting in place thereof the following words:- until
326 March 31, 2023.

327 SECTION 22. Section 3 of said chapter 257, as amended by section 17 of said chapter
328 20, is hereby further amended by striking out the words “during the COVID-19 emergency or
329 until January 1, 2023, whichever is later” and inserting in place thereof the following words:-
330 until March 31, 2023.

331 SECTION 23. Section 5 of chapter 345 of the acts of 2020 is hereby amended by striking
332 out the figure “2021” and inserting in place thereof the following figure:- 2022.

333 SECTION 24. Section 19 of chapter 20 of the acts of 2021 is hereby amended by striking
334 out the figure “2022”, each time they appear, and inserting in place thereof, in each instance, the
335 following figure:- 2023.

336 SECTION 25. Section 30 of said chapter 20 is hereby amended by striking out the words
337 “January 1, 2023” and inserting in place thereof the following words:- March 31, 2023.

338 SECTION 26. Item 1599-9817 of section 2 of chapter 24 of the acts of 2021, inserted by
339 section 61 of chapter 102 of the acts of 2021, is hereby amended by striking out the words
340 “Home and Community-Based Services Federal Investment Fund100%”.

341 SECTION 27. Item 1775-0700 of said section 2 of said chapter 24 is hereby amended by
342 striking out the figure “\$60,000”, each times it appears, and inserting in place thereof, in each
343 instance, the following figure:- \$150,000.

344 SECTION 28. Item 3000-3060 of said section 2 of said chapter 24 is hereby amended by
345 inserting after the word “children”, the third time it appears, the following words:- and, in fiscal
346 years 2022 and 2023, in consideration of the economic impact of COVID-19, for families

347 participating in education and training services funded by the Supplemental Nutrition Assistance
348 Program.

349 SECTION 29. Item 4003-0122 of said section 2 of said chapter 24, as amended by
350 section 65 of chapter 102 of the acts of 2021, is hereby further amended by adding the following
351 words:- ; provided further, that not less than \$10,000,000 shall be expended for resettlement
352 agencies in the commonwealth for services for refugees and immigrants including, but not
353 limited to Ukrainian refugees and immigrants, to obtain a secure immigration status in the United
354 States;.

355 SECTION 30. Said item 4003-0122 of said section 2 of said chapter 24, as so amended,
356 is hereby further amended by adding the following words:- ; and provided further, that any
357 unexpended funds in this item shall not revert but shall be made available for the purposes of this
358 item until June 30, 2023.

359 SECTION 31. Item 4400-1020 of said section 2 of said chapter 24 is hereby amended by
360 adding the following words:- ; and provided further, that funds in this item shall not revert but
361 shall be made available for these purposes through June 30, 2023.

362 SECTION 32. Item 4512-2020 of said section 2 of said chapter 24 is hereby amended by
363 striking out the words “to employ 1 full-time mental health counselor within the police
364 department of the city of Fitchburg” and inserting in place thereof the following words:- for
365 training and equipment for the police department in the city of Fitchburg.

366 SECTION 33. Item 4513-1020 of said section 2 of said chapter 24 is hereby amended by
367 adding the following words:- ; provided further, that not less than \$8,000,000 shall be expended
368 from this item for early intervention staffing recovery payments to address the staffing crisis and

369 restore early intervention staffing and service hours through hiring, rehiring and retention of
370 clinical and support staff across the early intervention system; provided further, such funds shall
371 be used to support increased salaries, wages and benefits for early intervention clinicians and
372 support staff; provided further, funds may be used to cover supervision, training, nonbillable
373 time and other onboarding costs directly associated with the hiring of new early intervention
374 clinicians and support staff; provided further, such staffing recovery payments shall be
375 distributed by the department as payment vouchers to all vendors of certified early intervention
376 programs; provided further, that such payments shall be made on a proportional basis, calculated
377 using the most recent early intervention child counts of the department; provided further, that
378 such funds shall be distributed not later than May 1, 2022; and provided further, that not later
379 than June 30, 2022, the department shall submit a report to the executive office for
380 administration and finance and the house and senate committees on ways and means detailing the
381 distribution of the staffing recovery payments.

382 SECTION 34. Item 4513-2020 of said section 2 of said chapter 24 is hereby amended by
383 striking out the words “provided further, that the executive office shall promulgate regulations
384 for the administration and enforcement of the loan repayment assistance program for child and
385 adolescent psychiatrists under this item which shall include penalties and repayment procedures
386 if a participating individual fails to comply with program requirements”.

387 SECTION 35. Item 7002-0036 of said section 2 of said chapter 24 is hereby amended by
388 adding the following words:- ; and provided further, that the funds appropriated in this item shall
389 not revert but shall be made available for these purposes through June 30, 2023.

390 SECTION 36. Item 7002-2021 of said section 2 of said chapter 24 is hereby amended by
391 adding the following words:- ; and provided further, that funds in this item shall not revert but
392 shall be made available for these purposes through June 30, 2023.

393 SECTION 37. Item 1595-1068 of section 2E of said chapter 24 is hereby amended by
394 striking out the figure “\$437,750,000” and inserting in place thereof the following figure:-
395 \$577,145,000.

396 SECTION 38. Said item 1595-1068 of said section 2E of said chapter 24 is hereby further
397 amended by striking out the figure “\$471,357,839” and inserting in place thereof the following
398 figure:- \$719,521,170.

399 SECTION 39. Item 1599-2026 of section 2A of chapter 102 of the acts of 2021 is hereby
400 further amended by striking out the figure “\$15,000,0000” and inserting in place thereof the
401 following figure:- \$15,000,000.

402 SECTION 40. Item 1599-2049 of said section 2A of said chapter 102 is hereby amended
403 by striking out the words “the secretary of administration and finance shall transfer \$25,000,000
404 from this item to item 7002-0012” and inserting in place thereof the following words:- not less
405 than \$25,000,000 shall be expended.

406 SECTION 41. Said item 1599-2049 of said section 2A of said chapter 102 is hereby
407 further amended by striking out the words “transferred from this item to item 4000-0005 for” and
408 inserting in place thereof the following words:- expended, in consultation with the secretary of
409 health and human services and the safe and successful youth initiative, for.

410 SECTION 42. Item 1599-2050 of said section 2A of said chapter 102 is hereby amended
411 by striking out the words, the second time they appear, “Massachusetts Military Support
412 Foundation, Inc.” and inserting in place thereof the following words:- Central Mass Veterans
413 Support, Inc.

414 SECTION 43. Item 1599-2056 of said section 2A of said chapter 102 is hereby amended
415 by striking out the words “transferred from this item to item 7061-0012 for compensatory
416 services for adults that reached age 22 during the 2019 novel coronavirus pandemic” and
417 inserting in place thereof the following words:- expended by the department of elementary and
418 secondary education for services for individuals with disabilities that reached age 22 between
419 March 10, 2020 and September 1, 2023 and were entitled to special education services up to age
420 22.

421 SECTION 44. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
422 further amended by striking out the words “transferred to item 7066-1400 for the mitigation of
423 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
424 universities” and inserting in place thereof the following words:- expended for the mitigation of
425 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
426 universities and that no funds shall be deducted for pensions, group health or life insurance, or
427 any other indirect costs of state employees.

428 SECTION 45. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
429 further amended by striking out the words “transferred to item 7100-0200 for the mitigation of
430 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for the
431 University of Massachusetts” and inserting in place thereof the following words:- expended for

432 the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance
433 projects for the University of Massachusetts and that no funds shall be deducted for pensions,
434 group health or life insurance or any other indirect costs of state employees.

435 SECTION 46. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
436 further amended by striking out the words “transferred to item 7100-4000 for the mitigation of
437 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for
438 community colleges” and inserting in place thereof the following words:- expended for the
439 mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance
440 projects for community colleges and that no funds shall be deducted for pensions, group health
441 or life insurance or any other indirect costs of state employees.

442 SECTION 47. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
443 further amended by striking out the words “transferred from this item to item 7010-0005” and
444 inserting in place thereof the following word:- expended.

445 SECTION 48. Item 1599-2058 of section 2A of chapter 102 of the acts of 2021 is hereby
446 amended by striking out the words “bicycle and pedestrian trail between the town of Needham
447 and the city of Newton via a new community bridge spanning state highway route 128, the
448 existing rail bridge spanning the Charles river and connecting to the Newton Upper Falls
449 Greenway and Needham Heights” and inserting in place thereof the following words:- multi-
450 modal way from the city of Newton into the town of Needham via a new community bridge
451 spanning state highway route 128, the existing rail bridge spanning the Charles River and
452 connecting to the Newton Upper Falls Greenway and Needham Heights, including an evaluation

453 and cost-benefit analysis of a way designed to accommodate only bicycles and pedestrians
454 versus a way designed to accommodate bicycles, pedestrians and electric shuttle buses.

455 SECTION 49. Section 70 of said chapter 102 is hereby repealed.

456 SECTION 50. The first sentence of section 1 of chapter 22 of the acts of 2022 is hereby
457 amended by striking out the word “sum” and inserting in place thereof the word:- sums.

458 SECTION 51. The second sentence of said section 1 of said chapter 22 is hereby
459 amended by striking out the words “This sum” and inserting in place thereof the following
460 words:- These sums.

461 SECTION 52. The special legislative commission established in section 106 of chapter
462 227 of the acts of 2020, as most recently revived and continued by section 33 of chapter 22 of the
463 acts of 2022, is hereby further revived and continued to April 15, 2022. The special legislative
464 commission shall file its report pursuant to said section 106 of said chapter 227 with the clerks of
465 the house of representatives and the senate, the house and senate committees on ways and means,
466 the joint committee on education and the joint committee on economic development and
467 emerging technologies not later than April 15, 2022.

468 SECTION 53. (a) As used in this section, the following words shall have the following
469 meanings:-

470 “Alteration”, work required to modify or adjust the interior space arrangement or other
471 physical characteristic of an existing facility so that it may be more effectively utilized for its
472 presently designated functional purpose.

473 “Commissioner”, the commissioner of capital asset management and maintenance.

474 “Conversion”, work required to modify or adjust the interior space arrangement or other
475 physical characteristic of an existing facility so that it may be effectively utilized for a new
476 functional purpose.

477 “Job order”, an agreed-upon, fixed-price order issued by a public agency to a contractor
478 pursuant to a job order contract, for the contractor's performance of a specific maintenance,
479 repair, alteration or conversion project consisting solely of tasks, materials and equipment
480 selected from those specified and priced in that job order contract.

481 “Job order contract”, a contract for the performance of maintenance, repair, alteration and
482 conversion projects-, or a subset thereof: (i) that is limited to a specified term; (ii) in which the
483 contract specifications consist of technical descriptions of various tasks, materials and equipment
484 at stated unit prices but do not specify the specific projects to be performed by the contractor;
485 (iii) which contains a fixed contractor's mark-up over the unit prices stated in the specifications;
486 and (iv) in accordance with which at least 1 specified state agency may enter into fixed price job
487 orders with the contractor for the performance of specific projects, consisting solely of
488 combinations of the tasks, materials and equipment specified in the contract, at the unit prices
489 specified therein plus the contractor's mark-up.

490 “Maintenance”, day-to-day routine, normally-recurring, repairs, equipment adjustments
491 and upkeep.

492 “Repair”, work required to restore a facility or system to a condition in which it may
493 continue to be approximately and effectively used for its designated purpose and anticipated life,
494 or to comply with code requirements, by overhaul, reprocessing or replacement of constituent

495 parts or materials that have deteriorated by action of the elements or wear and tear in use or that
496 do not meet code requirements.

497 (b) Notwithstanding section 46 of chapter 7C of the General Laws, section 44A of
498 chapter 149 of the General Laws, section 39M of chapter 30 of the General Laws or any other
499 general or special law to the contrary, the commissioner may establish a pilot program for the
500 use of job order contracts by: (i) higher education facilities subject to control of the department
501 of higher education; (ii) an agency within the department of correction; and (iii) the division of
502 capital asset management and maintenance with respect to properties for which the division is
503 responsible.

504 (c) As part of the pilot program, the commissioner may procure contracts for services
505 related to the creation and use of job order contracts including, but not limited to, the creation of
506 task descriptions, specifications and unit prices for use in job order contracts and agency training
507 and other services related to such contracts. Such procurement may be conducted in accordance
508 with the procedures specified in 801 CMR 21.00.

509 (d) As part of the pilot program, the commissioner may procure job order contracts for
510 use by: (i) the division of capital asset management and maintenance; (ii) the department of
511 correction; and (iii) any higher education facilities subject to control of the department of higher
512 education. These contracts shall be limited to job orders estimated to cost not more than
513 \$150,000 each and shall be procured through the procedures specified in section 39M of chapter
514 30 of the General Laws except that: (i) the amount of the bid deposit shall be \$5,000; (ii)
515 contractors who are awarded job orders under any job order contract shall be certified by the
516 division of capital asset management and maintenance for the category of work specified in the

517 contract; and (iii) the amounts of surety bonds required by the contract may be satisfied with
518 respect to each particular job order before the commencement of any work under that job order.
519 The commissioner shall award a job order contract to the eligible and responsible bidder who
520 offers the lowest mark-up over the base unit prices specified in the contract specifications. Such
521 job order contracts shall have a maximum term of 2 years.

522 (e) The authority granted to the commissioner in this section shall expire on January 1,
523 2027, but any job order contract awarded before that date may be executed and continue in effect
524 for a maximum term, including any extensions or renewals, of 2 years from the date of its
525 execution and delivery.

526 (f) Annually, not later than June 30, the commissioner shall prepare a report on the
527 projects utilizing job order contracts through the pilot program and submit the report to the joint
528 committee on state administration and regulatory oversight. The report shall include an analysis
529 of the cost effectiveness of job order contracting and any other public benefits resulting from job
530 order contracts through the pilot program.

531 SECTION 54. Notwithstanding any general or special law to the contrary, for fiscal year
532 2022, the secretary of health and human services, with the written approval of the secretary of
533 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-
534 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-
535 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.

536 SECTION 55. Notwithstanding any general or special law to the contrary, any
537 unexpended balances, not exceeding a total of \$40,000,000, in items 4000-0700 and 4000-1426
538 of section 2 of chapter 24 of the acts of 2021 shall not revert to the General Fund until September

539 1, 2022 and may be expended by the executive office of health and human services to pay for
540 services enumerated in said items 4000-0700 and 4000-1426 of said section 2 of said chapter 24
541 that were provided in fiscal year 2022.

542 SECTION 56. Notwithstanding any general or special law to the contrary, for any taxable
543 year beginning on or after January 1, 2022, any amount received from the COVID-19 Essential
544 Employee Premium Pay program established in section 73 of chapter 102 of the acts of 2021 and
545 section 82 of said chapter 102 to provide direct financial support to an essential worker shall be
546 deducted from federal gross income for the purpose of determining Massachusetts gross income
547 pursuant to section 2 of chapter 62 of the General Laws; provided, however, that 1-time
548 payments to front-line state employees required to work in-person during the winter of 2020 to
549 2021 made pursuant to said section 82 of said chapter 102 shall not be subject to this section.

550 SECTION 57. Notwithstanding any general or special law to the contrary, for taxable
551 years beginning on or after January 1, 2022 and ending on or before December 31, 2024, any
552 amount received from a down payment assistance program administered by the Massachusetts
553 Housing Finance Agency or the Massachusetts Housing Partnership Fund Board, including
554 grants and any portion of a loan forgiven during the taxable year, shall be deducted from federal
555 gross income for the purpose of determining Massachusetts gross income under section 2 of
556 chapter 62 of the General Laws.

557 SECTION 58. Notwithstanding sections 14 and 34 of chapter 91 of the General Laws and
558 any other general or special law to the contrary, the department of environmental protection may
559 issue a license pursuant to said chapter 91 and regulations promulgated thereunder to the
560 department of conservation and recreation to authorize a bicycle and pedestrian bridge that

561 would span the Mystic river seaward of the Amelia Earhart Dam, running approximately from
562 the south side of the department of conservation and recreation's Draw Seven park in the city of
563 Somerville to land adjacent to Encore Boston Harbor in the city of Everett.

564 SECTION 59. Notwithstanding any special or general law to the contrary, the department
565 of early education and care shall not enter into a contract exceeding one year in length for any
566 fiscal year 2022 contract provider for the income eligible and priority populations programs
567 funded through items 3000-3060 and 3000-4060 of section 2 of chapter 24 of the acts of 2021,
568 from March 1, 2022 through June 30, 2023.

569 SECTION 60. Notwithstanding any general or special law to the contrary, the housing
570 court rules for the 2-tier process for all summary process cases established in subsection (b) of
571 section (3) of the Housing Court Third Amended Standing Order 6-20 shall remain in effect until
572 March 31, 2023.

573 SECTION 61. Notwithstanding section 53 of chapter 44 of the General Laws, for fiscal
574 year 2022, supplemental payments received by cities, towns or districts in the commonwealth
575 from the department of veterans' services shall be considered special revenue and may be spent
576 without appropriation for their intended purposes consistent with chapter 115 of the General
577 Laws.

578 SECTION 62. The salary adjustments and other economic benefits authorized by the
579 following collective bargaining agreements shall be effective for the purposes of section 7 of
580 chapter 150E of the General Laws:

581 (1) between the commonwealth and the New England Police Benevolent Association,
582 Unit 4A;

583 (2) between the commonwealth and the Massachusetts Organization of State Engineers
584 and Scientists, Unit 9;

585 (3) between the commonwealth and the Massachusetts Correction Officers Federated
586 Union, Unit 4;

587 (4) between the commonwealth and the International Association of Fire Fighters, Locals
588 S-28 and S-29, Unit 11;

589 (5) between the sheriff of Berkshire county and the Brotherhood of Correctional Officers,
590 Local I-297, Unit SB1;

591 (6) between the sheriff of Bristol county and the National Correctional Employees Union,
592 Ad-Tech Unit, L 135, Unit SA1;

593 (7) between the sheriff of Bristol county and the National Association of Government
594 Employees C, R1-1476, Unit SA2;

595 (8) between the sheriff of Bristol county and the National Correctional Employees Union,
596 Captains and Majors Unit, Unit SA3;

597 (9) between the sheriff of Bristol county and the Massachusetts Correctional Officers
598 Federated Union, Unit SA4;

599 (10) between the sheriff of Bristol county and the National Correctional Employees
600 Union, K-9 Unit, Unit SA7;

601 (11) between the sheriff of Essex County and the National Correctional Employees
602 Union, Unit SE7;

603 (12) between the sheriff of Hampden county and the National Correctional Employees
604 Union, Local 131, SH1;

605 (13) between the sheriff of Hampden county and the Hampden Correction Officers
606 National Correctional Employees Union, L105, SH4;

607 (14) between the sheriff of Middlesex county and the New England Benevolent
608 Association, Local 525, Unit SM1;

609 (15) between the sheriff of Middlesex county and the Teamsters Local Union No. 122,
610 Unit SM2;

611 (16) between the sheriff of Middlesex county and the New England Benevolent
612 Association, Local 500, Unit SM5;

613 (17) between the sheriff of Middlesex county and the National Correctional Employees
614 Union, Local 116, Unit SM6;

615 (18) between the sheriff of Worcester county and the National Association of
616 Government Employees, Local R1-255, Unit SW4;

617 (19) between the sheriff of Worcester county and the New England Police Benevolent
618 Association, Local 515, Unit SW5;

619 (20) between the sheriff of Worcester county and the New England Police Benevolent
620 Association, Local 550, Unit SW6;

621 (21) between the University of Massachusetts and the Massachusetts Society of
622 Professors, Lowell Campus, Unit L90;

623 (22) between the University of Massachusetts and the Clerical and Technical Unit,
624 Lowell Campus, Unit L92;

625 (23) between the University of Massachusetts and the Maintenance and Trades Unit,
626 Lowell Campus, Unit L93;

627 (24) between the University of Massachusetts and the Faculty Federation, Local 1895,
628 Dartmouth Campus, Units D80 & D81;

629 (25) between the University of Massachusetts and the AFSCME Local 507, Dartmouth
630 Campus, Unit D83;

631 (26) between the University of Massachusetts and the ESU Professional Local 1895,
632 Dartmouth Campus, Unit D85;

633 (27) between the University of Massachusetts and the Professional Staff Union Unit A;
634 Amherst Campus, Unit A52 and Boston Campus, Unit B42;

635 (28) between the University of Massachusetts and the Faculty Staff Union, Boston
636 Campus, Unit B40;

637 (29) between the University of Massachusetts and the Teamsters Local 25, Boston
638 Campus, Unit B3L & Unit B3S;

639 (30) between the University of Massachusetts and the Department Chairs Union, Boston
640 Campus, Unit B50;

641 (31) between the Massachusetts Department of Transportation and the Coalition of
642 MassDOT Unions, Unit B;

643 (32) between the Massachusetts Department of Transportation and the Coalition of
644 MassDOT Unions, Unit C;

645 (33) between the Massachusetts Department of Transportation and the Coalition of
646 MassDOT Unions, Unit E;

647 (34) between the Massachusetts Board of Higher Education and the Association of
648 Professional Administrators;

649 (35) between the Massachusetts Board of Higher Education and the Massachusetts State
650 College Association/MTA/NEA;

651 (36) between the Massachusetts Board of Higher Education and the American Federation
652 of State and County and Municipal Employees, Council 93, Local 1067, AFL-CIO

653 (37) between the commonwealth, the Middlesex South Registry of Deeds and the
654 American Federation of State, County, and Municipal Employees, Council 93, Local 414;

655 (38) between the commonwealth , the Middlesex North Registry of Deeds and the
656 International Union of Public Employees, Local 1000;

657 (39) between the commonwealth, the Hampden Registry of Deeds and the Office and
658 Professional Employees International Union, AFL-CIO, Local 6;

659 (40) between the commonwealth, the Worcester Registry of Deeds and the Office and
660 Professional Employees International Union, AFL-CIO, Local 6;

661 (41) between the commonwealth, the Middlesex South Registry of Deeds and the Office
662 and Professional Employees International Union, AFL-CIO, Local 6;

663 (42) between the commonwealth, the Fitchburg Registry of Deeds and the Service
664 Employees International Union, Local 888;

665 (43) between the sheriff of Dukes county and the Massachusetts Correction Officers
666 Federated Union, Unit SD1;

667 (44) between the University of Massachusetts and the AFSCME Local 1776, Amherst
668 Campus, Unit A01;

669 (45) between the commonwealth, the Suffolk registry of deeds and the Service
670 Employees International Union AFL-CIO, Local 888 and

671 (46) between the commonwealth, the North, Middle, and South Berkshire Registry of
672 Deeds and the Service Employees International Union, Local 888.