

# HOUSE . . . . . No. 3545

## The Commonwealth of Massachusetts



MAURA T. HEALEY  
GOVERNOR

OFFICE OF THE GOVERNOR  
COMMONWEALTH OF MASSACHUSETTS  
STATE HOUSE, MA

KIMBERLY DRISCOLL  
LIEUTENANT GOVERNOR

March 17, 2023

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

This legislation prepares the Commonwealth for the end of the COVID-19 public health emergency on May 11 and proposes to use a mix of General Fund and one-time resources to supplement funding for core programs and services, provide transitional funding for COVID-era workforce and public health programs and make other one-time investments.

The \$734 million in new appropriations recommended in this bill represent investments that build upon and align with the spending proposals and goals outlined earlier this month in my House 1 budget recommendation for Fiscal Year 2024, as well as previously filed funding requests.

Enhancing our commitment to keep Massachusetts on the cutting edge of clean technology and decarbonization and to forge new partnerships with public higher education institutions and trades to grow the clean energy industry, we are requesting an additional \$35 million for the Massachusetts Clean Energy Center. This investment would build upon our House 1 recommendation and realize the tripling of the MassCEC operating budget, consistent with the goal outlined in our Fiscal Year 2024 budget recommendation. An outside section included within would also authorize the Massachusetts Clean Energy Center to establish the

Salem Offshore Wind Terminal and authorize the Salem Port Authority to acquire port land needed for the project.

This bill also recommends \$200 million for a Critical Health and Human Services and Workforce Reserve to cover projected deficiencies in Fiscal Year 2023 and expenses in early Fiscal Year 2024 for the continuation of COVID-19 response and mitigation efforts, including temporary staffing relied upon to respond to health crises in our nursing homes, group care settings, state hospitals, and Soldiers' Homes.

This workforce funding is necessary to ensure that we continue to have adequate health professionals, including licensed practical nurses (LPNs) and certified nursing assistants (CNAs), to meet the needs of vulnerable residents under state care while we transition beyond the COVID-19 public health emergency.

A safe, efficient, and reliable MBTA is also essential to our economy and our future as a Commonwealth as we work to retain and grow jobs and allow our businesses to thrive and compete. Meeting the workforce needs of the MBTA is a critical part of delivering on that goal. While our Fiscal Year 2024 budget supports an expanded MBTA workforce, this supplemental budget would dedicate new resources to enable the MBTA to better recruit and retain employees to meet its needs. This includes money that could be used for incentives such as hiring and retention bonuses, increased pay for bus operators, and a robust marketing campaign.

Other key investments include:

- \$75 million for Chapter 766 rate relief to assist school districts in managing extraordinary increases in tuition prices for approved special education placement programs. This funding would build upon relief already proposed in House 1 and be targeted to communities most affected by unanticipated costs.
- \$60 million to support caseworkers and staff at the Department of Transitional Assistance
- \$20 million for a bridge to stabilize critical victim service programs throughout the Commonwealth and ensure continued access to trauma-informed services considering decreased federal funding through the Victims of Crime Act
- \$10 million to double the Cultural Facilities Fund for the Massachusetts Cultural Council
- \$5 million for the Martin Richard Field House
- \$3.5 million to support the redetermination process at MassHealth
- \$2 million to support a celebration of the 250th anniversary of the American Revolution
- \$100 million supplemental transfer to the pension fund

We are also proposing in this supplemental budget \$10 million to create a new LPN career ladder program. This revolving fund would support nursing facilities and home- and community-based services providers in retaining direct care staff and upskilling them to LPNs by funding no-interest loans and grants to support the cost of attending an LPN certification program, as well as living expenses while attending.

Additionally, several outside sections would make recommended adjustments to municipal finance laws and governance. These changes will, among other things, give municipalities more flexibility in how they spend anticipated opioid settlement money – making it easier for cities and towns to quickly use these resources to help address this public health crisis. They will also simplify accounting and fiscal rules regarding revolving funds, insurance proceeds and mitigation agreements.

A separate section would provide for raises for sheriffs, bringing annual salaries in line with those of district attorneys at \$191,000, with the exception of the smaller departments in Dukes and Nantucket Counties where sheriffs would receive commensurate increases.

The lieutenant governor and I are grateful to see both the House and Senate advance additional funding to ensure that all K-12 students in Massachusetts continue to qualify for free school meals this academic year. This policy has been vital to the success of our students and reducing stigma around poverty. This legislation requests an additional \$171 million to extend the state-funded universal free school meals pilot program for another full year under its current design and directs the Executive Office of Education to report by January 15, 2024 on options to reform, modify or extend this program in a way that promotes equity, maximizes federal revenue and improves predictability and sustainability of funding into the future.

Our administration is also excited by and supports the inclusion of funding in legislation being considered now by both the House and Senate to continue Commonwealth Cares for Children (C3) stabilization grants for child care providers through the remainder of Fiscal Year 2023, as well as money for the 114th NAACP National Convention and to restore a public awareness campaign focused on the dangers of crisis pregnancy centers and pregnancy resource centers, which seek to divert pregnant women away from the right types of care.

Finally, it has been just over three years since the novel coronavirus known as SARS-CoV-2 (“COVID-19”) caused outbreaks of COVID-19 that quickly spread globally. In response to the global pandemic, Governor Charlie Baker declared a public health emergency on March 10, 2020, and a modified public health emergency on May 28, 2021, both pursuant Section 2A of Chapter 17 of the General Laws. Consistent with Governor Baker’s declarations, the Commissioner of the Department of Public Health issued over fifty Public Health Orders which successfully limited the spread of COVID-19, maximized capacity and flexibility in the Commonwealth’s health care system, and facilitated statewide testing, treatment, and vaccination programs to combat the virus. These measures proved their value by preventing countless

infections, hospitalizations, and deaths from COVID-19. Many of these measures have been extended permanently through regulatory or statutory changes, while others were rescinded or allowed to expire in line with the evolving course of the pandemic.

COVID-19 remains a very serious threat, especially to our most vulnerable populations, and the virus must remain a public health priority in the Commonwealth. At the same time, the widespread adoption of safe and effective vaccines and boosters, historic state and federal investments in efforts to mitigate the impacts of the virus, ready access to testing, therapeutic advances in treatment, and prior infections and related immune responses have all contributed to making COVID-19 a more manageable illness than it once was. In consideration of these advances, I have declared that the public health emergency will end on May 11, 2023.

Of the over fifty Public Health Orders issued by the Commissioner of the Department of Public Health as part of the public health emergency, six remain in effect today. When the public health emergency ends on May 11, 2023, these six remaining Public Health Orders will end as well. After study of these remaining Public Health Orders, we are proposing a new law that will extend three of these Public Health Orders beyond the end of the public emergency, one permanently and two temporarily. The legislation would: (1) permanently extend staffing flexibilities for advanced life support ambulances; (2) temporarily extend staffing flexibilities for freestanding dialysis providers; and (3) temporarily extend flexibilities for the administration of prescription medications to clients of state agencies who reside in community settings.

The legislation and funding we propose today is critically important, and to avoid disruptions to our healthcare system, several provisions must be passed by May 11, 2023 when the public health emergency will end. Sufficient revenues are available to finance the appropriations and other proposed measures, and I urge you to consider and enact this legislation promptly.

Respectfully submitted,

Maura T. Healey,  
*Governor*

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act making appropriations for the fiscal year 2023 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2023 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2023, 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, 2023. 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 through the fiscal year ending June 30, 2024.

9           SECTION 2.

10                           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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*Reserves*

1599-0793	Critical HHS and Workforce Reserve .....	\$200,000,000
1599-1210	Peace Officer Standards and Training Commission Reserve.....	\$1,941,576
1599-4448	Collective Bargaining Contract Costs .....	\$4,228,650
1599-6063	Local Community Development Projects .....	\$5,000,000
1599-6073	VOCA Bridge .....	\$20,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Office of the Secretary of Health and Human Services*

4000-0300	EOHHS and Medicaid Administration .....	\$3,500,000
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EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

*Department of Housing and Community Development*

7004-9316	Residential Assistance for Families in Transition .....	\$15,692,986
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SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2023. Except as

30 otherwise stated, these sums shall be made available through the fiscal year ending June 30,  
31 2024.

32 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

33 *Reserves*

34 1599-0012 For a reserve to support reimbursements for extraordinary relief to school  
35 districts pursuant to section 5A of chapter 71B of the General Laws and item 7061-0012;  
36 provided, that funds shall be made available for reimbursements in fiscal year 2024 to school  
37 districts that experience increases to instructional costs reimbursable under said section 5A and  
38 incurred during fiscal year 2024 that exceed 25 per cent of such instructional costs incurred  
39 during fiscal year 2023; provided further, that funds shall also be made available to reimburse  
40 districts in fiscal year 2024 for 100 per cent of any such instructional cost increases exceeding 10  
41 per cent where the total of such increase also exceeds 0.5 per cent of total actual net school  
42 spending in fiscal year 2023; and provided further, that the funds appropriated in this item shall  
43 not revert but shall be made available through June 30, 2025, and may be transferred to item  
44 7061-0012 and expended subject to the conditions specified in said item in the general  
45 appropriations act for that year ..... \$75,000,000

46 1599-0640 For the Massachusetts cultural council to supplement grants from the  
47 Massachusetts Cultural Facilities Fund established in section 42 of chapter 23G of the General  
48 Laws; provided, that grants shall promote access to the arts and cultural life in a geographically  
49 equitable manner, particularly among rural communities; provided further, that the amount  
50 appropriated in this item may not be expended for administrative purposes; and provided further,

51 that the funds appropriated in this item shall be made available through the fiscal year ending  
52 June 30, 2025 ..... \$10,000,000

53 1599-1101 For a reserve for the payroll of the department of transitional assistance’s  
54 caseworkers and other necessary staff to serve applicants and clients of the supplemental  
55 nutrition assistance, transitional aid to families with dependent children, and emergency aid to  
56 the elderly, disabled and children programs; provided, that funds may be transferred to items  
57 4400-1000 and 4400-1100; and provided further, that the funds appropriated in this item shall be  
58 made available through the fiscal year ending June 30, 2025 ..... \$60,300,000

59 1599-1972 For a reserve for the Massachusetts Bay Transportation Authority to  
60 expand its hiring and training capacity ..... \$20,000,000

61 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

62 *Massachusetts Marketing Partnership*

63 7008-0250 For the office of travel and tourism for the costs of planning and  
64 celebrating the commonwealth’s 250th anniversary of the American Revolution .....  
65 \$2,000,000

66 EXECUTIVE OFFICE OF EDUCATION

67 *Department of Elementary and Secondary Education*

68 7053-1935 For a pilot program to reimburse school districts for the costs of providing  
69 universal free school meals; provided, that districts receiving funds under this item shall not  
70 implement a meal charge for students; provided further, that participating districts that are  
71 eligible for reimbursement under the Community Eligibility Provision of the National School



72 Lunch Program shall adopt said provision; and provided further, that not later than January 15,  
73 2024, the executive office of education shall submit a report to the house and senate committees  
74 on ways and means and the executive office for administration and finance that shall include: (i)  
75 data on change in utilization of school lunch services in districts receiving funding under this  
76 item, delineated by free, reduced and full-pay students as defined by the National School Lunch  
77 Program; (ii) the distribution of funding paid through this item and, for the purpose of universal  
78 free school meals in fiscal year 2023, item 7053-1925 delineated by school district; and (iii)  
79 options to reform, modify or extend this pilot program in a manner that promotes equity,  
80 maximizes federal revenue and improves predictability and sustainability of  
81 funding.....\$171,202,489

82 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer  
83 from the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as  
84 amended by section 4 of chapter 98 of the acts of 2022, to the trust funds named within each item  
85 unless specifically designated otherwise in this section, for the purposes and subject to the  
86 conditions specified in this section and subject to the laws regulating the disbursement of public  
87 funds for the fiscal year ending June 30, 2023. Notwithstanding section 19A of chapter 29 of the  
88 General Laws, any transfer under this section shall be made by the comptroller in accordance  
89 with a transfer schedule to be developed for each item by the comptroller after consulting with  
90 the appropriate agency secretary, the secretary of administration and finance and the state  
91 treasurer.

92 OFFICE OF THE COMPTROLLER

93 *Office of the Comptroller*

94           1595-4514    For an operating transfer to the Pension Liability Fund, established in  
95 subsection (e) of subdivision (8) of section 22 of chapter 32 of the General Laws; provided, that  
96 funds may be transferred from the General Fund or said Transitional Escrow Fund; provided  
97 further, that not later than August 15, 2023, the secretary of administration and finance shall  
98 report to the comptroller and house and senate committees on ways and means the amount to be  
99 transferred from each fund ..... \$100,000,000

100                           EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

101                                   *Office of the Secretary of Health and Human Services*

102           1595-1080    For an operating transfer to the Advancing Careers Fund, established in  
103 section 35TTT of chapter 10 of the General Laws as added by section 4 of this  
104 act..... \$10,000,000

105                           EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

106                                   *Office of the Secretary of Energy and Environmental Affairs*

107           1595-6232    For an operating transfer to the Clean Energy Investment Fund,  
108 established in section 15 of chapter 23J of the General Laws ..... \$35,000,000

109           SECTION 2C.I. For the purpose of making available in fiscal year 2024 balances of  
110 appropriations which otherwise would revert on June 30, 2023, the unexpended balances of the  
111 appropriations listed below, not to exceed the amount specified below for each item, are hereby  
112 re-appropriated for the purposes of and subject to the conditions stated for the corresponding  
113 item in section 2 of chapter 126 of the acts of 2022. However, for items which do not appear in  
114 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the

115 purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of  
116 this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund  
117 or funds designated for the corresponding item in section 2 of said chapter 126; provided,  
118 however, that for items which do not appear in section 2 of said chapter 126, the amounts in this  
119 section are re-appropriated from the fund or funds designated for the corresponding item in  
120 section 2 through 2E of this act or in prior appropriation acts. The sums reappropriated in this  
121 section shall be in addition to any amounts available for said purposes.

122 POLICE REFORM COMMISSION

123 *Massachusetts Peace Officer Standards and Training Commission*

124 0800-0000 Peace Officer Standards and Training Commission .....\$1,500,000

125 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

126 *Reserves*

127 1599-1410 Veterans' Services Reserve .....\$5,000,000

128 1599-8909 Election Costs Reserve .....\$8,000,000

129 EXECUTIVE OFFICE OF VETERANS' SERVICES

130 *Veterans' Home in Massachusetts*

131 4180-0100 Veterans' Home in Chelsea ..... \$1,748,697

132 SECTION 4. Chapter 10 of the General Laws, as appearing in the 2020 Official Edition,  
133 is hereby amended by inserting after section 35SSS the following section:-

134 SECTION 35TTT. There shall be established on the books and records of the  
135 commonwealth a non-budgeted special revenue fund known as an advancing careers fund to be  
136 expended, without further appropriation, by the secretary of health and human services to  
137 advance career ladders in health care. The secretary may use funds to pay for: (i) the  
138 administration of a career ladder program; (ii) program costs, tuition, books, and fees related to  
139 the cost of education and training for participants in the program; (iii) costs related to becoming  
140 licensed, including, but not limited to testing costs, study courses, testing fees, and licensing  
141 fees; (iv) stipends to participants who participate in the program; and (v) additional costs  
142 associated with operating the career ladder program. Fund expenditures shall include but not be  
143 limited to, supporting a career pathway for program participants to become a licensed practical  
144 nurse.

145 The fund shall be credited with: (i) appropriations or other money authorized or  
146 transferred by the general court and specifically designated to be credited to the fund; (ii) funds  
147 from public and private sources, including, but not limited to gifts, grants, donations, and  
148 payments from employers and program participants participating in the program; (iii) federal  
149 funds; and (iv) any interest earned on such money.

150 Money remaining in the fund at the end of a fiscal year shall not revert to the General  
151 Fund. The fund shall not be subject to section 5C of chapter 29.

152 Annually, not later than October 1, the secretary of health and human services shall file a  
153 report with the clerks of the senate and house of representatives and the house and senate  
154 committees on ways and means that shall include a description of: (i) projects undertaken; (ii)  
155 expenditures made; and (iii) income received by the fund.

156 SECTION 5. Subsection (d) of section 20 of chapter 25A of the General Laws, as  
157 inserted by section 41 of chapter 179 of the acts of 2022, is hereby amended by striking out the  
158 words “(b)” and inserting in place thereof the following words:- (c).

159 SECTION 6. Subsection (k) of section 20 of chapter 32B of the General Laws, as  
160 appearing in the 2020 Official Edition, is hereby amended by striking out, in line 158, the words  
161 “governing boards” and inserting in place thereof the following words:- governing body.

162 SECTION 7. Section 17 of chapter 37 of the General Laws, as so appearing, is hereby  
163 amended by striking out the second paragraph and inserting in place thereof the following  
164 paragraph:-

165 The sheriffs of the counties of Barnstable, Bristol, Norfolk, Plymouth and Suffolk and of  
166 the former counties of Berkshire, Essex, Franklin, Hampden, Hampshire, Middlesex and  
167 Worcester shall each receive a salary of \$191,000. The sheriff of the county of Dukes shall  
168 receive a salary of \$150,527. The sheriff of the county of Nantucket shall receive a salary of  
169 \$120,846.

170 SECTION 8. Section 5B of chapter 40 of the General Laws, as so appearing, is hereby  
171 amended by striking out the third paragraph and inserting in place thereof the following  
172 paragraph:-

173 There shall be designated two types of stabilization funds. One shall be known as the  
174 general purpose stabilization fund and other stabilization funds shall be known as special  
175 purpose stabilization funds. At the time of creating any stabilization fund the city, town or  
176 district shall specify, and at any later time may alter, the purpose of the fund, which may be for  
177 any lawful purpose, including without limitation, an approved school project pursuant to chapter

178 70B or any other purpose for which the city, town or district may lawfully borrow money. The  
179 specification and any alteration of purpose, and any appropriation of funds from the general  
180 purpose stabilization fund, shall be approved by a two-thirds vote, except as provided in  
181 paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said  
182 section 21C of said chapter 59, any such vote shall be of the legislative body of the city, town or  
183 district, subject to charter. Appropriation of funds from a special purpose stabilization fund shall  
184 be approved by a majority vote.

185 SECTION 9. Section 1B of chapter 41 of the General Laws, as so appearing, is hereby  
186 amended by adding the following paragraph:-

187 In any town that accepts this paragraph, the positions of appointed town treasurer and  
188 appointed collector of taxes shall be combined into 1 position and become an appointed position  
189 in the manner provided in this section. Any incumbent of such office serving at the time of  
190 acceptance shall continue to hold said office and to perform the duties thereof until the expiration  
191 of the term for which said individual was appointed or until said individual otherwise vacates  
192 such office.

193 SECTION 10. Section 53 of chapter 44 of the General Laws, as appearing in the 2020  
194 Official Edition, is hereby amended by striking out clauses (2) and (3) and inserting in place  
195 thereof the following 4 clauses:-

196 (2) sums not in excess of \$150,000 to be recovered under the terms of a fire or physical  
197 damage insurance policy or received in restitution for damage done to such city, town or district  
198 property may, with the approval of the chief executive officer, be spent by the officer or  
199 department having control of the city, town or district property for the restoration or replacement

200 of such property without specific appropriation during the fiscal year in which the damage occurs  
201 or within 120 days after the end of said fiscal year, whichever is later, provided that any  
202 insurance or restitution received shall be applied to finance the restoration or replacement and  
203 any such expenditures outstanding at the close of the fiscal year after the fiscal year in which the  
204 damage occurred shall be reported by the auditor or accountant of the city, town or district, or  
205 other officer having similar duties, or by the treasurer if there be no such officer, to the assessors,  
206 who shall include the amount so reported in the determination of the next annual tax rate, unless  
207 the city, town or district has otherwise made provision therefor, (3) sums recovered from pupils  
208 in the public schools for loss of or damage to school books, materials, electronic devices or other  
209 learning aids provided by the school committee, or paid by pupils for materials used in the  
210 industrial arts projects, may be used by the school committee for the restoration or replacement  
211 of such books or materials without specific appropriation, (4) non-recurring, unanticipated sums  
212 received by multiple cities, towns or districts and not otherwise provided for by a general or  
213 special law, may, upon the approval of the director of accounts, be expended at the direction of  
214 the chief executive officer without further appropriation only for the singular purpose for which  
215 the monies were received, and (5) non-recurring, unanticipated sums received by multiple cities,  
216 towns or districts and not otherwise provided for by a general or special law, may, upon the  
217 approval of the director of accounts, be deposited in a separate revenue account established in the  
218 treasury and expended, with appropriation, only for the purposes for which the monies were  
219 received.

220 SECTION 11. The fourth paragraph of section 53E½ of said chapter 44, as so appearing,  
221 is hereby amended by striking out the first sentence and inserting in place thereof the following  
222 sentence:- The city or town shall, on or before July 1 of the fiscal year to which it shall first

223 apply, vote on the total amount that may be expended from each revolving fund established  
224 under this section during any fiscal year.

225 SECTION 12. Said chapter 44 of the General Laws is hereby further amended by  
226 inserting after section 53J the following section:-

227 Section 53K. Notwithstanding section 53, any city or town may, upon the approval of the  
228 chief executive officer, establish in the treasury a separate revenue account into which shall be  
229 deposited the monies received from: (1) a party under a host or other agreement in connection  
230 with the costs imposed upon the city or town by the operation or location of the party in the city  
231 or town; or (2) an applicant to meet any condition or obligation required for the approval or  
232 issuance of a permit or license, including those issued under section 8C of chapter 40, chapter  
233 40A, chapter 40B, sections 81K to 81GG, inclusive, of chapter 41, chapter 138, chapter 111, or  
234 other municipal permitting or licensing statutes or lawfully authorized ordinances, by-laws, rules,  
235 and regulations promulgated by any municipal permit or license approving or granting officer or  
236 board when implementing any authority conferred under any law, regulation, ordinance or by-  
237 law. Any special account shall be established by the municipal treasurer in the municipal  
238 treasury and shall be kept separate and apart from other monies. Monies in any special account  
239 shall be expended at the direction of the chief executive officer without further appropriation  
240 only for the purposes for which the monies were received.

241 SECTION 13. Subsection (g) of section 1P of chapter 69 of the General Laws, as  
242 appearing in the 2020 Official Edition, is hereby amended by striking out, in lines 128 to 133,  
243 inclusive, the words "1 of whom shall be a former member of the behavioral health and public  
244 schools task force who participated in the development and statewide evaluation of the self-



245 assessment tool; 1 of whom shall be a former member of the behavioral health and public  
246 schools task force with experience implementing the framework” and inserting in place thereof  
247 the following words:- 1 of whom shall have experience in implementing the self-assessment tool;  
248 1 of whom shall have experience implementing the framework.

249 SECTION 14. Chapter 90 of the General Laws as amended by section 1 of chapter 423 of  
250 the acts of 2022, is hereby further amended by striking out section 2D and inserting in place  
251 thereof the following section:-

252 Section 2D. The registrar is hereby authorized and empowered to design, issue and  
253 regulate the use of temporary registration plates for issuance to and usage by the following  
254 purchasers of motor vehicles: (i) residents of the commonwealth pending receipt of registration  
255 plates issued under the provisions of section two; and (ii) nonresidents of the commonwealth  
256 who will be transporting the vehicle to the purchaser’s state of residence for registration in that  
257 state. Such temporary plates may be issued to dealers, upon application accompanied by the  
258 proper fee, as provided in section 33, for use by purchasers of motor vehicles; said plates shall be  
259 valid for not more than 20 days. Satisfactory proof shall be furnished that a certificate, as defined  
260 in section 34A, is in effect prior to the issuance of temporary registration plates.

261 Temporary registration plates issued to nonresidents of the commonwealth who will be  
262 transporting the vehicle to the purchaser’s state of residence for registration in that state shall not  
263 be subject to the provisions of chapter 60A.

264 The registrar is hereby empowered to issue and enforce regulations for the administration  
265 of this section.

266 SECTION 15. Section 2 of chapter 90D of the General Laws, as appearing in the 2020  
267 Official Edition, is hereby amended by adding the following words:- ; (13) A vehicle purchased  
268 by a nonresident who will be transporting the vehicle to the purchaser’s state of residence for  
269 registration in that state pursuant to section 2D of chapter 90.

270 SECTION 16. Section 25 of chapter 111C of the General Laws, as appearing in the 2020  
271 Official Edition, is hereby amended by striking out, in lines 4 to 8, inclusive, the words “with a  
272 minimum of 2 emergency medical technicians, only 1 of whom shall be certified at the EMT–  
273 Paramedic level; provided, however, that the service staffing a class I, II or V ambulance may  
274 staff the ambulance with more than 1 emergency medical technician certified at the EMT–  
275 Paramedic level” and inserting in place thereof the following words:- based on the class of the  
276 ambulance.

277 SECTION 17. Subsection (b) of section 7 of chapter 175M of the General Laws, as so  
278 appearing, is hereby amended by striking out the first sentence and inserting in place thereof the  
279 following sentence:- The costs of administering the department under this chapter shall be paid  
280 from the trust fund and in each fiscal year shall not exceed 5 per cent of the amount remaining in  
281 the fund at the end of the previous fiscal year; provided that, regardless of the trust fund balance  
282 at the end of a fiscal year, in no fiscal year shall the amount available to the director for  
283 administering the department decrease by more than 5 per cent from the previous year.

284 SECTION 18. Section 17 of chapter 268A of the General Laws, as so appearing, is  
285 hereby amended by adding the following paragraph:-

286 This section shall not prevent a municipal employee from receiving or requesting  
287 compensation from, or acting as an agent or attorney for, the employee's municipality and one or

288 more other governmental units, as defined by section 4A of chapter 40, in connection with an  
289 intermunicipal agreement under said section 4A of said chapter 40; provided that the employee is  
290 acting within the scope of the employee's duties under the intermunicipal agreement.

291 SECTION 19. Section 4 of chapter 250 of the acts of 2016 is hereby amended by adding  
292 the following words:- , and the 42.3 acre parcel of land located within the city of Salem shown  
293 on the city of Salem assessor's map 41, lot 339.

294 SECTION 20. Subsection (e) of section 81 of chapter 179 of the acts of 2022 is hereby  
295 amended by striking out the third and fourth sentences and inserting in place thereof the  
296 following 2 sentence:- All amounts credited to the fund shall be expended, without further  
297 appropriation, solely for activities and expenditures consistent with the purposes of this section,  
298 including the ordinary and necessary expenses of administration and operation of the fund;  
299 provided, however, that no expenditure made from the fund shall cause the fund to become  
300 deficient at any point during the fiscal year. Any money remaining in the fund at the end of a  
301 fiscal year shall not revert to the General Fund and shall be available for expenditure in the  
302 following fiscal year.

303 SECTION 21. Item 1599-8909 of section 2 of chapter 126 of the acts of 2022 is hereby  
304 amended by adding the following words:- ; and provided further, that not more than \$5,000,000  
305 shall be expended for grants by the state secretary to cities and towns for additional costs to  
306 administer early voting in person and by mail in all primaries and elections, including additional  
307 municipal personnel.

308 SECTION 22. Item 1599-6063 of section 2A of chapter 268 of the acts of 2022 is hereby  
309 amended by striking out the words “\$5,000,000 shall be expended for a grant” and inserting in  
310 place thereof the following words:- \$10,000,000 shall be expended for a grant.

311 SECTION 23. Notwithstanding section 5B of chapter 40 and section 4B of chapter 4 of  
312 the General Laws, or any other general or special law to the contrary, any city, town or district  
313 that has accepted the fourth paragraph of section 5B of chapter 40 of the General Laws, and  
314 thereby dedicated statewide opioid settlement receipts to a stabilization fund, may vote to revoke  
315 said acceptance at any time. Upon such revocation, the city, town or district may, without further  
316 appropriation, account for all statewide opioid settlement receipts previously received, including  
317 those already in a stabilization fund, in accordance with section 53 of chapter 44 of the General  
318 Laws, as amended by section 10, unless already certified as free cash. Notwithstanding any  
319 general or special law to the contrary, unless otherwise reserved, any city, town or district may  
320 account for all statewide opioid settlement receipts previously received in accordance with said  
321 section 53 of said chapter 44 of the General Laws, as so amended, unless already certified as free  
322 cash. Any statewide opioid settlement receipts already certified as free cash may be appropriated  
323 to the separate statewide opioid settlement revenue account established pursuant to said section  
324 53 of said chapter 44 of the General Laws, as so amended.

325 SECTION 24. Notwithstanding the provisions of section 11 of chapter 70 of the general  
326 laws or any other general or special law to the contrary, if a district’s actual expenditure for  
327 public education in fiscal years 2023 or 2024, is less than the amount otherwise required to be  
328 appropriated for public education, the difference, up to 10 per cent of the amount required to be  
329 appropriated, may be deposited into a reserve created by the municipality or regional school  
330 district and be available for public education by the school committee without further

331 appropriation. If a district underspends its budget in fiscal years 2023 or 2024 by more than 10  
332 per cent of the amount required to be appropriated, state school aid in the following year shall be  
333 reduced by the entire difference between those amounts. Funds deposited into the reserve shall  
334 be eligible for withdrawal and expenditure for net school spending eligible purposes through  
335 fiscal year 2027; provided further, that if any funds remain in the reserve at the close of fiscal  
336 year 2027, state school aid in the following year shall be reduced by the full amount of the funds  
337 remaining in the reserve. The board of elementary and secondary education shall promulgate  
338 regulations to implement this section that include but are not limited to ensuring that districts  
339 effectively utilize growth in federal, state and local resources to rapidly expand, improve and  
340 sustain public education services, and to establish rules governing the deposit and withdrawal of  
341 funds to the reserve in pursuit of that purpose.

342 SECTION 25. Notwithstanding section 7 of chapter 94C of the General Laws or any  
343 other general or special law to the contrary, and consistent with the commissioner of public  
344 health's COVID-19 Public Health Emergency Order No. 2022-20 issued on November 14, 2022,  
345 unlicensed staff of a community program that participates in the department of public health's  
346 medication administration program may possess and administer prepackaged medications to  
347 individuals in such programs without first obtaining medication administration program  
348 certification. Such possession and administration shall comply with guidance issued by the  
349 department.

350 SECTION 26. Notwithstanding section 53 of chapter 111 of the General Laws or any  
351 other general or special law to the contrary, and consistent with the commissioner of public  
352 health's COVID-19 Public Health Emergency Order No. 2022-03 issued on January 14, 2022,  
353 out-of-hospital dialysis units licensed pursuant to section 51A of said chapter 111 are not

354 required to have on site sufficient personnel to ensure a ratio of at least 1 direct patient care staff  
355 member to every 3 patients, as long as the unit has sufficient direct care staff, who are trained in  
356 dialysis care, available to meet the needs of the patients undergoing dialysis.

357 SECTION 27. Notwithstanding any general or special law to the contrary, for fiscal year  
358 2023, the secretary of health and human services, with the written approval of the secretary of  
359 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-  
360 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-  
361 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.

362 SECTION 28. Notwithstanding any general or special law to the contrary, any  
363 unexpended balances, not exceeding a total of \$40,000,000, in items 4000-0700 and 4000-1426  
364 of section 2 of chapter 126 of the acts of 2022 shall not revert to the General Fund until  
365 September 1, 2023 and may be expended by the executive office of health and human services to  
366 pay for services enumerated in said items 4000-0700 and 4000-1426 provided during fiscal year  
367 2023.

368 SECTION 29. Notwithstanding any general or special law to the contrary, the sums set  
369 forth in chapter 102 of the acts of 2021 and in section 2A of chapter 268 of the acts of 2022 shall  
370 be appropriated from the General Fund, the federal COVID-19 response fund established under  
371 section 2JJJJ of chapter 29 of the General Laws, or from the Transitional Escrow Trust  
372 established under section 16 of chapter 76 of the acts of 2021 unless specifically designated  
373 otherwise in the respective sections, for the several purposes and subject to the conditions  
374 specified in this section, and subject to the laws regulating the disbursement of public funds for  
375 the fiscal year ending June 30, 2022. Except as otherwise stated, these sums shall be made

376 available through the fiscal year ending June 30, 2027. Not later than September 15 following  
377 the end of each fiscal year, the secretary of administration and finance shall report to the  
378 comptroller and the house and senate committees on ways and means the allocation of the sums  
379 between said funds. The comptroller shall incorporate the allocation of the sums in each report to  
380 prepare the annual statutory basis financial report required under paragraph (2) of subsection (a)  
381 of section 12 of chapter 7A of the General Laws.

382 SECTION 30. Notwithstanding any general or special law to the contrary, no later than  
383 August 15, 2023, the commissioner of revenue shall certify to the comptroller the amount of tax  
384 revenues estimated to have been collected during fiscal year 2023 in connection with the  
385 additional 4 per cent income tax levied pursuant Article XLIV of the Articles of amendment of  
386 the Constitution, as added by CXXI of the Articles of Amendment. Following such certification,  
387 and upon establishment of the Education and Transportation Fund, the comptroller shall transfer  
388 all such certified revenue from the General Fund to the Education and Transportation Fund.  
389 Such transfer shall be credited as a fiscal year 2023 transfer and shall precede the calculation of  
390 fiscal year 2023 consolidated net surplus pursuant to section 5C of chapter 29 of the General  
391 Laws.

392 SECTION 31. (a) Notwithstanding any general or special law to the contrary, the port in  
393 the city of Salem has been identified as an optimal site for operations to support the construction  
394 and maintenance of offshore wind developments. To further the commonwealth's clean energy  
395 and economic development objectives, support the construction of offshore wind developments  
396 approved by the commonwealth and other states, and stimulate investment in and the growth of  
397 the offshore wind industry in the commonwealth, it is hereby determined to be in the interests of  
398 the commonwealth to provide as quickly as possible for the construction and operation of

399 infrastructure and other improvements at the port in the city of Salem for the primary purpose of  
400 supporting the construction and maintenance of offshore wind developments, and it is further  
401 determined that the construction and operation of an offshore wind operations terminal at the  
402 port in the city of Salem constitutes a public purpose.

403 (b) As used in this section, unless the context clearly requires otherwise, the following  
404 words shall have the following meanings: -

405 “Center”, the Massachusetts clean energy technology center established pursuant to  
406 chapter 23J of the General Laws.

407 “Cooperation agreement”, the cooperation agreement between Salem Wind Terminal,  
408 LLC and the city of Salem dated September 30, 2022 related to the Salem port site.

409 “Port authority”, the Salem harbor port authority established pursuant to chapter 250 of  
410 the acts of 2016.

411 “Salem offshore wind terminal”, facilities at the Salem port site capable of supporting,  
412 and the operation and use thereof for the primary purpose of supporting, the construction and  
413 maintenance of offshore wind developments.

414 “Salem port site”, the 42.3 acre parcel of land located within the city of Salem shown on  
415 the city of Salem assessor’s map 41, lot 339.

416 (c) The center shall be designated as the state entity authorized to provide for the  
417 establishment of the Salem offshore wind terminal. To facilitate the establishment by the center  
418 of the Salem offshore wind terminal, the port authority is authorized to acquire the portion of the  
419 Salem port site in which it has existing legal entitlements under the cooperation agreement and to



420 enter into a long-term lease with the center for the disposition of all or a portion of said property  
421 to the center. The port authority's acquisition and disposition of real property authorized by this  
422 subsection, including any other real property acquisitions or dispositions between the port  
423 authority and the center related to the Salem port site that said parties determine to be necessary  
424 or desirable to facilitate and sustain the establishment by the center of the Salem offshore wind  
425 terminal, shall be exempt from the provisions of chapter 30B of the General Laws. If the center  
426 leases all or a portion of the Salem port site to a private party for the purpose of establishing and  
427 operating the Salem offshore wind terminal, the design and construction of any improvements to  
428 the Salem port site contracted for by the private party for the purpose of establishing and  
429 maintaining the Salem offshore wind terminal shall not be subject to the provisions of chapters  
430 7C or 149 of the General Laws and shall not be subject to any other general or special law  
431 relating to procurement requirements for public projects; provided, however, that any such  
432 capital improvement projects undertaken by the private party for the Salem offshore wind  
433 terminal shall be subject to the prevailing wage requirements of sections 26 and 27 of chapter  
434 149 of the General Laws.

435 SECTION 32. The salary adjustments and other economic benefits authorized by the  
436 following collective bargaining agreements shall be effective for the purposes of section 7 of  
437 chapter 150E of the General Laws:

438 between the Special Sheriff of Essex County and the Essex County Correctional Officers  
439 Association, Unit SE2.

440 SECTION 33. Sections 25 and 26 are hereby repealed.

441 SECTION 34. Section 33 shall take effect as of November 10, 2023.