

HOUSE No. 3701

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 14, 2021.

The committee on Ways and Means, to whom was referred the Bill financing the reconstruction of the Soldiers' Home in Holyoke (House, No. 96), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 3701) [Bond Issue: \$400,000,000.00].

For the committee,

AARON MICHLEWITZ.

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

An Act financing the reconstruction of the Soldiers' Home in Holyoke.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the immediate capital improvement needs of the commonwealth, 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 a program to protect, repair and improve the capital facilities
2 of the commonwealth and for a program of capital asset acquisitions, dispositions and other
3 improvements for general government operations, the sum set forth in section 2 for the several
4 purposes and subject to the conditions specified in this act is hereby made available, subject to
5 the laws regulating the disbursement of public funds. The sum made available in this act shall be
6 in addition to any other amounts previously appropriated for these purposes.

7 SECTION 2.

8 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

9 Division of Capital Asset Management and Maintenance

10 4000-2026 For costs associated with planning and studies, dispositions, acquisition of
11 land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
12 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
13 of the General Laws, for the preparation of plans and specifications, repairs, renovations,
14 improvements, modernization, construction, reconstruction, furnishing, equipping, acquiring,
15 remodeling, refurbishing, asset management, accessibility improvements, demolition, disposition
16 and remediation of facilities and grounds operated by the various departments within the
17 executive office of health and human services, all as the commissioner of capital asset
18 management and maintenance, in consultation with the secretary of health and human services
19 and the appropriate commissioners of the departments within the executive office, shall consider
20 appropriate; provided, that \$400,000,000 shall be expended for the design and construction of a
21 new facility for the Soldiers' Home in Holyoke to replace the existing Soldiers' Home facility;
22 provided further, that costs payable from this item shall include, but not be limited to, the costs of
23 leases of temporary relocation space or equipment as required for completion of the project;
24 provided further, that costs payable from this item may include facilities for additional Adult
25 Day Health programming on the site; and provided further, that any federal reimbursement
26 received by a state agency including, but not limited to, the project related to providing health
27 care, human services and veterans' services in connection with projects funded from this item
28 may be retained by the executive office for administration and finance and expended for the
29 purposes of the project, without further appropriation, in addition to the amounts appropriated in
30 this item.....\$400,000,000

31 SECTION 3. To carry out the purposes of this act, the commissioner of capital asset
32 management and maintenance may, notwithstanding sections 32 to 37, inclusive, of chapter 7C

33 of the General Laws or any other general or special law to the contrary, acquire, by purchase,
34 lease or leaseback for a term, including any extensions, not to exceed 50 years, gift or other
35 transfer, or by eminent domain under chapter 79 of the General Laws, any interests in land and
36 buildings considered necessary by the commissioner to carry out the purposes of this act
37 including, but not limited to, easements for drainage, access, utilities and environmental
38 mitigation, and may grant and retain such easements and interests as considered necessary by the
39 commissioner to carry out the purposes of this act.

40 SECTION 4. The funds authorized by item 4000-2026 of section 2 for the construction of
41 a new facility for the Soldiers' Home in Holyoke to replace the existing Soldiers' Home facility
42 that is sufficiently extensive in size, complexity and duration shall be expended pursuant to a
43 project labor agreement and in accordance with the following conditions: (a) the provisions of
44 sections 26 to 27F, inclusive, and section 29 of chapter 149 of the General Laws shall apply to all
45 contracts for said project; and (b) all construction employees employed in the construction of
46 said project shall be paid not less than the wage rate established for the work pursuant to a
47 project labor agreement with the appropriate labor organization or labor organizations, which
48 shall include: (i) a uniform grievance and arbitration procedure for the resolution of work-related
49 disputes on job sites; (ii) mutually agreeable uniform work rules and schedules for the project;
50 (iii) an obligation for any labor organization and its constituent members not to strike with
51 respect to work on the project; and (iv) the participation goals of minority and women workers to
52 be employed on each such contract and the processes and procedures to ensure compliance with
53 those workforce participation goals, including the reporting and enforcement requirements of
54 paragraph (G) of section 44A of said chapter 149. There shall be no precondition to the award of
55 a contract that a bidder has previously entered into a collective bargaining agreement with a

56 labor organization; provided, that the bidder shall be willing to execute and comply with the
57 project labor agreement for the project if it is awarded a contract for the designated project.

58 SECTION 5. To meet the expenditures necessary in carrying out section 2, the state
59 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
60 amount to be specified by the governor, from time to time, but not exceeding, in the aggregate,
61 \$400,000,000. All such bonds issued by the commonwealth shall be designated on their face,
62 Holyoke Soldiers' Home Capital Improvement Act of 2021, and shall be issued for a maximum
63 term of years, not exceeding 30 years, as recommended by the governor to the general court
64 pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be
65 payable not later than June 30, 2056. All interest and payments on account of principal on these
66 obligations shall be payable from the General Fund. Notwithstanding any other provision of this
67 act to the contrary, bonds issued under this section and interest thereon shall be general
68 obligations of the commonwealth.