HOUSE No. 4336

The Commonwealth of Massachusetts



OFFICE OF THE GOVERNOR

COMMONWEALTH OF MASSACHUSETTS

STATE HOUSE · BOSTON, MA 02133 (617) 725-4000

KARYN POLITO LIEUTENANT GOVERNOR

January 14, 2022

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled "An Act Financing the General Governmental Infrastructure of the Commonwealth"

This bill authorizes the Commonwealth to borrow \$4.991 billion to fund general government capital improvements that enable the Commonwealth to continue delivering core state services to the people of Massachusetts in an efficient and uninterrupted manner.

Specifically, it authorizes \$4.150 billion to maintain, repair and modernize critical assets across the state. The majority of our facilities are more than 30 years old, and this bond bill represents an important next step in ensuring Commonwealth assets meet the needs of those who use them. The facilities improved by this bill will serve some of the Commonwealth's neediest citizens, help educate our future workforce, prepare for climate change, help us meet key environmental objectives, and keep our communities and workers safe. This Administration is proud of the work done in close collaboration with the Legislature to keep Commonwealth facilities on a path of good repair.

Additionally, the bill authorizes \$185 million of additional borrowing for cybersecurity improvements and business application modernizations, which will enhance information

technology security and increase overall government efficiency. It also authorizes \$160 million for critical public safety equipment to be acquired by the Executive Office of Public Safety and Security and used by agencies within the Secretariat.

The bill also seeks to support Massachusetts communities by authorizing \$496 million of additional borrowing for established and successful grant and community programs, including the Workforce Skills Capital Grants Program, the Community Compact IT Grants Program, the Cultural Facilities Fund, the Clean Water and Drinking Water State Revolving Fund, the Housing Stabilization Fund, and the Housing Choice Capital Grants Program. These programs have a demonstrated track record of providing valuable resources to communities across the state.

The prompt passage of this legislation will ensure that the Commonwealth continues to deliver core services to its citizens uninterrupted. Accordingly, I urge you to enact this legislation swiftly.

Respectfully submitted

Charles D. Baker, *Governor*

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

An Act financing the general governmental infrastructure of the Commonwealth.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the general governmental infrastructure 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:

- SECTION 1. To provide for a program of capital investments for capital asset
- 2 acquisitions, dispositions, public safety, governmental infrastructure, improvements to various
- 3 state programs, services, agencies, institutions and properties, the sums set forth in this act, for
- 4 the several purposes and subject to the conditions specified in this act, are hereby made
- 5 available, subject to the laws regulating the disbursement of public funds, which sums shall be in
- 6 addition to any other amounts previously appropriated for these purposes; provided, that the
- 7 amounts specified for a particular project may be adjusted in order to facilitate projects
- 8 authorized in this act.
- 9 SECTION 2.
- 10 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

0640-0307 For the Massachusetts Cultural Facilities Fund established in section 42 of
chapter 23G of the General Laws for the acquisition, design, construction, repair, renovation,
rehabilitation or other capital improvement or deferred maintenance to a cultural
facility\$50,000,000
1100-2515 For a grant program to cities, towns, regional organizations whose
membership is exclusively composed of municipal governments or municipal redevelopment
authorities or agencies, or similar governmental development agencies to provide funding for
capital purposes, including, but not limited to, planning and studies, preparation of plans and
specifications, site assembly and preparation, dispositions, acquisitions, repairs, renovations,
improvements, construction, demolition, remediation, modernization and reconstruction of
facilities, infrastructure, equipment and other capital assets, technical assistance, information
technology equipment and infrastructure and for costs associated with improving accessibility of
municipal facilities, including, but not limited to, assessments, transition plans, technical
assistance to cities, towns, municipal councils on aging and disability, and regional organizations
whose membership is exclusively composed of municipal governments, under guidelines
adopted by the secretary of administration and finance
\$100,000,000
Department of Revenue
1201-0002 For the division of local services within the department of revenue, for grants

to carry out the Community Compact Information Technology Grant Program established in

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34	1102-2021 For costs associated with planning and studies, dispositions, acquisition of
35	land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
36	the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
37	of the General Laws, for the preparation of plans and specifications, disparity studies, repairs,
38	construction, renovations, improvements, asset management, accessibility improvements,
39	demolition, disposition and remediation of state-owned and former county facilities and grounds
40	and for costs associated with repair and maintenance of buildings and building systems and
41	equipment at various facilities of the commonwealth; provided, that any federal reimbursement
42	received by a state agency in connection with projects funded from this item may be retained by
43	the executive office for administration and finance and expended for the purposes of the project,
44	without further appropriation, in addition to the amounts appropriated in this item; provided
45	further, that all maintenance and repair work funded in this item shall be listed in the capital asset
46	management information system administered by the division of capital asset management and
47	maintenance; provided further, that where appropriate, the commissioner of capital asset
48	management and maintenance may transfer funds authorized herein in accordance with a
49	delegation of project control and supervision process pursuant to section 5 of chapter 7C of the
50	General Laws; provided further, that funds so transferred shall be distributed based on the
51	severity of the need that the repair shall address and other criteria developed by the division, in
52	consultation with the secretary of administration and finance
53	4000-2028 For costs associated with planning and studies, dispositions, acquisition of

4000-2028 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79

of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations, improvements, modernization, construction, reconstruction, furnishing, equipping, acquiring, remodeling, refurbishing, asset management, accessibility improvements, demolition, disposition and remediation of facilities and grounds operated by the various departments within the executive office of health and human services, all as the commissioner of capital asset management and maintenance, in consultation with the secretary of health and human services and the appropriate commissioners of the departments within the executive office, shall consider appropriate; provided, that costs payable from this item shall include, but shall not be limited to, the costs of leases of temporary relocation space or equipment as required for completion of a project; provided further, that any federal reimbursement received by a state agency including, but not limited to, projects related to the provision of health care, human services, and veterans' services in connection with projects funded from this item may be retained by the executive office for administration and finance and expended for the purposes of the project, without further appropriation, in addition to the amounts appropriated in this

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7066-2011 For costs associated with plans and specifications, planning and studies, repairs, reconstruction, demolition, remediation, rehabilitation, modernization, disposition, renovations, improvements and maintenance at Massachusetts public higher education campus facilities and grounds; provided, that all projects approved for design and construction by the division of capital asset management and maintenance shall be consistent in priority and need with regional capital master plans developed by the division of capital asset management and maintenance, in consultation, as applicable, with the presidents of the community colleges, state universities, and the University of Massachusetts and approved by the board of higher education,

79	with respect to the community colleges and state universities, or approved by the board of
30	trustees of the University of Massachusetts, as applicable; provided further, that all maintenance
31	and repair work funded by this item shall be included in the capital asset management
32	information system administered by the division of capital asset management and maintenance
33	\$750,000,000
34	8000-2028 For costs associated with planning and studies, dispositions, acquisition of
35	land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
86	the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
37	of the General Laws, for the preparation of plans and specifications, repairs, construction,
38	renovations, improvements, remediation, rehabilitation, modernization and demolition for public
39	safety and security facilities, all as the commissioner of capital asset management and
90	maintenance, in consultation with the secretary of public safety and security and the appropriate
91	commissioners of the departments within the executive office, shall consider appropriate;
92	provided that costs payable from this item shall include, but not be limited to, the costs of leases
93	of temporary space or equipment as required for completion of a project \$530,000,000
94	SECTION 2A.
95	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
96	Division of Capital Asset Management and Maintenance

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JUDICIARY

Trial Court

1102-2022 For capital needs at court facilities, including, but not limited to, expenditures
for the planning, design and acquisition of land and buildings and interests therein by purchase,
lease for a term, including any extensions, not to exceed 50 years, gift or other transfer or by
eminent domain under chapter 79 of the General Laws, the preparation of plans and
specifications, the construction, renovation, reconstruction, alteration, improvement, demolition,
expansion, repair and improvements, including furnishings and equipment and temporary
relocation costs, as needed for priority projects identified by the division of capital asset
management and maintenance and the executive office of the trial court; for building repairs
necessary to correct unsafe and overcrowded conditions, for the remediation of life safety code
violations, for the remediation of access code and civil rights violations, for the remediation of
environmental hazards and for security improvements and other necessary repairs at court
facilities owned by the commonwealth or by political subdivisions of the commonwealth;
provided, that expenditures made from this item shall include, but not be limited to, expenditures
for the projects identified through the court capital repair needs assessment database as
developed and maintained by the division of capital asset management and maintenance and
reviewed and approved by the executive office of the trial court
\$675,000,000

SECTION 2B.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary

7002-1500 For grants administered by Massachusetts Technology Development Corporation established in section 2 of chapter 40G of the General Laws, and doing business as

MassVentures; provided that such grants shall be made on a competitive basis to growing
Massachusetts-based companies commercializing technologies developed with assistance of a
Small Business Innovation Research (SBIR) or Small Business Technology Transfer (STTR)
grant from a federal agency, including, but not limited to, the United States Department of
Defense, the United States Department of Energy, or the National Science
Foundation

Department of Housing and Community Development

7004-0062

For the purpose of state financial assistance in the form of grants or loans for the Housing Stabilization and Investment Trust Fund established in section 2 of chapter 121F of the General Laws and awarded only pursuant to the criteria established in said section 2 of said chapter 121F; provided, that not less than 25 per cent shall be used to fund projects which preserve and produce housing for families and individuals with incomes of not more than 30 per cent of the area median income, as defined by the United States Department of Housing and Urban Development; provided further, that if the department of housing and community development has not spent the amount authorized under the bond cap for this program, at the end of each year following the effective date of this act, the department may award the remaining funds to projects that serve households earning more than 30 per cent of the area median income, as defined by the United States Department of Housing and Urban Development; provided further, that the department may expend an amount not to exceed \$10,000,000 to stabilize and promote reinvestment, through homeownership, in areas the department has determined to be weak markets as indicated by a high concentration of assisted rental housing, a low rate of

homeownership, low median family income, low average sales prices, high levels of unpaid
property taxes or vacant or abandoned buildings, by waiving the requirements of this item and
said chapter 121F, and by subsidizing the purchase price, borrowing costs or costs of renovation
or new construction of 2 to 6 unit residential buildings for a person who shall own the property
and occupy any portion of the property as the person's primary residence for at least 5 years
from the date of purchase; provided further, that if more than 5 years, but less than 10 years,
from the date the owner takes ownership of the property, the owner sells any of the owner's
interest in the property, the new owner shall so occupy 1 unit in the property for a period equal to
the difference between 10 years and the amount of time the first owner occupied the property as
the owner's primary residence; provided further, that if the owner fails to so occupy a unit on the
property or ceases to be the owner of the property as required by this section, the department
shall recoup the value of any subsidy provided to the owner; and provided further, that 10 years
after the owner takes possession of the property pursuant to this item, all restrictions on the
property created by this item shall be void

7004-0067 For a local capital projects grant program to support and encourage implementation of the housing choice designation for communities that have demonstrated housing production and adoption of housing best practices, including a grant program to assist MBTA communities in complying with the multifamily zoning requirement in section 3A of chapter 40A.

162 \$25,000,000

EXECUTIVE OFFICE OF EDUCATION

Office of the Secretary

7009-2008 For a competitive grant program to be administered by the executive office of education, in consultation with the executive office of housing and economic development and the executive office of labor and workforce development, to provide funding for the purchase and installation of equipment and related improvements and renovations to facilities necessary for the installation and use of such equipment, to establish, upgrade and expand career technical education and training programs that are aligned to regional economic and workforce development priorities; provided, that grant applications may facilitate collaboration to provide students enrolled in eligible vocational technical schools with postsecondary opportunities consistent with clause (o) of the first paragraph of section 22 of chapter 15A of the General Laws and section 37A of chapter 74 of the General Laws; provided further, that community colleges and innovation centers that receive funds from the Massachusetts Life Sciences Center shall also be eligible for funds from this program; provided further, that the executive office of education, in consultation with the executive office of housing and economic development and the executive office of labor and workforce development, shall adopt additional guidelines as necessary for the administration of the program; and provided further, that awards may be made to community-based organizations with recognized success in training adults with barriers to

SECTION 2C.

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TREASURER AND RECEIVER GENERAL

0640-1005 For the water pollution abatement trust established in section 2 of chapter 29C of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in section 2L of chapter 29 of the General Laws for application by the trust to the purposes

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Division of Capital Asset Management and Maintenance

1102-2023 For costs associated with the implementation of Executive Order 594 to decarbonize and minimize the environmental impacts of state-owned facilities, equipment, and related capital assets by reducing or eliminating emissions from on-site use of fossil fuels, increasing energy and water efficiency, deploying renewable and clean energy resources, and improving resilience and climate change readiness, including costs associated with planning and studies, prepayment of lease for a term that exceeds the useful life of the facility, gifts or other transfers or by eminent domain under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition, disposition and remediation of state-owned and former county facilities and grounds, and repair and maintenance of buildings and building systems and equipment at various state-owned facilities; provided, that all maintenance and repair work funded in this item shall be listed in the capital asset management information system administered by the division of capital

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Agricultural Resources

2511-0121 For a food security program, including grants to fund costs of immediate and projected infrastructure needs for farms, retailers, fisheries, food system businesses and food distribution channels including, but not limited to, food banks, farm stands, food hubs, food retailers, elder services and community supported agriculture farms, while taking into account the unique needs of rural and urban areas and gateway municipalities as defined in section 3A of chapter 23A of the General Laws, to provide greater access to local food, and to provide grants

that support food banks and other parts of the food distribution channel by expanding services,
which may include, but shall not be limited to: (i) information technology needs, including the
development of online markets and delivery systems, including an online system to link food
system channels to identify and match agricultural and fishery products to consumers and
markets, particularly to benefit food insecure communities; (ii) facility adaptation to new safety
guidelines, including new signage and the installation of handwashing stations; (iii) expansion of
storage and food preparation areas for food banks, food pantries or food distribution
organizations; (iv) the purchase or lease of point-of-sale devices to provide to retailers at no cost
to provide curbside pick-up and curbside payment service, including payment using electronic
benefits transfer cards; (v) storage and processing equipment to adapt to supply chain
disruptions, including for cold and ambient storage and vehicles for distribution; (vi) capital
support for food retailers in communities underserved by full grocery stores to increase capacity,
expand offerings of health foods and maintain continuity of business operations; (vii) production
processing and transportation for meat, fish and other poultry products individually, or through a
collaborative effort and information technology for tracking and quality control of products and
for fishing vessels and farms; and (viii) information technology needs for food retailers with not
more than 100 employees in order to meet criteria to join the online purchasing program of the
supplemental nutrition assistance program as outlined by the United States Department of
Agriculture\$51,000,000
SECTION 2D. EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND

SECTION 2D. EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

Office of the Secretary

1790-3011 For costs associated with initiatives, projects, and expenditures to make improvements to the quality, consistency, efficiency, and delivery of any service or program for the benefit of the public and the interactions between residents and state agencies and instrumentalities of the commonwealth, including but not limited to, planning and studies, the preparation of plans and specifications, purchase, procurement, acquisition, licensing and implementation of information technology, telecommunications and data-security-related equipment, hardware, software, systems, intellectual property and related projects for various state agencies of the commonwealth; provided, that for projects the secretary of administration and finance certifies to the comptroller directly or indirectly generate state revenue or budgetary savings, the comptroller shall transfer such revenue or budgetary savings to the state treasurer for payment of debt service related to those projects; provided further, that any federal reimbursement received by a state agency in connection with projects funded from this item may be retained by the state agency or the executive office of technology services and security and expended for the purposes of the project, without further appropriation, in addition to the amounts appropriated in this item\$100,000,000

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1790-3012 For costs associated with the virtual information technology and security infrastructure of court facilities, to install systems within each courthouse to ensure the safety of Trial Court employees and visitors to the courthouse, including but not limited to, intrusion detection, duress and screening technology, access and video monitoring, and communication systems. \$50,000,000

1790-3013 For costs associated with the virtual and physical security infrastructure of Massachusetts State Lottery Commission facilities, including but not limited to, installing

275	systems upgrades, decommissioning end of life equipment, and addressing cybersecurity
276	vulnerabilities
277	SECTION 2E.
278	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
279	Office of the Secretary
280	8000-0706 For equipment for the department of correction and other agencies within the
281	executive office of public safety and security including, but not limited to, medical equipment,
282	security equipment, safety equipment, communications equipment and vehicles \$60,000,000
283	Department of State Police
284	8000-2023 For the replacement of state police cruisers and accompanying equipment;
285	provided, that funds may be expended for equipment purchased in conjunction with the operation
286	of the state police cruiser fleet, including, but not limited to, mobile data
287	terminals\$100,000,000
288	SECTION 3. To meet the expenditures necessary in carrying out sections 2,2A and 2B
289	the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth
290	in an amount to be specified by the governor, but not exceeding in the aggregate \$4,131,125,000.
291	All such bonds issued by the commonwealth shall be designated on their face, General
292	Governmental Infrastructure Act of 2022 and shall be issued for a maximum term of years, not
293	exceeding 30 years, as the governor recommends to the general court pursuant to section 3 of
294	Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than

June 30, 2057. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 4. To meet the expenditures necessary in carrying out section 2C, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor, but not exceeding in the aggregate \$515,000,000. All such bonds issued by the commonwealth shall be designated on their face, General Governmental Infrastructure Act of 2022, and shall be issued for a maximum term of years, not exceeding 20 years, as the governor recommends to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2047. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 5. To meet the expenditures necessary in carrying out section 2D, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor, but not exceeding in the aggregate \$185,000,000. All such bonds issued by the commonwealth shall be designated on their face, General Governmental Infrastructure Act of 2022, and shall be issued for a maximum term of years, not exceeding 10 years, as the governor recommends to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2037. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 6. To meet the expenditures necessary in carrying out section 2E, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, \$160,000,000. All such bonds issued by the commonwealth shall be designated on their face, General Governmental Infrastructure Act of 2022, and shall be issued for a maximum term of years, not exceeding 7 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2034. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued under this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 7. To provide for the continued availability of certain bond-funded spending authorizations which otherwise would expire, the balances of the following items and any allocations thereof shall be extended through June 30, 2027 for the purposes of and subject to the conditions stated for these items in the original authorizations and any amendments to such authorizations: 0640-0035, 1100-2513, 1100-9200, 1102-2009, 1102-2015, 1102-2016, 1102-2017, 1102-2018, 1102-2019, 1102-5700, , 1790-3007, 1790-3008, 1790-3009, 2000-7026, 2000-7029, 2000-7031, 2000-7051, 2000-7052, 2000-7054, 2000-7055, 2000-7056, 2000-7057, 2000-7058, 2000-7059, 2000-7060, 2000-7061, 2000-7062, 2000-7063, 2000-7064, 2000-7065, 2000-7066, 2000-7070, 2000-7071, 2000-7072, 2000-7073, 2000-7074, 2000-7075, 2000-7077, 2000-7078, 2000-7079, 2000-7080, 2000-7081, 2000-7084, 2000-7085, 2000-7135, 2200-7016, 2200-7019, 2200-7021, 2200-7022, 2200-7023, 2200-7024, 2200-7025, 2300-0421, 2300-7019, 2300-7020, 2300-7021, 2300-7022, 2300-7023, 2300-7024, 2300-7025, 2300-7026, 2300-7027, 2300-7028, 2500-7011, 2500-7021, 2500-7023, 2500-7024, 2511-0122, 2800-1121, 2800-7014,

2800-7020, 2800-7023, 2800-7025, 2800-7027, 2800-7031, 2800-7032, 2800-7033, 2800-7035, 2800-7107, 2800-7108, 2840-7024, 2840-7025, 2840-7026, 2840-7027, 2890-7034, 2890-7035, 3000-0410, 4000-2022, 4000-2025, 6720-1336, 7000-9091, 7009-2005, 7066-8000, 7066-8110, 7100-1000, 8000-0702,8000-3502, 9300-7030, 9300-7031, 9300-7918, and 9300-7919.

SECTION 8. To carry out the purposes of this act, the commissioner of capital asset management and maintenance may, notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, acquire, by purchase, lease or leaseback for a term, including any extensions, not to exceed 50 years, gift or other transfer, or by eminent domain under chapter 79 of the General Laws, any interests in land and buildings considered necessary by the commissioner to carry out the purposes of this act including, but not limited to, easements for drainage, access, utilities and environmental mitigation, and may grant and retain such easements and interests as considered necessary by the commissioner to carry out the purposes of this act.