

HOUSE No. 4496



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
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MAURA T. HEALEY
GOVERNOR

KIMBERLEY DRISCOLL
LIEUTENANT GOVERNOR

March 18, 2024

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2024 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

This legislation directs targeted resources at our most time-sensitive deficiencies, using available federal reimbursements and other resources to minimize the net cost to the state and to manage Fiscal Year 2024 effectively. The Administration continues to manage spending to ensure a fiscally responsible, balanced budget amid continued revenue declines and future revenue uncertainty.

The bill appropriates \$534.7 million gross (\$88.5 million net cost to the state) to ensure the continuation of critical state programs, pay for our obligations in a timely manner, and maintain our commitments to key priorities.

I am recommending in this bill \$61.1 million (\$45.8 million net) for a Critical Health and Human Services Workforce Reserve to cover projected deficiencies in Fiscal Year 2024 related to our continued need for direct care staffing to respond to health needs in our nursing homes, group care settings, state hospitals, and Soldiers’ Homes, as well as other patient health and safety supports.

This budget also includes \$228 million (no net cost to the state) in investments supported fully by federal Home and Community-Based Services resources from the American Rescue Plan Act (ARPA) to promote innovative services that enhance the quality of life and independence of people in their home and community.

I am additionally proposing \$29.7 million for early education and care subsidies to ensure that providers are able to maintain access for families in need of child care. This bill also includes \$20 million from repurposed federal ARPA resources to stabilize critical victim service programs throughout Massachusetts and ensure continued access to trauma-informed services. I am also recommending \$5.1 million to address increased demand for the Healthy Incentives Program, which provides fresh, healthy food options and supports our local growers.

Other key appropriations include:

- \$175.5 million for supplemental payments to safety net hospitals through the Medical Assistance Trust Fund, which are wholly offset by federal reimbursements
- \$5.6 million to reimburse municipalities for tax abatements associated with veterans, widows, persons who are blind, and seniors
- \$2.1 million for Women, Infants and Children (WIC) nutrition services to fully support the current caseload of recipients

Additionally, notable outside sections include:

- Allowing the Operational Services Division (OSD) to jointly procure electric vehicles and charging stations, which will further empower OSD to assist in the state's efforts to electrify fleets at the state and municipal level.
- Permitting the Department of Conservation and Recreation to enter into new long-term leases, up to 30 years, for the operations of ice rinks that are presently under long-term leases with upcoming expiration dates.
- Providing technical updates to the Massachusetts Department of Transportation's statutes to ensure alignment with best practices and conform with recent federal audits of our commercial driver license process.
- Making several clarifying technical updates to streamline the implementation of existing statutes.
- Amending several ARPA-supported programs to repurpose \$19.4 M in unspent funds – largely from completed programs that came in under budget – and to ensure the state has sufficient flexibility to obligate ARPA funds before federal deadlines.

I want to reiterate my support for this legislation and the funding recommendations contained within. Sufficient revenues are available to finance the appropriations and other proposed measures, and I urge you to consider and enact this legislation in the weeks ahead.

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 2024 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 to make supplemental appropriations for fiscal year 2024 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 2024, the sums set forth in section 2 are hereby
3 appropriated from the General Fund, the Transitional Escrow Fund established in section 16 of
4 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, or the
5 federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General Laws
6 unless specifically designated otherwise in this act or in those appropriation acts, for the several
7 purposes and subject to the conditions specified in this act or in those appropriation acts, and
8 subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30,
9 2024. These sums shall be in addition to any amounts previously appropriated and made

10 available for the purposes of those items. These sums shall be made available through the fiscal
11 year ending June 30, 2024.

12 SECTION 2.

13 TREASURER AND RECEIVER-GENERAL

14 *Alcoholic Beverages Control Commission*

15 0610-0050 Alcoholic Beverages Control Commission \$ 232,499

16 OFFICE OF THE COMPTROLLER

17 1595-1068 Medical Assistance Trust Fund\$ 175,548,050

18 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

19 *Department of Revenue*

20 1233-2000 Tax Abatements for Veterans, Widows, Blind Persons, and the Elderly
21\$5,570,381

22 *Reserves*

23 1599-0793 Critical Health and Human Services Workforce Reserve\$61,077,257

24 1599-6073 VOCA Bridge \$20,000,000

25 1599-9817 ARPA HCBS Reserve \$228,000,000

26 *Operational Services Division*

27 1775-0700 Reprographic Services Retained Revenue \$400,000

28 EXECUTIVE OFFICE OF EDUCATION

29 *Department of Early Education and Care*

30 3000-4060 Income-Eligible Child Care..... \$29,672,801

31 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

32 *Department of Transitional Assistance*

33 4400-1004 Healthy Incentives Program \$5,100,000

34 *Department of Public Health*

35 4513-1002 Women, Infants and Children Nutrition Services\$2,130,571

36 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

37 *State Police*

38 8100-0102 Troop F Retained Revenue \$7,000,000

39 SECTION 3. Chapter 6 of the General Laws, as appearing in the 2022 Official Edition, is
40 hereby amended by striking out section 39B and inserting in place thereof the following section:-

41 Section 39B. Each state agency shall furnish the state library one copy of its publications,
42 provided in the format in which it was created, such as print or electronic, no later than 5
43 working days after creation. The state library shall make copies available for public consultation
44 and for permanent historic preservation. Digitized publications shall be made available to the
45 Library of Congress and to each of the state’s regional public libraries through the state library’s
46 digital collections.

47 SECTION 4. Chapter 7 of the General Laws, as appearing in the 2022 Official Edition, is
48 hereby amended by adding the following section:-

49 Section 22P. Notwithstanding section 39M of chapter 30 or any general or special law to
50 the contrary, governmental bodies may procure electric vehicles and the installation of charging
51 stations for said electric vehicles, under this chapter. The electric vehicles and the installation of
52 charging stations may be procured separately or in one procurement. For the purposes of this
53 section, electric vehicles shall be considered supplies and charging stations and their installation
54 shall be considered services.

55 A contract under this section shall only be awarded to a bidder: (1) possessing the skill,
56 ability and integrity necessary for the faithful performance of the work; (2) who shall certify that
57 it is able to furnish labor that can work in harmony with all other elements of labor employed or
58 to be employed in the work; (3) who shall certify that all employees to be employed at the
59 worksite will have successfully completed a course in construction safety and health approved by
60 the United States Occupational Safety and Health Administration that is at least 10 hours in
61 duration at the time the employee begins work and who shall furnish documentation of
62 successful completion of said course with the first certified payroll report for each employee; and
63 (4) who obtains within 10 days of the notification of contract award the security by bond
64 required under section 29 of chapter 149; provided that for the purposes of this section the term
65 “security by bond” shall mean the bond of a surety company qualified to do business under the
66 laws of the commonwealth and satisfactory to the awarding authority; provided further, that if
67 there is more than 1 surety company, the surety companies shall be jointly and severally liable.
68 Sections 26 through 27D of chapter 149 shall apply to any contract entered into under this
69 section.

70 SECTION 5. Section 1 of chapter 7C of the General Laws, as appearing in the 2022
71 Official Edition, is hereby amended by striking out the definition for “Capital Facility” and
72 inserting in place thereof the following definition:-

73 “Capital facility”, a public improvement such as a building or other structure; a utility,
74 fire protection, and other major system and facility; a power plant facility and appurtenances; a
75 heating, ventilating, air conditioning or other system; initial equipment and furnishings for a new
76 building or building added to or remodeled for some other use; a public parking facility; an
77 airport or port facility; a recreational improvement such as a facility or development in a park or
78 other recreational facility; or any other facility which, by statute or under standards as they may
79 be prescribed from time to time by the commissioner of capital asset management and
80 maintenance, according to the provisions of this section, may be defined as such, provided
81 however that a highway improvement such as a highway, bridge or tunnel or other structure or
82 building integral to the operation of the state highway system; a transportation improvement such
83 as a mass transportation or other public transit facility, shall not be considered a capital facility
84 as defined herein; provided further that an improvement in information technology shall not be a
85 capital facility to the extent it does not result in the creation or expansion of tangible property.

86 SECTION 6. Section 11E of chapter 12 of the General Laws, as so appearing, is hereby
87 amended by striking out, in line 22, the words “section 3 of chapter 24A” and inserting in place
88 thereof the following words:- section 18B of chapter 25 and section 10 of chapter 25C.

89 SECTION 7. Section 6 of chapter 21J of the General Laws, as so appearing, is hereby
90 amended by striking out, in line 4, the words “state fire marshal” and inserting in place thereof
91 the following words:- commissioner of revenue.

92 SECTION 8. Section 2 of chapter 22D of the General Laws, as so appearing, is hereby
93 amended by striking out, in lines 6 to 9, inclusive, the words “a division of underground storage
94 tanks, including the Underground Storage Tank Petroleum Product Cleanup Fund Administrative
95 Review Board as established by chapter twenty-one J;”.

96 SECTION 9. Section 14 of chapter 23N of the General Laws, as so appearing, is hereby
97 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

98 (a) An excise is hereby imposed upon a sports wagering operator or a person or entity
99 that offers fantasy contests, as defined in section 11M¹/₂ of chapter 12, in the commonwealth at
100 the rate of: (i) 15 per cent of the sports wagering operator's adjusted gross sports wagering
101 receipts from the operation of in-person sports wagering; (ii) 20 per cent of the sports wagering
102 operator's adjusted gross sports wagering receipts from the operation of sports wagering through
103 mobile applications and other digital platforms approved by the commission; and (iii) 15 per cent
104 of the adjusted gross fantasy wagering receipts of the person or entity that offers such fantasy
105 contests. The accrual method of accounting shall be used for the purposes of calculating the
106 amount of the tax owed under this section. The excise shall be paid to the commission at the time
107 provided for filing the return pursuant to subsection (b).

108 SECTION 10. Said section 14 of said chapter 23N, as so appearing, is hereby further
109 amended by striking out subsection (c) and inserting in place thereof the following subsection:-

110 (c) The excise on adjusted gross sports wagering receipts and adjusted fantasy wagering
111 receipts imposed by this section shall be in lieu of all other state and local taxes and fees imposed
112 on the operation of, or the proceeds from operation of, sports wagering or fantasy contests.

113 SECTION 11. Section 14 of chapter 25A of the General Laws, as so appearing, is hereby
114 amended by adding the following subsection:-

115 (e) Notwithstanding subsection (a), the division of capital asset management and
116 maintenance may contract for energy conservation projects that have a total project cost of
117 \$500,000 or less, directly and without further solicitation, with electric and gas utilities, their
118 subcontractors and other providers of such energy conservation projects authorized under section
119 11G of this chapter and sections 19 and 21 of chapter 25.

120 SECTION 12. Chapter 24A of the General Laws is hereby amended by striking out
121 sections 3 and 4.

122 SECTION 13. Chapter 25 of the General Laws is hereby amended by inserting after
123 section 18A the following section:-

124 Section 18B. The department is hereby authorized to make an annual assessment against
125 each electric, water and gas company doing business in the commonwealth and subject to the
126 supervision of the department, based upon intrastate operating revenues of each of such
127 companies derived from the sales of electric, water or gas services, respectively, as shown on the
128 annual report or annual statement of each such company filed with the department. The
129 combined total of the assessment under this section and the assessment under section 10 of
130 chapter 25C shall be in such amount as determined and certified annually by the department and
131 the department of telecommunications and cable to be sufficient to produce \$2,910,218 in
132 revenue to the commonwealth and shall be assessed proportionately against each company
133 subject to the assessment under this section and the assessment under said section 10 of said
134 chapter 25C on the basis of such intrastate operating revenues of each such company.

135 In addition to such assessment amount, the assessment shall include amounts to be
136 credited to the General Fund for the cost of fringe benefits as established by the commissioner of
137 administration pursuant to section 5D of chapter 29, including group life and health insurance,
138 retirement benefits, paid vacations, holidays and sick leave. Any funds unexpended in any fiscal
139 year for the purposes for which such assessments were made shall be credited against the
140 assessment to be made in the following fiscal year and the assessment in the following fiscal year
141 shall be reduced by any such unexpended amount. Each company shall pay the amount assessed
142 against it within 30 days after the date of the notice of assessment from the department. Such
143 assessments shall be collected by the department and credited to the General Fund.

144 Assessments made under this section may be credited to the normal operating costs of
145 each such company and shall be utilized by the attorney general solely for the purposes set forth
146 under the provisions of section 11E of chapter 12.

147 SECTION 14. Chapter 25C of the General Laws is hereby amended by adding the
148 following section:-

149 Section 10. The department is hereby authorized to make an annual assessment against
150 each telephone and telegraph company doing business in the commonwealth and subject to the
151 supervision of the department, based upon intrastate operating revenues of each of such
152 companies derived from the sales of telephone and telegraph services, respectively, as shown on
153 the annual report or annual statement of each such company filed with the department. The
154 combined total of the assessment under this section and the assessment under section 18B of
155 chapter 25 shall be in such amount as determined and certified annually by the department and
156 the department of public utilities to be sufficient to produce \$2,910,218 in revenue to the

157 commonwealth and shall be assessed proportionately against each company subject to the
158 assessment under this section and the assessment under said section 18B of said chapter 25 on
159 the basis of such intrastate operating revenues of each such company.

160 In addition to such assessment amount, the assessment shall include amounts to be
161 credited to the General Fund for the cost of fringe benefits as established by the commissioner of
162 administration pursuant to section 5D of chapter 29, including group life and health insurance,
163 retirement benefits, paid vacations, holidays and sick leave. Any funds unexpended in any fiscal
164 year for the purposes for which such assessments were made shall be credited against the
165 assessment to be made in the following fiscal year and the assessment in the following fiscal year
166 shall be reduced by any such unexpended amount. Each company shall pay the amount assessed
167 against it within 30 days after the date of the notice of assessment from the department. Such
168 assessments shall be collected by the department and credited to the General Fund.

169 Assessments made under this section may be credited to the normal operating costs of
170 each such company and shall be utilized by the attorney general solely for the purposes set forth
171 under the provisions of section 11E of chapter 12.

172 SECTION 15. Chapter 29 of the General Laws, as appearing in the 2022 Official Edition,
173 is hereby amended by inserting after section 2DDDDDD the following section:

174 Section 2EEEEEE. There shall be established and set up on the books of the
175 commonwealth a separate, non-budgeted special revenue fund known as Office of the Inspector
176 General Recovery Fund, which shall be administered by the office of the inspector general. The
177 fund shall be credited with any monies payable to the inspector general from civil recoveries,

178 settlement funds, or recoupment of administrative and investigatory costs and may earn and be
179 credited interest.

180 Amounts credited to the fund shall be expended, without further appropriation, for the
181 office of the inspector general’s operational, administrative and investigatory purposes.

182 The unexpended balance in the fund at the end of a fiscal year shall remain available for
183 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund
184 to be in deficit at any point.

185 SECTION 16. The third sentence of subsection (x) of section 6 of chapter 62 of the
186 General Laws, as amended by section 21 of chapter 50 of the acts of 2023, is hereby further
187 amended by inserting after the word “Code,” in clause (ii), the following words:- without regard
188 to subsection (e)(5) of said section 21 of the Code.

189 SECTION 17. Subsection (a) of section 2A of chapter 65C of the General Laws, as
190 amended by section 36 of chapter 50 of the acts of 2023, is hereby further amended by striking
191 out the words “tax shall be reduced by an amount equal to the proportion of such allowable
192 credit as the value of such real or tangible personal property located outside of the
193 commonwealth bears to the value of the entire federal gross estate wherever situated, as
194 determined under section 2011 of the Code, as in effect on December 31, 2000” and inserting in
195 place thereof the following words:- credit shall be determined based on the value of the federal
196 taxable estate after such estate is reduced by the value of such real or tangible personal property
197 located outside of the commonwealth.

198 SECTION 18. Chapter 90 of the General Laws is hereby amended by inserting after
199 section 2I the following section:-

200 Section 2J. The registrar shall refuse to register, and shall suspend or revoke if already
201 registered, a commercial motor vehicle if the registrar has received notice, in any form which the
202 registrar deems appropriate, including electronic transmissions, that the commercial motor
203 carrier attempting to register a commercial motor vehicle has been prohibited from operating in
204 interstate commerce by a federal agency with authority to do so under federal law.

205 SECTION 19. Chapter 159A ½ of the General Laws, as appearing in the 2022 Official
206 Edition, is hereby amended by striking out section 12 and inserting in place thereof the following
207 2 sections:-

208 Section 12. (a) On the first day of each month, each transportation network company
209 shall submit to the division, in a format approved by the division, data related to each pre-
210 arranged ride provided in the month prior to the previous month and shall include for each pre-
211 arranged ride: (i) the latitude and longitude for the points of the origination and termination,
212 calculated to 0.001 decimal degrees; (ii) the date and time of the origination and termination,
213 calculated to the nearest minute; (iii) the total cost paid by the rider for the ride; (iv) the
214 universally-unique identifier associated with the transportation network driver; (v) the
215 transportation network driver's city or town of residence as appearing on the driver's license; (vi)
216 whether the rider requested a shared ride but was not successfully matched with another rider;
217 (vii) whether the rider requested accommodation for special needs; (viii) whether the ride was
218 provided by a wheelchair accessible vehicle; (ix) whether there were any driver or rider-initiated
219 cancellations; (x) the total time that the transportation network driver spent on the way to pick up
220 the rider; (xi) the total time that the transportation network driver spent providing the pre-
221 arranged ride; (xii) the geographic position of the vehicle during the entire duration of the pre-
222 arranged ride, provided at intervals of not less than every 60 seconds of the pre-arranged ride;

223 (xiii) the total mileage driven by the transportation network driver while on the way to pick up
224 the rider; (xiv) the total mileage driven by the transportation network driver while providing the
225 pre-arranged ride; (xv) the transportation network vehicle license plate; (xvi) whether the
226 transportation network driver is a professional driver, as advertised by the transportation network
227 company; and (xvii) whether the pre-arranged ride was advertised by the transportation network
228 company as a luxury or premium ride, regardless of whether the transportation network vehicle
229 was registered as a livery vehicle; provided, however, that if the pre-arranged ride was advertised
230 by the transportation network company as a luxury or premium ride, the factors that were
231 considered in that designation, including, but not limited to, vehicle make, model, year and, if
232 available, trim, whether the transportation network driver was a professional driver, as advertised
233 by the transportation network company and whether the ride was available by an exclusive
234 membership option.

235 (b) The division may obtain additional ride data from a transportation network company
236 for the purposes of congestion management, which may include, but shall not be limited to: (i)
237 the total number of transportation network drivers that utilized the transportation network
238 vehicle's digital network within specified geographic areas and time periods as determined by the
239 division; and (ii) the total time spent and total miles driven by transportation network drivers in
240 such geographic areas or time periods as determined by the division while (A) on the way to pick
241 up a rider or (B) engaged in a pre-arranged ride. The division shall promulgate regulations
242 relative to data collection pursuant to this subsection prior to obtaining the data.

243 (c) Annually, not later than June 30, the division shall post on its website, in aggregate
244 form, the total number of rides provided by all transportation network companies that originated
245 in each city or town, each city or town where the rides originating in each city or town

246 terminated and the average miles and minutes of the rides that originated in each city or town
247 and terminated in each other respective city or town.

248 (d) For the purposes of congestion management, transportation planning or emissions
249 tracking, the division may enter into confidential data-sharing agreements to share de-identified
250 trip-level data received by the division pursuant to this section with the executive office of
251 technology services and security, the executive office of energy and environmental affairs, the
252 Massachusetts Department of Transportation, the Massachusetts Port Authority, the
253 Massachusetts Bay Transportation Authority, the department of environmental protection, a
254 regional transit authority established under section 3 of chapter 161B, a regional planning agency
255 in the commonwealth and a metropolitan planning organization in the commonwealth. The
256 division shall prescribe the form and content of a confidential data-sharing agreement under this
257 subsection, the manner of transmitting the information and the information security measures
258 that shall be employed by an entity receiving the data under any such data-sharing agreement. A
259 confidential data-sharing agreement shall specify that the information provided by the division
260 shall be aggregated and de-identified and may be used only for the purposes set forth in the
261 agreement. Any data received by an entity from the division through a confidential data-sharing
262 agreement under this subsection shall not be considered a public record under clause Twenty-
263 sixth of section 7 of chapter 4 or chapter 66 and shall not be disclosed to any person or entity
264 other than those listed or described in the confidential data-sharing agreement; provided,
265 however, that a state or municipal government agency or transportation planning entity may
266 disclose conclusions and analyses derived from the information and from the data received
267 pursuant to a confidential data-sharing agreement.

268 (e) A violation of the terms of a confidential data-sharing agreement by an entity listed in
269 subsection (d) may result in the division declining to enter into future confidential data-sharing
270 agreements with the violating entity and in the termination of any existing data-sharing
271 agreement with the entity. The division shall notify each transportation network company whose
272 data was shared in violation of the terms of a confidential data-sharing agreement of the
273 violation, the violating entity and what data was shared. An entity listed in subsection (d) that
274 violates the terms of a confidential data-sharing agreement shall destroy all data received as a
275 result of the confidential data-sharing agreement.

276 Section 13. (a) The division shall establish a program to reduce greenhouse gas emissions
277 from transportation network vehicles. To the extent permitted under federal law, the program
278 shall establish requirements for transportation network companies including, but not limited to,
279 vehicle electrification and greenhouse gas emissions requirements. Such requirements shall
280 include, but not be limited to, a requirement for said companies to submit biennial plans to
281 gradually increase zero-emission transportation network vehicles and reduce greenhouse gas
282 emissions to meet goals set by the executive office of energy and environmental affairs. If the
283 division determines that vehicle electrification requirements alone would be sufficient to achieve
284 the greenhouse gas emissions goals set by the executive office of energy and environmental
285 affairs, then it may establish requirements for vehicle electrification without establishing separate
286 requirements for greenhouse gas emissions. The division shall, to the extent practicable,
287 minimize any negative impacts of the program on drivers from neighborhoods and municipalities
288 that have an annual median household income of not more than 65 per cent of the statewide
289 annual median household income.

290 (b) The division shall establish regulations to implement the program established in this
291 section.

292 SECTION 20. Section 1 of chapter 258 of the General Laws, as appearing in the 2022
293 Official Edition, is hereby amended by striking out the definition of “Executive officer of a
294 public employer”, and inserting in place thereof the following definition:-

295 “Executive officer of a public employer”, the secretary of an executive office of the
296 commonwealth, or in the case of an agency not within the executive office, the attorney general;
297 the adjutant general of the military forces of the commonwealth; the county commissioners of a
298 county; the mayor of a city, or as designated by the charter of the city; the selectmen of a town or
299 as designated by the charter of the town; and the board, directors, or committee of a district in the
300 case of the public employers of a district, in the case of the Massachusetts Bay Transportation
301 Authority, its general manager and, in the case of any other public employer, the nominal chief
302 executive officer or board.

303 SECTION 21. Section 4 of chapter 841 of the acts of 1975 is hereby amended by striking
304 out the words “comprised of the secretary of communities and development or his designee” and
305 inserting in place thereof the following words:- comprised of the secretary of economic
306 development or their designee.

307 SECTION 22. Item 1599-1952 of section 2B of chapter 151 of the acts of 2020 is hereby
308 amended by inserting, after the words “assist municipalities”, the following words:- and tribal
309 governments.

310 SECTION 23. Said item 1599-1952 of said section 2B of said chapter 151 is hereby
311 further amended by striking out the words “located in a municipality”.

312 SECTION 24. Item 1599-2025 of section 2 of chapter 102 of the acts of 2021 is hereby
313 amended by adding the following words:- provided further, that if the commissioner of
314 department of public health, in consultation with the secretary of health and human services,
315 determines that anticipated spending prior to the American Rescue Plan Act applicable funds
316 obligation and expiration deadlines for a purpose is less than it is authorized to be spent in this
317 item for that purpose, the commissioner of department of public health may reduce spending
318 accordingly and transfer the anticipated unspent funds for that purpose to other purposes to
319 support and enhance the commonwealth's local and regional public health system; and provided
320 further that the commissioner of department of public health shall notify the house and senate
321 committees on ways and means not less than 7 days prior to reducing or increasing spending for
322 a particular purpose authorized in this item.

323 SECTION 25. Section 82 of said chapter 102 is hereby amended by adding the following
324 words:- and provided further, that the secretary of administration and finance may direct the
325 comptroller to transfer the unobligated balance of the fund to the Transitional Escrow Fund
326 established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98
327 of the acts of 2022, or the federal COVID-19 response fund established in section 2JJJJ of
328 chapter 29 of the General Laws.

329 SECTION 26. Subsection (b) of section 165 of chapter 126 of the acts of 2022, as
330 amended by section 56 of chapter 2 of the acts of 2023, is hereby further amended by striking out
331 the words "September 30, 2023" and inserting in place thereof the following words:- June 15,
332 2024.

333 SECTION 27. Section 168 of said chapter 126, as amended by section 57 of said chapter
334 2, is hereby further amended by striking out the words “not later than December 31, 2023” and
335 inserting in place thereof the following words:- within 6 months of the inclusive concurrent
336 enrollment advisory board task force filing the report required by subsection (b) of section 165 of
337 this act.

338 SECTION 28. Subsection (c) of section 167 of chapter 126 of the acts of 2022 is hereby
339 amended by striking out the words “July 31, 2023” and inserting in place thereof the following
340 words:- July 31, 2025.

341 SECTION 29. Said subsection (c) of said section 167 is hereby further amended by
342 striking out the words “July 31, 2024” and inserting in place thereof the following words:- July
343 31, 2026.

344 SECTION 30. Section 92 of chapter 179 of the acts of 2022 is hereby amended by
345 striking out the figure “12”, each time it appears, and inserting in place thereof the following
346 figure:- 13.

347 SECTION 31. Item 1599-6077 of section 2A of chapter 268 of the acts of 2022 is hereby
348 amended by inserting, after the words “Bliss Corner in the town of Dartmouth”, the following
349 words:- , provided further that such funds may be transferred by the executive office for
350 administration and finance to the department of environmental protection to fund assessment and
351 other appropriate work by the department related to such residential homes.

352 SECTION 32. Said item 1599-6077 of said section 2A of said chapter 268 is hereby
353 further amended by striking out the words “for the installation and operation of no less than 2 air
354 quality monitoring stations in the East Boston section of Boston in cooperation with the

355 department of environmental protection, the data from which shall be made available online to
356 the public at regular intervals” and inserting in place thereof the following words:- by the
357 department of environmental protection to conduct air monitoring in no less than 2 locations in
358 the East Boston section of Boston for a period of not less than 2 years.

359 SECTION 33. Said item 1599-6077 of said section 2A of said chapter 268 is hereby
360 further amended by inserting, after the words “Countryside Auto Salvage”, the following words:-
361 provided further, that such funds may be transferred by the executive office for administration
362 and finance to the department of environmental protection to fund such studies by the
363 department.

364 SECTION 34. Item 1599-6084 of said section 2A of said chapter 268 is hereby amended
365 by inserting, after the words “120 per cent of the area median income;”, the following the
366 words:- ; and provided, that funds expended for said workforce housing program may be
367 expended for grants, loans, and other financial assistance for related construction costs incurred
368 on or after March 3, 2021;.

369 SECTION 35. Section 230 of said chapter 268 is hereby amended by inserting, after the
370 word “Laws”, the following words:- ; and provided further, that funds appropriated in this item
371 shall be made available until June 30, 2025.

372 SECTION 36. Item 1775-0700 of section 2 of chapter 28 of the acts of 2023 is hereby
373 amended by striking out the figure “\$200,000”, both times it appears, and inserting in place
374 thereof, in each instance, the following figure:- \$600,000.

375 SECTION 37. Item 4000-0054 of said section 2 of said chapter 28 is hereby amended by
376 adding the following words:- ; and provided further, that funds appropriated in this item shall be
377 made available until June 30, 2027.

378 SECTION 38. Item 7003-0150 of said section 2 of said chapter 28, as most recently
379 amended by section 2CI of chapter 77 of the acts of 2023, is hereby further amended by
380 inserting, after the words “citizens programming”, the following words:- provided further, that
381 the executive office may expend available funds in this item for costs incurred for fiscal year
382 2022 grants;.

383 SECTION 39. Item 8100-0102 of said section 2 of said chapter 28 is hereby amended by
384 striking out the figure “\$45,000,000”, both times it appears, and inserting in place thereof, in
385 each instance, the following figure:- \$52,000,000.

386 SECTION 40. Item 1595-1068 of section 2E of said chapter 28 is hereby amended by
387 striking out, after the words “make payments up to”, the figure “\$441,300,000” and inserting in
388 place thereof the following figure:- \$638,409,000.

389 SECTION 41. Said item 1595-1068 of said section 2E of said chapter 28 is hereby further
390 amended by striking out the figure “\$505,000,000” and inserting in place thereof the following
391 figure:- \$681,000,000.

392 SECTION 42. Item 1596-2417 of said section 2E of said chapter 28 is hereby amended
393 by adding the following words:- and provided further, that funds appropriated in this item shall
394 be made available until June 30, 2025.

395 SECTION 43. Item 1596-2401 of section 2F of said chapter 28 is hereby amended by
396 adding the following words:-; and provided further, that funds appropriated in this item shall be
397 made available until June 30, 2025.

398 SECTION 44. Item 1596-2406 of said section 2F of said chapter 28 is hereby amended
399 by adding the following words:- ; and provided further, that funds appropriated in this item shall
400 be made available until June 30, 2025.

401 SECTION 45. Item 4003-0123 of section 2A of chapter 77 of the acts of 2023 is hereby
402 amended by adding the following words:- ; and provided further, that funds appropriated in this
403 item shall be made available until June 30, 2025.

404 SECTION 46. Section 218 of said chapter 77is hereby amended by striking out the first
405 sentence and inserting in place thereof the following sentence:- Notwithstanding any general or
406 special law to the contrary, for fiscal year 2024, the registrar of motor vehicles shall provide
407 quarterly reports to the commissioner of correction detailing the number of identity cards
408 processed pursuant to the Massachusetts Identification Card Program established by the
409 Memorandum of Understanding between the Registry of Motor Vehicles and the Department of
410 Correction, dated October 19, 2022, and pursuant to Section 8E of Chapter 90, for individuals
411 released from department of correction facilities.

412 SECTION 47. (a) Notwithstanding sections 52 to 55 of chapter 7 and sections 32 to 37 of
413 chapter 7C of the General Laws or any other general or special law to the contrary, the division
414 of capital asset management and maintenance, using those competitive proposal processes as the
415 division considers necessary or appropriate, in consultation with the department of conservation
416 and recreation, may lease and enter into other agreements with 1 or more bidders, for 1 or more

417 ice-skating rinks and facilities, for terms not to exceed 30 years, for the continued use, operation,
418 maintenance, repair and improvement of the state-owned buildings and facilities, together with
419 the land and appurtenances associated therewith, comprising the following ice skating rinks and
420 facilities under the care and control of the department of conservation and recreation:

421 Veterans Memorial Skating Rink, Arlington; Porazzo Memorial Rink, East Boston
422 district, Boston; Roche Memorial Rink, West Roxbury district, Boston; Simoni Memorial Rink,
423 Cambridge; Allied Veterans Memorial Rink, Everett; Connery Memorial Rink, Lynn; Flynn
424 Memorial Rink, Medford; LoConte Memorial Rink, Medford; Daly Memorial Rink, Newton;
425 Cronin Memorial Rink, Revere; Max Ulin Skating Rink, Milton; Kasabuski Arena, Saugus;
426 Veterans Memorial Rink, Somerville; Shea Memorial Rink, Quincy; Veterans Memorial Rink,
427 Waltham; Connell Memorial Rink and Pool, Weymouth; Representative John G. Asiaf Skating
428 Rink, Brockton; Arthur R. Driscoll Memorial Skating Rink, Fall River; Staff Sergeant Robert
429 Pirelli Veterans Memorial Rink, Franklin; Stephen Hetland Memorial Skating Rink, New
430 Bedford; John A. Armstrong Memorial Skating Rink, Plymouth; Theodore J. Aleixo, Jr. Skating
431 Rink, Taunton; Veterans Memorial Skating Arena, Haverhill; John J. Janas Memorial Skating
432 Rink, Lowell; Henry Graf, Jr., Skating Rink, Newburyport; James E. McVann and Louis F.
433 O'Keefe Memorial Skating Rink, Peabody; Daniel S. Horgan Memorial Skating Rink, Auburn;
434 Gardner Veterans Skating Rink, Gardner; John J. Navin Skating Rink, Marlboro; Honorable
435 Charles J. Buffone Skating Rink, Worcester; Greenfield Area Skating Rink, Greenfield; Henry J.
436 Fitzpatrick Skating Rink, Holyoke; Ray Smead Memorial Skating Rink, Springfield; and
437 Vietnam Veterans Memorial Skating Rink, North Adams.

438 (b) The lease and other agreements shall be on terms acceptable to the commissioner of
439 capital asset management and maintenance, after consultation with the commissioner of

440 conservation and recreation and, notwithstanding any general or special law to the contrary, shall
441 provide for the lessees to operate, manage, improve, repair and maintain the ice-skating rinks and
442 facilities. Any such lease or other arrangement shall include a description of the required capital
443 improvements and, at a minimum, performance specifications. Any consideration received from
444 the leases or other agreements shall be payable to the department for deposit in the Conservation
445 Trust, established under section 1 of Chapter 132A of the General Laws.

446 There shall be an option for renewal or extension of the leases and other agreements not
447 exceeding an additional 5 years. Such renewal or extension shall be at the discretion of the
448 division of capital asset management and maintenance, in consultation with the department of
449 conservation and recreation, in accordance with the original lease terms and conditions or
450 agreement terms and conditions more favorable to the commonwealth. All leases must contain a
451 provision that requires the lessee to carry comprehensive general liability insurance with the
452 commonwealth named as a co-insured, protecting the commonwealth against all personal injury
453 or property damage within the rink or on the land during the term of the lease.

454 (c) The division of capital asset management and maintenance, in consultation with and
455 on behalf of the department of conservation and recreation, shall solicit proposals through a
456 request for proposals which shall include key contractual terms and conditions to be incorporated
457 into the lease, including but not limited to (1) a comprehensive list of all rinks operated by the
458 responsive bidder in the last four years, (2) prior or current facilities management or experience
459 of the responsive bidder, (3) prior or current skating or hockey management experience of the
460 responsive bidder, (4) reservation policies, (5) proposed reasonable rates that will ensure
461 continued public access, (6) required financial audits, (7) policies to encourage use of the rink by
462 persons of all races and nationalities, (8) safety and security plans, (9) seasonal opening and

463 closing dates, (10) hours of operation, and (11) how the operator will ensure that ice time at the
464 rink shall be allocated to user groups in the following order of priority: general public skating;
465 nonprofit youth groups; school hockey, for-profit youth groups other than non-profit youth
466 groups; and adult organizations or informal groups. Ice time may be allocated at the discretion of
467 the operator, provided, however, that general public skating shall be booked, in 2-hour
468 contiguous blocks at a minimum of 12 hours per week, with a range of times and days which
469 reasonably allow for public skaters of all ages to participate in some public skating sessions.
470 Every effort shall be made to balance the ice allocation needs of long-established youth
471 organizations and newly formed youth organizations in a manner that provides equal opportunity
472 and equal access for youths of each gender.

473 The inspector general shall review and approve any request for proposals issued by the
474 division before issuance.

475 (d) The leases and other agreements authorized in this section shall provide that any
476 benefits to the community and the costs of improvements and repairs made to the property
477 provided by the lessees shall be taken into account as part of the consideration for the lease or
478 other agreements. The lessees or the recipients of the property shall bear the costs considered
479 necessary or appropriate by the commissioner of capital asset management and maintenance for
480 the transactions including, without limitation, costs for legal work, survey, title and the
481 preparation of plans and specifications.

482 (e) The provisions of any general or special law or rule or regulation relating to the
483 advertising, bidding or award of contracts, to the procurement of services or to the construction

484 and design of improvements shall not be applicable to any selected bidder which is awarded a
485 lease pursuant to this section, except as provided in this section.

486 SECTION 48. Notwithstanding sections 32 to 37 of chapter 7C of the General Laws, or
487 any other general or special law to the contrary, the commissioner of capital asset management
488 and maintenance may enter into a lease, sublease or other rental agreement with La Colaborativa,
489 Inc., its successor or assigns, for a portion of the parking lot located adjacent to the
490 Massachusetts information technology center located at 200 Arlington street in the city of
491 Chelsea for a term not to exceed 10 years; provided, however, that the lease, sublease or other
492 rental agreement shall not exceed the term of the lease by and between the division of capital
493 asset management and maintenance and the Massachusetts Department of Transportation for the
494 premises. The lease, sublease or other rental agreement shall be on terms and conditions to be
495 determined by the commissioner; provided, however, that the lease, sublease or other rental
496 agreement shall be terminable, without penalty, upon 180 days' notice if the commissioner
497 determines that there is a state agency need for the premises.

498 SECTION 49. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the
499 General Laws, chapter 59 of the acts of 2009 or any other general or special law to the contrary,
500 the commissioner of capital asset management and maintenance, may convey the parcel of land
501 described in subsection (b), which is a portion of the land known as the Monson development
502 center, established pursuant to chapter 275 of the acts of 1852, to the Westmass Area
503 Development Corporation, established pursuant to chapter 192 of the acts of 1960, for
504 redevelopment purposes. The parcel shall be conveyed by deed without warranties or
505 representations by the commonwealth. The conveyance shall be subject to such additional terms

506 and conditions consistent with this act as the commissioner of capital asset management and
507 maintenance may prescribe.

508 (b) The Monson development center campus is shown on a plan entitled, “Plan of Land in
509 Monson, MA” prepared for the Commonwealth of Massachusetts, Division of Capital Asset
510 Management & Maintenance on behalf of the Monson Development Center by Northeast Survey
511 Consultants, dated April 12, 2023 and recorded in the Hampden county registry of deeds in plan
512 book 397, pages 121 to 125, inclusive. The parcels to be conveyed were used for state hospital
513 purposes, and are more particularly shown as “Development Areas” on a sketch entitled,
514 “Monson Development Center,” which is on file with the division of capital asset management
515 and maintenance. The commissioner of capital asset management and maintenance shall
516 determine the exact boundaries of the parcels to be conveyed pursuant to this act, which may
517 require the completion of a survey; provided, however, that the commissioner shall not convey
518 the parcels of land at the Monson development center campus that are: (i) the subject of chapter
519 181 of the acts of 2022; (ii) under the care and control of the department of agricultural
520 resources; or (iii) otherwise subject to Article XCVII of the Amendments to the Constitution of
521 the commonwealth.

522 (c) The consideration for the transfer authorized in subsection (a) shall be \$1.

523 (d) The commissioner of capital asset management and maintenance may retain or grant
524 rights of way or easements for access, egress, utilities and drainage across the property described
525 in subsection (b) and across other property owned by the commonwealth that is contiguous to the
526 property described in said subsection (b) and may accept such rights of way or easements for
527 access, egress, utilities and drainage as the commissioner considers necessary and appropriate to

528 carry out this act; provided, however, that this section shall not permit the commissioner to grant
529 rights of way or easements over land subject to Article XCVII of the Amendments to the
530 Constitution of the commonwealth.

531 (e) The Westmass Area Development Corporation shall file a report on or before October
532 1 annually with the division of capital asset management and maintenance, the inspector general
533 and the town of Monson during the redevelopment process. The report shall detail: (i) activities
534 undertaken by the Westmass Area Development Corporation and their successors or assigns to
535 redevelop the site, including, without limitation, site preparation, marketing, permitting and
536 construction activities; (ii) acquisitions and dispositions; (iii) expenditures made by the
537 Westmass Area Development Corporation in furtherance of the redevelopment of the parcel; and
538 (iv) any other information the commissioner of capital asset management and maintenance may
539 deem necessary. Upon completion of the redevelopment, as determined by the commissioner, the
540 Westmass Area Development Corporation shall not be required to file said report.

541 (f) The Westmass Area Development Corporation shall be responsible for the costs and
542 expenses of the transfer authorized in this act as determined by the commissioner of capital asset
543 management and maintenance including, but not limited to, the costs of any engineering,
544 surveys, appraisals, title examinations, recording fees and deed preparation related to the
545 conveyance of the parcel. Notwithstanding the first sentence, if the commissioner of capital asset
546 management and maintenance determines that the productive reuse of said parcel may be
547 expedited by the reduction of acquisition costs, the commissioner may determine that the
548 division of capital asset management and maintenance shall be responsible for said costs and
549 expenses.

550 (g) Notwithstanding any general or special law to the contrary, if the commissioner of
551 capital asset management and maintenance, in consultation with the secretary for administration
552 and finance, determines that federal or nonprofit funding available to the Westmass Area
553 Development Corporation for the redevelopment of the parcel described in subsection (b) may be
554 advantageous to the redevelopment and the productive reuse of said parcel may be expedited by
555 the contribution of state funds, the commissioner of capital asset management and maintenance
556 may expend not more than \$5,000,000 from item 1102-2017 of section 2 of chapter 113 of the
557 acts of 2018 as a site readiness grant to the Westmass Area Development Corporation to support
558 the preparation of the parcel for redevelopment, including, without limitation, demolition and
559 environmental remediation. The Westmass Area Development Corporation shall report annually
560 on or before June 30 to the division of capital asset management and maintenance and the
561 inspector general detailing the site remediation progress and expenditures made by the
562 Corporation through the term of the grant.

563 SECTION 50. Notwithstanding any general or special law to the contrary, any
564 unexpended balances, not to exceed \$40,000,000, in items 4000-0700 and 4000-1426 of section
565 2 of chapter 28 of the acts of 2023 shall not revert to the General Fund until September 1, 2024
566 and may be expended by the executive office of health and human services to pay for services
567 enumerated in said items 4000-0700 and 4000-1426 provided during fiscal year 2024.

568 SECTION 51. Notwithstanding any general or special law to the contrary, for fiscal year
569 2024, the secretary of health and human services, with the written approval of the secretary of
570 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-
571 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-
572 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.

573 SECTION 52. Notwithstanding any general or special law to the contrary, if, by June 30,
574 2024, the secretary of administration and finance determines unobligated funds are available in
575 items 1599-2026, 1599-2028, 1599-2042, 1599-2055, 4513-0101 section 2A of chapter 102 of
576 the acts of 2021 and items 1599-6066, 1599-6067, 1599-6069, and 1599-6074 of section 2A of
577 chapter 268 of the acts of 2022, the secretary may direct the Comptroller to transfer said funds,
578 in an amount not to exceed \$20,000,000, to the Transitional Escrow Fund established in section
579 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022,
580 or the federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General
581 Laws.

582 SECTION 53. The salary adjustments and other economic benefits authorized by the
583 following collective bargaining agreements shall be effective for the purposes of section 7 of
584 chapter 150E of the General Laws:

585 (1) the agreement between the Commonwealth of Massachusetts and the Massachusetts
586 Correction Officers Federated Union, Unit 04, effective from July 1, 2024 through June 30,
587 2025;

588 (2) the agreement between the Commonwealth of Massachusetts and the Massachusetts
589 Nurses Association, Unit 07, effective from January 1, 2024 through December 31, 2024;

590 (3) the agreement between the Commonwealth of Massachusetts Department of the
591 Treasurer and the Coalition of Public Safety Alcoholic Beverage Control Commission
592 Investigators Association, Unit 5, effective from July 1, 2024 through June 30, 2025;

593 (4) the agreement between the Massachusetts Board of Higher Education and the
594 Massachusetts Community College Council, Unit MCC, effective from July 1, 2023 through
595 June 30, 2025;

596 (5) the agreement between the Sheriff of Bristol County and the National Correctional
597 Employees' Union, Local 135 (Ad - Tech Unit), Unit SA1, effective from July 1, 2023 through
598 June 30, 2024;

599 (6) the agreement between the Sheriff of Bristol County and the Massachusetts
600 Correction Officers Federated Union, Unit SA4, effective from July 1, 2023 through June 30,
601 2024;

602 (7) the agreement between the Sheriff of Bristol County and the National Correctional
603 Employees' Union, Local 103 (K-9 Unit), Unit SA7, effective from July 1, 2023 through June
604 30, 2024;

605 (8) the agreement between the Sheriff of Essex County and the International Brotherhood
606 of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local
607 R1-71, Unit SE9, effective from July 1, 2023 through June 30, 2024; and

608 (9) the agreement between the Sheriff of Middlesex County and the National Correctional
609 Employees Union, Local 116, Unit SM6, effective from July 1, 2023 through June 30, 2024.

610 SECTION 54. The salary adjustments and other economic benefits authorized by the
611 following collective bargaining agreements shall be effective for the purposes of section 7 of
612 chapter 150E of the General Laws:

613 (1) the agreement between the Commonwealth of Massachusetts and the National
614 Association of Government Employees (NAGE), Units 1,3, and 6, effective from July 1, 2024
615 through June 30, 2027; and

616 (2) the agreement between the Commonwealth of Massachusetts and the Alliance,
617 AFSCME-SEIU-Local 888, Unit 2, effective from July 1, 2024 through June 30, 2027.

618 SECTION 55. Section 4 is hereby repealed.

619 SECTION 56. Notwithstanding any general or special law to the contrary, all funds
620 currently in the Commonwealth of Massachusetts, Inspector General Expendable Trust shall be
621 transferred by the Comptroller to the Office of the Inspector General Recovery Fund, established
622 under section 2EEEEEE of chapter 29 of the General Fund not later than 90 days from the
623 effective date of this act.

624 SECTION 57. Section 17 shall take effect for estates of decedents dying on or after
625 January 1, 2023.

626 SECTION 58. Section 55 shall take effect on June 30, 2029.