

HOUSE No. 4532

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 8, 2022.

The committee on Ways and Means, to whom was referred the message from His Excellency the Governor submitting requests for making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4479), reports, in part, that the accompanying bill (House, No. 4532) ought to pass [Total Appropriation: \$1,631,618,522.00].

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4532

The Commonwealth of Massachusetts

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

An Act making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2022 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 2022, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2022. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. These sums shall be
8 made available until June 30, 2023.

9 SECTION 2.

10 COMMISSION ON THE STATUS OF WOMEN

11 *Commission on the Status of Women*

12 0950-0000..... \$500,000

13 MASSACHUSETTS GAMING COMMISSION

14 *Massachusetts Gaming Commission*

15 1050-0140..... \$391,240

16 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

17 *Reserves*

18 1599-6903..... \$55,000,000

19 1599-9817.....\$346,056,813

20 *Human Resources Division*

21 1750-0100..... \$1,908,823

22 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

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

24 2000-0100..... \$250,000

25 2000-0101 \$359,154

26 *Department of Conservation and Recreation*

27 2810-0100 \$1,660,000

28 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

29 *Office of Immigrants and Refugees*

30 4003-0100.....\$10,000,000

31 *Department of Transitional Assistance*

32 4408-1000 \$10,000,000

33 *Department of Children and Families*

34 4800-0038\$8,400,000

35 *Department of Public Health*

36 4513-1020\$8,000,000

37 4513-1026 \$5,000,000

38 4516-1000\$1,780,754

39 *Department of Mental Health*

40 5046-0000\$5,000,000

41 *Department of Elder Affairs*

42 9110-0100\$435,400

43 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

44 *Office of the Secretary of Housing and Economic Development*

45 7002-0010\$190,000

46 *Department of Housing and Community Development*

47 7004-0102\$2,800,000

48 7004-9316.....\$100,000,000

49 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

50 *Executive Office of Labor and Workforce Development*

51 7003-0101 \$1,500,000

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

59 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

60 *Reserves*

61 1599-0766 For grants to Massachusetts approved special education schools to address
62 the impacts of COVID-19 and subsequent variants \$140,000,000

63 1599-0793 For a reserve to support the commonwealth’s continuing testing,
64 treatment, vaccination, public awareness, prevention and public health response efforts for
65 COVID-19 and subsequent variants; provided, that the secretary of administration and finance
66 may transfer from this item to state agencies as defined in section 1 of chapter 29 of the General
67 Laws; provided further, that not less than \$433,000,000 shall be expended for testing including,
68 but not limited to, rapid tests, tests for schools and school-aged children, surveillance testing in
69 congregate care settings and public testing efforts; provided further, that not less than
70 \$72,000,000 shall be expended for treatment including, but not limited to, monoclonal
71 antibodies; provided further, that not less than \$45,500,000 shall be expended for vaccination
72 efforts including, but not limited to, vaccination sites, clinics and testing infrastructure; provided
73 further, that not less than \$125,000,000 shall be expended to support the workforce involved in
74 the vaccination efforts including, but not limited to, temporary staffing and nursing rapid
75 response teams; provided further, that in the event that a direct funding source is more
76 appropriate for spending authorized in this item, the secretary of administration and finance may
77 spend from the other direct funding source and reduce spending from this item accordingly;
78 provided further, that if the secretary of administration and finance, in consultation with the
79 secretary of health and human services, determines that the actual need for a particular purpose is
80 less than is authorized to be spent in this item for that purpose, the secretary of administration
81 and finance may reduce spending accordingly; provided further, that the secretary of
82 administration and finance shall notify the house and senate committees on ways and means not
83 less than 7 days prior to reducing or increasing spending for a particular purpose authorized in
84 this item; provided further, that the administration shall pursue the highest allowable rate of
85 federal reimbursement for all eligible expenditures from this item; provided further, that the

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

96 1599-4448 For a reserve for collective bargaining and related labor costs; provided,
97 that funds shall be used for fiscal years 2020, 2021 and 2022 costs of contracts once validated
98 pursuant to section 7 of chapter 150 of the General Laws; provided further, that funds may be
99 used for non-union pay increases; and provided further, that the secretary of administration and
100 finance may authorize the transfer of funds from this account to other accounts to meet the
101 projected costs.....\$108,386,338

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

108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127

TRANSPORTATION

Massachusetts Department of Transportation

1595-6380 For an operating transfer to the Massachusetts Transportation Trust Fund, established in section 4 of chapter 6C of the General Laws, for grants to municipalities for a winter recovery assistance program; provided, that funds may be expended for transportation projects including, but not limited to: (1) the rehabilitation, reconstruction, resurfacing or preservation of roadways and appurtenances; (2) the repair or replacement of traffic control devices, signage, guardrails and storm grates; or (3) road striping or painting; provided further, that funds shall be distributed using a formula based on each municipality’s share of road mileage; and provided further, that not later than December 30, 2022, the Massachusetts Department of Transportation shall submit a report to the house and senate committees on ways and means and the joint committee on transportation that shall include, but not be limited to: (i) a list of all municipalities that received funding for projects through these grants; (ii) the amount of grant funds awarded to each municipality; and (iii) a description of the projects implemented in each municipality \$100,000,000

Commonwealth Transportation Fund.....100%

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

128 SECTION 4. Said subsection (b) of said section 7 of said chapter 23H, as so appearing, is
129 hereby further amended by striking out, in line 11, the figure “17” and inserting in place thereof
130 the following figure:- 18.

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

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

136 SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after
137 2QQQQQ, as inserted by section 17 of chapter 24 of the acts of 2021, the following 2 sections:-

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

142 The fund shall be credited with: (i) all payments received from the federal government
143 under the Social Security Administration Vocational Rehabilitation Cost Reimbursement
144 Program, 29 U.S.C. 728; (ii) reimbursement received by the commission for successful
145 employment outcomes of participants in the program; and (iii) any interest received thereon.
146 Amounts credited to the fund shall be spent, without further appropriation, for the vocational
147 rehabilitation program administered by the commission as described in sections 74 through 80,
148 inclusive, of chapter 6. Expenditures from the fund shall be made consistent with federal
149 requirements for administering the vocational rehabilitation program; provided, that no funds

150 shall be deducted for pensions, group health or life insurance or any other indirect costs of
151 federally-reimbursed state employees.

152 Monies remaining in the fund at the end of a fiscal year shall remain available for
153 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund
154 to be in deficit at any point. The commission shall report the amount remaining in the fund at the
155 end of each fiscal year to the house and senate committees on ways and means.

156 Section 2SSSSS. There is hereby established and set up on the books of the
157 commonwealth a separate, non-budgeted special revenue fund to be known as the Massachusetts
158 Commission for the Blind Vocational Rehabilitation Reimbursement Fund. The commissioner of
159 the Massachusetts commission for the blind shall be the administrator of the fund.

160 The fund shall be credited with: (i) all payments received from the federal government
161 under the Social Security Administration Vocational Rehabilitation Cost Reimbursement
162 Program, 29 U.S.C. 728; (ii) reimbursement received by the commission for successful
163 employment outcomes of participants in the program; and (iii) any interest received thereon.
164 Amounts credited to the fund shall be spent, without further appropriation, for the vocational
165 rehabilitation program administered by the commission as described in section 129 of chapter 6.
166 Expenditures from the fund shall be made consistent with federal requirements for administering
167 the vocational rehabilitation program; provided, that no funds shall be deducted for pensions,
168 group health or life insurance or any other indirect costs of federally-reimbursed state employees.

169 Monies remaining in the fund at the end of a fiscal year shall remain available for
170 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund

171 to be in deficit at any point. The commission shall report the amount remaining in the fund at the
172 end of each fiscal year to the house and senate committees on ways and means.

173 SECTION 7. Chapter 69 of the General Laws is hereby amended by striking out section
174 30 and inserting in place thereof the following section:-

175 Section 30. (a) Any person or entity, regardless of its anticipated corporate form, which
176 seeks to incorporate, register or operate as a college, junior college, university or other post-
177 secondary educational institution with the power to grant degrees, and any person or entity,
178 regardless of its corporate form, that seeks to amend the charter of an existing entity, which will
179 give it such power to grant degrees, or which will change its name to include the term “college”,
180 “junior college” or “university” shall make application to, and receive approval from, the board
181 of higher education by submitting to the board articles of incorporation, articles of amendment,
182 certificate of organization or foreign corporation certificate of registration, in draft form, along
183 with an application and supporting materials as required by the board. The board shall
184 immediately make an investigation as to the applicants for incorporation of such an institution
185 and as to the purposes thereof and any other material facts relative thereto. The board may
186 approve such application for a junior college, the name of which does not include the word
187 “junior”; provided, that the charter of such educational institution shall require that such name
188 when used on its official documents and publications be accompanied by a descriptive phrase
189 which in the judgment of the board shall effectively distinguish the institution from a senior
190 college. In the case of a proposed amendment to the charter of an existing educational institution
191 which shall give it power to grant degrees, or change its name as aforesaid, the board shall make
192 an investigation of the institution, its faculty, equipment, courses of study, financial organization,
193 leadership and other material facts relative thereto. The board shall establish a policy providing

194 for public notice and the opportunity for public comment on such certificates or articles
195 submitted to it pursuant to this section, where appropriate. The board, after making its
196 investigation and subject to the provisions of section 31, shall make a determination approving or
197 disapproving the application submitted to it and shall report its findings to the applicant. After
198 approval by the board, the applicant shall file final articles of incorporation, articles of
199 amendment, certificate of organization or foreign corporate certificate of registration with the
200 state secretary along with the approval letter from the board. The board shall inform the applicant
201 of the reasons for its disapproval of any application it disapproves pursuant to this section.

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

204 (c) For the purpose of determining evidence of improvement and growth, the board of
205 higher education, through its agents, shall make periodic inspections of every such educational
206 institution within the 12 years following the board's approval of an institution's application
207 submitted pursuant to this section.

208 SECTION 8. Chapter 75 of the General Laws, is hereby amended by striking out section
209 45, as appearing in section 35 of chapter 102 of the acts of 2021, and inserting in place thereof
210 the following section:-

211 Section 45. There shall be within the McCormack graduate school of policy and global
212 studies at the University of Massachusetts, the Edward J. Collins, Jr. center for public
213 management. The center shall seek to improve efficiency, effectiveness, governance,
214 responsiveness and accountability at all levels of government, with a particular focus on local
215 and state government. The center shall do this by:

216 (1) providing high-quality, pragmatic, agile and affordable fee-for-service technical
217 assistance and consulting on public management issues to public entities;

218 (2) offering practical, low-cost and customized public management training, education
219 and professional development to public officials and aspiring public officials;

220 (3) collaborating with faculty and practitioners on research and initiatives that drive
221 change in public management practices and help remove barriers for improving public
222 management;

223 (4) creating publicly-available resources to support public officials; and

224 (5) integrating public management practitioners with students and faculty at the
225 University of Massachusetts at Boston and throughout the University of Massachusetts system in
226 formal and informal ways that strengthen public entities, the center, the University and the world
227 at large.

228 SECTION 9. The sixth paragraph of section 25A of chapter 111 of the General Laws, as
229 appearing in the 2020 Official Edition, is hereby amended by adding the following 2 sentences:-

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

234 SECTION 10. Section 42 of chapter 132 of the General Laws, as so appearing, is hereby
235 amended by striking out, in lines 3 and 4 and lines 8 and 9, the words “by certified mail or hand

236 deliver”, and inserting in place thereof, in each instance, the following words:- in accordance
237 with guidelines posted by the department.

238 SECTION 11. Section 181 of chapter 25 of the acts of 2009 is hereby amended by
239 striking out the words “1 year” and inserting in place thereof the following words:- 6 months.

240 SECTION 12. Item 2000-7081 of section 2A of chapter 209 of the acts of 2018 is hereby
241 amended by striking out the words “cities and towns” and inserting in place thereof the following
242 words:- the commonwealth’s political subdivisions, including, but not limited to, cities, towns,
243 counties and districts, and federal and state recognized tribes, or any authority, commission,
244 board or instrumentality of the foregoing,.

245 SECTION 13. Said item 2000-7081 of said section 2A of said chapter 209 is hereby
246 further amended by striking out the words “all the members of the city council in a city having a
247 Plan D or Plan E charter, the vote of the city council in a city not having such a charter, subject
248 to the charter of such a city, and the majority vote of the selectboard in a town” and inserting in
249 place thereof the following words:- the grantee’s legislative body or board of directors or
250 equivalent.

251 SECTION 14. Section 13 of chapter 53 of the acts of 2020, as amended by sections 1 and
252 2 of chapter 20 of the acts of 2021, is hereby further amended by striking out the words “May 1,
253 2022” and inserting in place thereof the following words:- April 1, 2023.

254 SECTION 15. Section 14 of chapter 92 of the acts of 2020 is hereby amended by striking
255 out subsection (b) and inserting in place thereof the following subsection:-

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

269 SECTION 16. Subsection (c) of said section 14 of said chapter 92 is hereby amended by
270 striking out the first sentence and inserting in place thereof the following sentence:- To be
271 eligible to receive an emergency educator license, an individual shall meet the education
272 requirements for an entry level license in the field sought and any additional requirements
273 identified by the commissioner for specific licenses.

274 SECTION 17. The first sentence of subsection (d) of said section 14 of said chapter 92 is
275 hereby amended by striking out the words “by June 30, 2021”, and inserting in place thereof the
276 following words:- within 2 years of receiving an emergency license.

277 SECTION 18. Subsection (b) of section 2 of chapter 118 of the acts of 2020, as amended
278 by sections 10 and 11 of chapter 20 of the acts of 2021, is hereby further amended by striking out
279 the words “May 1, 2022” and inserting in place thereof the following words:- April 1, 2023.

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

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

290 SECTION 21. Said subsection (b) of said section 2 of said chapter 257, as so amended, is
291 hereby further amended by adding the following sentence:- A court having jurisdiction over an
292 action for summary process under said chapter 239, including the Boston municipal court, shall
293 inform the parties of their protections and resources pursuant to this section.

294 SECTION 22. Subsection (c) of said section 2 of said chapter 257, as so amended, is
295 hereby further amended by striking out the words “during the COVID-19 emergency or until
296 April 1, 2022, whichever is later” and inserting in place thereof the following words:- until
297 March 31, 2023.

298 SECTION 23. Section 3 of said chapter 257, as amended by section 17 of said chapter
299 20, is hereby further amended by striking out the words “during the COVID-19 emergency or
300 until January 1, 2023, whichever is later” and inserting in place thereof the following words:-
301 until March 31, 2023.

302 SECTION 24. Section 19 of chapter 20 of the acts of 2021 is hereby amended by striking
303 out the words “April 1, 2022”, each time they appear, and inserting in place thereof, in each
304 instance, the following words:- April 1, 2023.

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

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

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

313 SECTION 28. Item 3000-3060 of said section 2 of said chapter 24 is hereby amended by
314 inserting after the word “children”, the third time it appears, the following words:- and, in fiscal
315 years 2022 and 2023, in light of the economic impact of COVID-19, for families participating in
316 education and training services funded by the Supplemental Nutrition Assistance Program.

317 SECTION 29. Item 4003-0122 of said section 2 of said chapter 24, as amended by
318 section 65 of chapter 102 of the acts of 2021, is hereby further amended by inserting after the

319 word “adults”, the second time it appears, the following words:- ; provided further, that not less
320 than \$10,000,000 shall be expended for resettlement agencies in the commonwealth for services
321 for refugees and immigrants including, but not limited to Ukrainian refugees and immigrants, to
322 obtain a secure immigration status in the United States;.

323 SECTION 30. Item 1595-1068 of section 2E of said chapter 24 is hereby amended by
324 striking out the figure “\$437,750,000” and inserting in place thereof the following figure:-
325 \$577,145,000.

326 SECTION 31. Said item 1595-1068 of said section 2E of said chapter 24 is hereby further
327 amended by striking out the figure “\$471,357,839” and inserting in place thereof the following
328 figure:- \$719,521,170.

329 SECTION 32. Item 1599-2026 of section 2A of chapter 102 of the acts of 2021 is hereby
330 amended by striking out the words “provided further, that a portion of said funds shall be used to
331 reimburse providers for 1-time costs associated with opening new behavioral health and
332 substance use disorder treatment beds in calendar year 2022 or 2023, which are not covered by
333 other reimbursement or grant sources including the MassHealth behavioral health incentive
334 grants for fiscal year 2021 and fiscal year 2022” and inserting in place thereof the following
335 words:- provided further, that not less than \$12,000,000 shall be expended to the non-profit
336 medical center established pursuant to chapter 147 of the acts of 1995 for 1-time costs associated
337 with opening new behavioral health and substance use disorder treatment beds; provided further,
338 that not less than \$12,000,000 shall be expended to the non-state, government public hospital
339 system established pursuant to said chapter 147 for 1-time costs associated with opening new
340 behavioral health beds.

341 SECTION 33. Said item 1599-2026 of said section 2A of said chapter 102 is hereby
342 further amended by striking out the figure “\$15,000,0000” and inserting in place thereof the
343 following figure:- \$15,000,000.

344 SECTION 34. Said item 1599-2026 of said section 2A of said chapter 102 is hereby
345 further amended by striking out the figure “\$400,000,000” and inserting in place thereof the
346 following figure:- \$424,000,000.

347 SECTION 35. Item 1599-2049 of said section 2A of said chapter 102 is hereby amended
348 by striking out the words “that the secretary of administration and finance shall transfer
349 \$25,000,000 from this item to item 7002-0012” and inserting in place thereof the following
350 words:- that not less than \$25,000,000 shall be expended.

351 SECTION 36. Said item 1599-2049 of said section 2A of said chapter 102 is hereby
352 further amended by striking out the words “transferred from this item to item 4000-0005” and
353 inserting in place thereof the following words:- expended, in consultation with the secretary of
354 health and human services and the safe and successful youth initiative,.

355 SECTION 37. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
356 further amended by striking out the words “transferred from this item to item 7061-0012 for
357 compensatory services for adults that reached age 22 during the 2019 novel coronavirus
358 pandemic” and inserting in place thereof the following words:- expended by the department of
359 elementary and secondary education for services for individuals with disabilities that reached age
360 22 between March 10, 2020 and September 1, 2023 and were entitled to special education
361 services up to age 22.

362 SECTION 38. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
363 further amended by striking out the words “transferred to item 7066-1400 for the mitigation of
364 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
365 universities” and inserting in place thereof the following words:- expended for the mitigation of
366 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
367 universities and that no funds shall be deducted for pensions, group health or life insurance, or
368 any other indirect costs of state employees.

369 SECTION 39. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
370 further amended by striking out the words “transferred to item 7100-0200 for the mitigation of
371 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for the
372 University of Massachusetts” and inserting in place thereof the following words:- expended for
373 the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance
374 projects for the University of Massachusetts and that no funds shall be deducted for pensions,
375 group health or life insurance or any other indirect costs of state employees.

376 SECTION 40. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
377 further amended by striking out the words “transferred to item 7100-4000 for the mitigation of
378 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for
379 community colleges” and inserting in place thereof the following words:- expended for the
380 mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance
381 projects for community colleges and that no funds shall be deducted for pensions, group health
382 or life insurance or any other indirect costs of state employees.

383 SECTION 41. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
384 further amended by striking out the words “transferred from this item to item 7010-0005” and
385 inserting in place thereof the following word:- expended.

386 SECTION 42. Section 70 of said chapter 102 is hereby repealed.

387 SECTION 43. The first sentence of section 1 of chapter 22 of the acts of 2022 is hereby
388 amended by striking out the word “sum” and inserting in place thereof the word:- sums.

389 SECTION 44. The second sentence of said section 1 of said chapter 22 is hereby
390 amended by striking out the words “This sum” and inserting in place thereof the following
391 words:- These sums.

392 SECTION 45. (a) As used in this section, the following words shall have the following
393 meanings:-

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

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

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

401 “Job order”, an agreed upon fixed-price order issued by a public agency to a contractor
402 pursuant to a job order contract, for the contractor's performance of a specific maintenance,

403 repair, alteration, or conversion project consisting solely of tasks, materials and equipment
404 selected from those specified and priced in that job order contract.

405 “Job order contract”, a contract for the performance of maintenance, repair, alteration and
406 conversion projects, or a subset thereof: (1) that is limited to a specified term; (2) in which the
407 contract specifications consist of technical descriptions of various tasks, materials and equipment
408 at stated unit prices but do not specify the specific projects to be performed by the contractor; (3)
409 which contains a fixed contractor's mark up over the unit prices stated in the specifications; and
410 (4) in accordance with which 1 or more specified state agencies may enter into fixed price job
411 orders with the contractor for the performance of specific projects, consisting solely of
412 combinations of the tasks, materials and equipment specified in the contract, at the unit prices
413 specified therein plus the contractor's mark-up.

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

416 “Repair”, work required to restore a facility or system to a condition in which it may
417 continue to be approximately and effectively used for its designated purpose and anticipated life,
418 or to comply with code requirements, by overhaul, reprocessing, or replacement of constituent
419 parts or materials which have deteriorated by action of the elements or wear and tear in use, or
420 which do not meet code requirements.

421 (b) Notwithstanding section 46 of chapter 7C of the General Laws, section 44A of
422 chapter 149 of the General Laws, section 39M of chapter 30 of the General Laws or any other
423 general or special law to the contrary, the commissioner may establish a pilot program for the
424 use of job order contracts by: (i) higher education facilities subject to control of the department

425 of higher education; (ii) an agency within the department of correction; and (iii) the division of
426 capital asset management and maintenance with respect to properties for which it is responsible.

427 (c) As part of the pilot program, the commissioner may procure contracts for services
428 related to the creation and use of job order contracts including, without limitation the creation of
429 task descriptions, specifications and unit prices for use in job order contracts, and agency training
430 and other services related to such contracts. Such procurement may be conducted in accordance
431 with the procedures specified in 801 CMR 21.00.

432 (d) As part of the pilot program, the commissioner may procure job order contracts for
433 use by: (i) the division of capital asset management and maintenance; (ii) the department of
434 correction; and (iii) any higher education facilities subject to control of the department of higher
435 education. These contracts shall be limited to job orders estimated to cost not more than
436 \$100,000 each and shall be procured through the procedures specified in section 39M of chapter
437 30 of the General Laws except that: (i) the amount of the bid deposit shall be \$5,000; (ii)
438 contractors who are awarded job orders under any job order contract shall be certified by the
439 division of capital asset management and maintenance for the category of work specified in the
440 contract; and (iii) the amounts of surety bonds required by the contract may be satisfied with
441 respect to each particular job order before the commencement of any work under that job order.
442 The commissioner shall award a job order contract to the eligible and responsible bidder who
443 offers the lowest mark-up over the base unit prices specified in the contract specifications. Such
444 job order contracts shall have a maximum term of 2 years.

445 (e) The authority granted to the commissioner in this section shall expire on January 1,
446 2027, but any job order contract awarded before that date may be executed and continue in effect

447 for a maximum term, including any extensions or renewals, of 2 years from the date of its
448 execution and delivery.

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

454 SECTION 46. Notwithstanding any general or special law to the contrary, for fiscal year
455 2022, the secretary of health and human services, with the written approval of the secretary of
456 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-
457 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-
458 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.

459 SECTION 47. Notwithstanding any general or special law to the contrary, any
460 unexpended balances, not exceeding a total of \$40,000,000, in items 4000-0700 and 4000-1426
461 of section 2 of chapter 24 of the acts of 2021 shall not revert to the General Fund until September
462 1, 2022 and may be expended by the executive office of health and human services to pay for
463 services enumerated in said items 4000-0700 and 4000-1426 provided during fiscal year 2022.

464 SECTION 48. Notwithstanding any general or special law to the contrary, for any taxable
465 year beginning on or after January 1, 2022, any amount received from the COVID-19 Essential
466 Employee Premium Pay program established by sections 73 and 82 of chapter 102 of the acts of
467 2021 for purposes of providing direct financial support to an essential worker shall be deducted
468 from federal gross income for the purpose of determining Massachusetts gross income pursuant

469 to section 2 of chapter 62 of the General Laws; provided, however, that 1-time payments to
470 front-line state employees required to work in-person during the winter of 2020 to 2021 made
471 pursuant to section 82 of said chapter 102 shall not be subject to this section.

472 SECTION 49. Notwithstanding sections 14 and 34 of chapter 91 of the General Laws and
473 any other general or special law to the contrary, the department of environmental protection may
474 issue a license pursuant to chapter 91 and regulations promulgated thereunder to the department
475 of conservation and recreation to authorize a bicycle and pedestrian bridge that would span the
476 Mystic river seaward of the Amelia Earhart Mystic River Dam and Basin, running approximately
477 from the south side of the department of conservation and recreation's Draw Seven park in the
478 city of Somerville to land adjacent to Encore Boston Harbor in the city of Everett.

479 SECTION 50. Notwithstanding any special or general law to the contrary, there shall be a
480 moratorium on procurement of early education and care services funded under items 3000-3060
481 and 3000-4060 of section 2 of chapter 24 of the acts of 2021, from March 1, 2022 through June
482 30, 2023.

483 SECTION 51. Notwithstanding any general or special law to the contrary, the housing
484 court rules for the two-tier process for all summary process cases established in subsection (b) of
485 section (3) of the Housing Court Third Amended Standing Order 6-20 shall remain in effect until
486 March 31, 2023.

487 SECTION 52. The salary adjustments and other economic benefits authorized by the
488 following collective bargaining agreements shall be effective for the purposes of section 7 of
489 chapter 150E of the General Laws:

490 (1) between the Commonwealth of Massachusetts and the New England Police
491 Benevolent Association, Unit 4A;

492 (2) between the Commonwealth of Massachusetts and the Massachusetts Organization of
493 State Engineers and Scientists, Unit 9;

494 (3) between the Commonwealth of Massachusetts and the Massachusetts Correction
495 Officers Federated Union, Unit 4;

496 (4) between the Commonwealth of Massachusetts and the International Association of
497 Fire Fighters, Locals S-28 and S-29, Unit 11;

498 (5) between the Sheriff of Berkshire County and the Brotherhood of Correctional Officers
499 Local I-297, Unit SB1;

500 (6) between the Sheriff of Bristol County and the National Correctional Employees
501 Union, Ad-Tech Unit, L 135, Unit SA1;

502 (7) between the Sheriff of Bristol County and the National Association of Government
503 Employees C, R1-1476, Unit SA2;

504 (8) between the Sheriff of Bristol County and the National Correctional Employees
505 Union, Captains and Majors Unit, Unit SA3;

506 (9) between the Sheriff of Bristol County and the Massachusetts Correctional Officers
507 Federated Union, Unit SA4;

508 (10) between the Sheriff of Bristol County and the National Correctional Employees
509 Union, K-9 Unit, Unit SA7;

510 (11) between the Sheriff of Essex County and the National Correctional Employees
511 Union, Unit SE7;

512 (12) between the Sheriff of Hampden County and the National Correctional Employees
513 Union, Local 131, SH1;

514 (13) between the Sheriff of Hampden County and the Hampden Correction Officers
515 National Correctional Employees Union, L105, SH4;

516 (14) between the Sheriff of Middlesex County and the New England Benevolent
517 Association, Local 525, Unit SM1;

518 (15) between the Sheriff of Middlesex County and the Teamsters Local Union No. 122,
519 Unit SM2;

520 (16) between the Sheriff of Middlesex County and the New England Benevolent
521 Association, Local 500, Unit SM5;

522 (17) between the Sheriff of Middlesex County and the National Correctional Employees
523 Union, Local 116, Unit SM6;

524 (18) between the Sheriff of Worcester County and the National Association of
525 Government Employees, Local R1-255, Unit SW4;

526 (19) between the Sheriff of Worcester County and the New England Police Benevolent
527 Association, Local 515, Unit SW5;

528 (20) between the Sheriff of Worcester County and the New England Police Benevolent
529 Association, Local 550, Unit SW6;

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

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

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

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

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

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

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

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

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

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

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

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

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

556 (34) between the Massachusetts Board of Higher Education and the Association of
557 Professional Administrators;

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

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

562 (37) between the Commonwealth of Massachusetts, Middlesex South Registry of Deeds
563 and the American Federation of State, County, and Municipal Employees, Council 93, Local
564 414;

565 (38) between the Commonwealth of Massachusetts, Middlesex North Registry of Deeds
566 and the International Union of Public Employees, Local 1000;

567 (39) between the Commonwealth of Massachusetts, Hampden Registry of Deeds and the
568 Office and Professional Employees International Union, AFL-CIO, Local 6;

569 (40) between the Commonwealth of Massachusetts, Worcester Registry of Deeds and the
570 Office and Professional Employees International Union, AFL-CIO, Local 6;

571 (41) between the Commonwealth of Massachusetts, Middlesex South Registry of Deeds
572 and the Office and Professional Employees International Union, AFL-CIO, Local 6; and

573 (42) between the Commonwealth of Massachusetts, Fitchburg Registry of Deeds and the
574 Service Employees International Union, Local 888.