

HOUSE No. 4759

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 5, 2022.

The committee on Bonding, Capital Expenditures and State Assets to whom was referred the message from His Excellency the Governor recommending legislation relative to financing the general governmental infrastructure of the Commonwealth (House, No. 4336), reports recommending that the accompanying bill (House, No. 4759) ought to pass [Bond Issue: General Obligation Bonds: \$4,841,125,000.00].

For the committee,

DANIELLE W. GREGOIRE.

HOUSE No. 4759

The Commonwealth of Massachusetts

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

An Act financing the general governmental infrastructure of the Commonwealth.

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

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

9 SECTION 2.

10 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

11 Office of the Secretary

12 0640-0307 For the Massachusetts Cultural Facilities Fund established in section 42 of
13 chapter 23G of the General Laws for the acquisition, design, construction, repair, renovation,

36 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
37 of the General Laws, for the preparation of plans and specifications, disparity studies, repairs,
38 construction, renovations, improvements, asset management, accessibility improvements,
39 demolition, disposition and remediation of state-owned and former county facilities and grounds
40 and for costs associated with repair and maintenance of buildings and building systems and
41 equipment at various facilities of the commonwealth; provided, that any federal reimbursement
42 received by a state agency in connection with projects funded from this item may be retained by
43 the executive office for administration and finance and expended for the purposes of the project,
44 without further appropriation, in addition to the amounts appropriated in this item; provided
45 further, that all maintenance and repair work funded in this item shall be listed in the capital asset
46 management information system administered by the division of capital asset management and
47 maintenance; provided further, that where appropriate, the commissioner of capital asset
48 management and maintenance may transfer funds authorized herein in accordance with a
49 delegation of project control and supervision process pursuant to section 5 of chapter 7C of the
50 General Laws; provided further, that funds so transferred shall be distributed based on the
51 severity of the need that the repair shall address and other criteria developed by the division, in
52 consultation with the secretary of administration and finance \$975,000,000

53 4000-2028 For costs associated with planning and studies, dispositions, acquisition of
54 land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
55 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
56 of the General Laws, for the preparation of plans and specifications, repairs, construction,
57 renovations, improvements, modernization, construction, reconstruction, furnishing, equipping,
58 acquiring, remodeling, refurbishing, asset management, accessibility improvements, demolition,

59 disposition and remediation of facilities and grounds operated by the various departments within
60 the executive office of health and human services, all as the commissioner of capital asset
61 management and maintenance, in consultation with the secretary of health and human services
62 and the appropriate commissioners of the departments within the executive office, shall consider
63 appropriate; provided, that costs payable from this item shall include, but shall not be limited to,
64 the costs of leases of temporary relocation space or equipment as required for completion of a
65 project; provided further, that any federal reimbursement received by a state agency including,
66 but not limited to, projects related to the provision of health care, human services, and veterans'
67 services in connection with projects funded from this item may be retained by the executive
68 office for administration and finance and expended for the purposes of the project, without
69 further appropriation, in addition to the amounts appropriated in this

70 item..... \$820,000,000

71 7066-2011 For costs associated with plans and specifications, planning and studies,
72 repairs, reconstruction, demolition, remediation, rehabilitation, modernization, disposition,
73 renovations, improvements and maintenance at Massachusetts public higher education campus
74 facilities and grounds; provided, that all projects approved for design and construction by the
75 division of capital asset management and maintenance shall be consistent in priority and need
76 with regional capital master plans developed by the division of capital asset management and
77 maintenance, in consultation, as applicable, with the presidents of the community colleges, state
78 universities, and the University of Massachusetts and approved by the board of higher education,
79 with respect to the community colleges and state universities, or approved by the board of
80 trustees of the University of Massachusetts, as applicable; provided further, that all maintenance
81 and repair work funded by this item shall be included in the capital asset management

82 information system administered by the division of capital asset management and maintenance
83 \$750,000,000

84 8000-2028 For costs associated with planning and studies, dispositions, acquisition of
85 land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
86 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
87 of the General Laws, for the preparation of plans and specifications, repairs, construction,
88 renovations, improvements, remediation, rehabilitation, modernization and demolition for public
89 safety and security facilities, all as the commissioner of capital asset management and
90 maintenance, in consultation with the secretary of public safety and security and the appropriate
91 commissioners of the departments within the executive office, shall consider appropriate;
92 provided that costs payable from this item shall include, but not be limited to, the costs of leases
93 of temporary space or equipment as required for completion of a project \$530,000,000

94 SECTION 2A.

95 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

96 Division of Capital Asset Management and Maintenance

97 JUDICIARY

98 Trial Court

99 1102-2022 For capital needs at court facilities, including, but not limited to, expenditures
100 for the planning, design and acquisition of land and buildings and interests therein by purchase,
101 lease for a term, including any extensions, not to exceed 50 years, gift or other transfer or by
102 eminent domain under chapter 79 of the General Laws, the preparation of plans and

103 specifications, the construction, renovation, reconstruction, alteration, improvement, demolition,
104 expansion, repair and improvements, including furnishings and equipment and temporary
105 relocation costs, as needed for priority projects identified by the division of capital asset
106 management and maintenance and the executive office of the trial court; for building repairs
107 necessary to correct unsafe and overcrowded conditions, for the remediation of life safety code
108 violations, for the remediation of access code and civil rights violations, for the remediation of
109 environmental hazards and for security improvements and other necessary repairs at court
110 facilities owned by the commonwealth or by political subdivisions of the commonwealth;
111 provided, that expenditures made from this item shall include, but not be limited to, expenditures
112 for the projects identified through the court capital repair needs assessment database as
113 developed and maintained by the division of capital asset management and maintenance and
114 reviewed and approved by the executive office of the trial court
115 \$675,000,000

116 SECTION 2B.

117 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

118 Office of the Secretary

119 7002-1500 For grants administered by Massachusetts Technology Development

120 Corporation established in section 2 of chapter 40G of the General Laws, and doing business as
121 MassVentures; provided that such grants shall be made on a competitive basis to growing
122 Massachusetts-based companies commercializing technologies developed with assistance of a
123 Small Business Innovation Research (SBIR) or Small Business Technology Transfer (STTR)
124 grant from a federal agency, including, but not limited to, the United States Department of

125 Defense, the United States Department of Energy, or the National Science
126 Foundation..... \$16,125,000

127 Department of Housing and Community Development

128 7004-0062 For the purpose of state financial assistance in the form of grants or loans for
129 the Housing Stabilization and Investment Trust Fund established in section 2 of chapter 121F of
130 the General Laws and awarded only pursuant to the criteria established in said section 2 of said
131 chapter 121F; provided, that not less than 25 per cent shall be used to fund projects which
132 preserve and produce housing for families and individuals with incomes of not more than 30 per
133 cent of the area median income, as defined by the United States Department of Housing and
134 Urban Development; provided further, that if the department of housing and community
135 development has not spent the amount authorized under the bond cap for this program, at the end
136 of each year following the effective date of this act, the department may award the remaining
137 funds to projects that serve households earning more than 30 per cent of the area median income,
138 as defined by the United States Department of Housing and Urban Development; provided
139 further, that the department may expend an amount not to exceed \$10,000,000 to stabilize and
140 promote reinvestment, through homeownership, in areas the department has determined to be
141 weak markets as indicated by a high concentration of assisted rental housing, a low rate of
142 homeownership, low median family income, low average sales prices, high levels of unpaid
143 property taxes or vacant or abandoned buildings, by waiving the requirements of this item and
144 said chapter 121F, and by subsidizing the purchase price, borrowing costs or costs of renovation
145 or new construction of 2 to 6 unit residential buildings for a person who shall own the property
146 and occupy any portion of the property as the person's primary residence for at least 5 years
147 from the date of purchase; provided further, that if more than 5 years, but less than 10 years,

170 students enrolled in eligible vocational technical schools with postsecondary opportunities
171 consistent with clause (o) of the first paragraph of section 22 of chapter 15A of the General Laws
172 and section 37A of chapter 74 of the General Laws; provided further, that community colleges
173 and innovation centers that receive funds from the Massachusetts Life Sciences Center shall also
174 be eligible for funds from this program; provided further, that the executive office of education,
175 in consultation with the executive office of housing and economic development and the
176 executive office of labor and workforce development, shall adopt additional guidelines as
177 necessary for the administration of the program; and provided further, that awards may be made
178 to community-based organizations with recognized success in training adults with barriers to
179 employment..... \$100,000,000

180 SECTION 2C.

181 TREASURER AND RECEIVER GENERAL

182 0640-1005 For the water pollution abatement trust established in section 2 of chapter 29C
183 of the General Laws for deposit in the Water Pollution Abatement Revolving Fund established in
184 section 2L of chapter 29 of the General Laws for application by the trust to the purposes
185 specified in section 5 of said chapter 29C, any portion of which may be used as a matching grant
186 by the commonwealth to federal capitalization grants received under Title VI of the federal
187 Clean Water Act or for deposit in the Drinking Water Revolving Fund established in section
188 2QQ of said chapter 29 for application by the trust to the purposes specified in section 18 of said
189 chapter 29C, any portion of which may be used as a matching grant by the commonwealth to
190 federal capitalization grants received under the federal Safe Drinking Water Act; provided, that

191 funds may be used to assist homeowners in complying with the revised Title 5 of the state
192 environmental code for subsurface disposal of sanitary waste..... \$64,000,000

193 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

194 Division of Capital Asset Management and Maintenance

195 1102-2023 For costs associated with the implementation of Executive Order 594 to decarbonize
196 and minimize the environmental impacts of state-owned facilities, equipment, and related capital
197 assets by reducing or eliminating emissions from on-site use of fossil fuels, increasing energy
198 and water efficiency, deploying renewable and clean energy resources, and improving resilience
199 and climate change readiness, including costs associated with planning and studies, prepayment
200 of lease for a term that exceeds the useful life of the facility, gifts or other transfers or by eminent
201 domain under chapter 79 of the General Laws, for the preparation of plans and specifications,
202 repairs, construction, renovations, improvements, asset management and demolition, disposition
203 and remediation of state-owned and former county facilities and grounds, and repair and
204 maintenance of buildings and building systems and equipment at various state-owned facilities;
205 provided, that all maintenance and repair work funded in this item shall be listed in the capital
206 asset management information system administered by the division of capital asset management
207 and maintenance; provided further, that the commissioner of capital asset management and
208 maintenance may, if appropriate, transfer funds in accordance with the delegation of project
209 control and supervision process under section 5 of chapter 7C of the General Laws; provided
210 further, that costs payable from this item shall include, but not be limited to, the costs of
211 engineering and other services essential to these projects rendered by the division of capital asset
212 management and maintenance employees or by consultants; provided further, that amounts

213 expended for employees of the division of capital asset management and maintenance may
214 include the salary and salary-related expenses of such employees to the extent that such
215 employees work on or in support of these projects; provided, however, that the division shall not
216 expend more than 5 per cent of the funds authorized in this item for such costs; and provided
217 further, that the commissioner of capital asset management and maintenance shall maximize
218 efforts to utilize all available means to minimize use of capital funds to pay for salaries of
219 division employees..... \$400,000,000

220 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

221 Department of Agricultural Resources

222 2511-0121 For a food security program, including grants to fund costs of immediate and
223 projected infrastructure needs for farms, retailers, fisheries, food system businesses and food
224 distribution channels including, but not limited to, food banks, farm stands, food hubs, food
225 retailers, elder services and community supported agriculture farms, while taking into account
226 the unique needs of rural and urban areas and gateway municipalities as defined in section 3A of
227 chapter 23A of the General Laws, to provide greater access to local food, and to provide grants
228 that support food banks and other parts of the food distribution channel by expanding services,
229 which may include, but shall not be limited to: (i) information technology needs, including the
230 development of online markets and delivery systems, including an online system to link food
231 system channels to identify and match agricultural and fishery products to consumers and
232 markets, particularly to benefit food insecure communities; (ii) facility adaptation to new safety
233 guidelines, including new signage and the installation of handwashing stations; (iii) expansion of
234 storage and food preparation areas for food banks, food pantries or food distribution

235 organizations; (iv) the purchase or lease of point-of-sale devices to provide to retailers at no cost
 236 to provide curbside pick-up and curbside payment service, including payment using electronic
 237 benefits transfer cards; (v) storage and processing equipment to adapt to supply chain
 238 disruptions, including for cold and ambient storage and vehicles for distribution; (vi) capital
 239 support for food retailers in communities underserved by full grocery stores to increase capacity,
 240 expand offerings of health foods and maintain continuity of business operations; (vii) production
 241 processing and transportation for meat, fish and other poultry products individually, or through a
 242 collaborative effort and information technology for tracking and quality control of products and
 243 for fishing vessels and farms; and (viii) information technology needs for food retailers with not
 244 more than 100 employees in order to meet criteria to join the online purchasing program of the
 245 supplemental nutrition assistance program as outlined by the United States Department of
 246 Agriculture..... \$51,000,000

247 SECTION 2D.

248 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

249 Office of the Secretary

250 1790-3013 For costs associated with the virtual and physical security infrastructure of
 251 Massachusetts State Lottery Commission facilities, including but not limited to, installing
 252 systems upgrades, decommissioning end of life equipment, and addressing cybersecurity
 253 vulnerabilities..... \$35,000,000

254 SECTION 2E.

255 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

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Office of the Secretary

8000-0706 For equipment for the department of correction and other agencies within the executive office of public safety and security including, but not limited to, medical equipment, security equipment, safety equipment, communications equipment and vehicles..... \$60,000,000

Department of State Police

8000-2023 For the replacement of state police cruisers and accompanying equipment; provided, that funds may be expended for equipment purchased in conjunction with the operation of the state police cruiser fleet, including, but not limited to, mobile data terminals..... \$100,000,000

SECTION 3. To meet the expenditures necessary in carrying out sections 2,2A and 2B the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor, but not exceeding in the aggregate \$4,131,125,000. All such bonds issued by the commonwealth shall be designated on their face, General Governmental Infrastructure Act of 2022 and shall be issued for a maximum term of years, not exceeding 30 years, as the governor recommends to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2057. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 4. To meet the expenditures necessary in carrying out section 2C, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor, but not exceeding in the aggregate \$515,000,000. All

278 such bonds issued by the commonwealth shall be designated on their face, General
279 Governmental Infrastructure Act of 2022, and shall be issued for a maximum term of years, not
280 exceeding 20 years, as the governor recommends to the general court pursuant to section 3 of
281 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
282 June 30, 2047. All interest and payments on account of principal on these obligations shall be
283 payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall,
284 notwithstanding any other provision of this act, be general obligations of the commonwealth.

285 SECTION 5. To meet the expenditures necessary in carrying out section 2D, the state
286 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
287 amount to be specified by the governor, but not exceeding in the aggregate \$35,000,000. All
288 such bonds issued by the commonwealth shall be designated on their face, General
289 Governmental Infrastructure Act of 2022, and shall be issued for a maximum term of years, not
290 exceeding 10 years, as the governor recommends to the general court pursuant to section 3 of
291 Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than
292 June 30, 2037. All interest and payments on account of principal on these obligations shall be
293 payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall,
294 notwithstanding any other provision of this act, be general obligations of the commonwealth.

295 SECTION 6. To meet the expenditures necessary in carrying out section 2E, the state
296 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
297 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
298 \$160,000,000. All such bonds issued by the commonwealth shall be designated on their face,
299 General Governmental Infrastructure Act of 2022, and shall be issued for a maximum term of
300 years, not exceeding 7 years, as the governor may recommend to the general court under section

301 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later
302 than June 30, 2034. All interest and payments on account of principal on these obligations shall
303 be payable from the General Fund. Bonds and interest thereon issued under this section shall,
304 notwithstanding any other provision of this act, be general obligations of the commonwealth.

305 SECTION 7. To provide for the continued availability of certain bond-funded spending
306 authorizations which otherwise would expire, the balances of the following items and any
307 allocations thereof shall be extended through June 30, 2027 for the purposes of and subject to the
308 conditions stated for these items in the original authorizations and any amendments to such
309 authorizations: 0640-0035, 1100-2513, 1100-9200, 1102-2009, 1102-2015, 1102-2016, 1102-
310 2017, 1102-2018, 1102-2019, 1102-5700, , 1790-3007, 1790-3008, 1790-3009, 2000-7026,
311 2000-7029, 2000-7031, 2000-7051, 2000-7052, 2000-7054, 2000-7055, 2000-7056, 2000-7057,
312 2000-7058, 2000-7059, 2000-7060, 2000-7061, 2000-7062, 2000-7063, 2000-7064, 2000-7065,
313 2000-7066, 2000-7070, 2000-7071, 2000-7072, 2000-7073, 2000-7074, 2000-7075, 2000-7077,
314 2000-7078, 2000-7079, 2000-7080, 2000-7081, 2000-7084, 2000-7085, 2000-7135, 2200-7016,
315 2200-7019, 2200-7021, 2200-7022, 2200-7023, 2200-7024, 2200-7025, 2300-0421, 2300-7019,
316 2300-7020, 2300-7021, 2300-7022, 2300-7023, 2300-7024, 2300-7025, 2300-7026, 2300-7027,
317 2300-7028, 2500-7011, 2500-7021, 2500-7023, 2500-7024, 2511-0122, 2800-1121, 2800-7014,
318 2800-7020, 2800-7023, 2800-7025, 2800-7027, 2800-7031, 2800-7032, 2800-7033, 2800-7035,
319 2800-7107, 2800-7108, 2840-7024, 2840-7025, 2840-7026, 2840-7027, 2890-7034, 2890-7035,
320 3000-0410, 4000-2022, 4000-2025, 6720-1336, 7000-9091, 7009-2005, 7066-8000, 7066-8110,
321 7100-1000, 8000-0702,8000-3502, 9300-7030, 9300-7031, 9300-7918, and 9300-7919.

322 SECTION 8. To carry out the purposes of this act, the commissioner of capital asset
323 management and maintenance may, notwithstanding sections 32 to 37, inclusive, of chapter 7C

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

331 SECTION 9. Notwithstanding any general or special law to the contrary, funds
332 authorized pursuant to sections 2 through 2E, inclusive, of this act shall only be expended for (i)
333 the purposes specified in sections 2 through 2E, inclusive, of this act or (ii) for the purposes
334 specified in the Fiscal Year 2022-2026 Five-Year Capital Investment Plan published by the
335 governor and the executive office of administration and finance on June 14, 2021.