

HOUSE No. 5175

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

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KARYN POLITO
LIEUTENANT GOVERNOR

August 5, 2022

To the Honorable Senate and House of Representatives,

Pursuant to Section 5 of Article LXIII, as amended by Article XC, Section 4 of the Amendments to the Constitution, I am today signing House Bill 5065, “An Act Financing the General Governmental Infrastructure of the Commonwealth” and returning certain sections and items unsigned. This bill authorizes the Commonwealth to borrow up to \$5.158 billion to fund general government capital improvements that enable the Commonwealth to continue delivering core state services to the people of Massachusetts in an efficient and uninterrupted manner.

The facilities improved by this bill will serve some of the Commonwealth’s neediest citizens, help educate our future workforce, prepare for climate change, help us meet key environmental objectives, and keep our communities and workers safe. This Administration is proud of the work done in close collaboration with the Legislature to keep Commonwealth facilities on a path of good repair, and this bill supports the continuation of many of the key themes and objectives that have guided our capital planning decisions over the past eight years.

A key objective of this bill is ensuring state facilities meet the needs of all stakeholders – including those who work in state buildings, as well as those who rely on the services provided there. Specifically, it authorizes \$4.225 billion to maintain, repair and modernize critical assets across the state. It also supports investments to address health and safety issues, as well as investments that improve resiliency and help meet sustainability goals and objectives. The majority of our facilities are more than 30 years old, and this bill represents an important next step in ensuring Commonwealth assets meet the needs of those who use them.

The bill also seeks to support Massachusetts communities by authorizing \$486 million of additional borrowing for established and successful grant and community programs, including the Workforce Skills Capital Grants Program, the Cultural Facilities Fund, the Clean Water and Drinking Water State Revolving Fund, the Housing Stabilization Fund, and the Housing Choice Capital Grants Program. These programs have a demonstrated track record of providing valuable resources to communities across the state.

Additionally, the bill supports a number of key initiatives that will help strengthen government performance. Specifically, it authorizes \$82.5 million of additional borrowing to invest in business application modernizations and cybersecurity improvement, which will enhance information technology security and increase overall government efficiency. It also authorizes \$160 million for critical public safety equipment.

I am approving nearly all authorizations in this bill, including approximately \$204 million in earmarked financing as these resources could support one-time local projects in legislative districts throughout Massachusetts if funding becomes available.

General Government Bond Bill Highlights:

State Facility Maintenance, Repair & Modernization

- \$975 million to support capital investments at general government facilities across the commonwealth.
- \$820 million to support improvements in Health and Human Service assets.
- \$750 million for capital improvements at public higher education campus facilities.
- \$675 million to support trial court capital investments
- \$530 million for investments in public safety and security facilities
- \$400 million to support the implementation of Executive Order 594 to decarbonize and minimize the environmental impacts of state-owned facilities, equipment, and related capital assets by reducing or eliminating emissions from on-site use of fossil fuels, increasing energy and water efficiency, deploying renewable and clean energy resources, and improving resilience and climate change readiness.

Community Investments

- \$100 million for the Workforce Skills Grant program
- \$84 million to support the Clean Water Trust program

- \$60 million for the Housing Stabilization & Investment Trust Fund
- \$50 million to support the MA Cultural Facilities Fund
- \$51 million for the Food Security Grant Program
- \$25 million for the Housing Choice Program

Government Efficiency

- \$100 million to support the replacement of state police vehicles and accompanying equipment.
- \$83 million for technology investments and upgrades across state agencies
- \$75 million to support technology enhancements at State Lottery Commission facilities
- \$60 million for public safety and security equipment, including medical, communications, and security equipment.

I am disapproving sections 3, 4 and 15 related to the imposition of a five-year moratorium that would not only prohibit the construction of new correctional facilities but also studies or renovations of existing state or county correctional facilities. I reiterate that the Executive Office of Public Safety and Security and the Department of Correction (the Department) have no intention of constructing new correctional facilities now or in the foreseeable future; nor do they believe that it will be necessary to increase overall operational capacity given that the Department has experienced a continued decline in prison population statewide.

The Department is currently entering a two-year phased plan to suspend all housing operations at MCI-Cedar Junction (MCI-CJ) by moving this facility's operations, including the Department's reception center, to Souza Baranowski Correctional Center. This decision by the Department is intended to maximize operational efficiencies, including achieving critical cost savings through staff reassignments and moving inmates out of aged facilities that are costly to maintain. The Department has a number of other critical initiatives pending, such as facility improvements that are required to provide mandated medication-assisted treatment (MAT) programs in several Department facilities, upgrades necessary for the relocation of the clinical stabilization unit (CSU) at MCI-Norfolk to a more conducive and therapeutic environment, improvements to the nursing care unit (NCU) at MCI-Shirley and, perhaps most importantly, a strategic facility plan to reimagine a rehabilitation center for women based on the best gender-responsive practices at MCI-Framingham.

These improvements require facility modifications that will require not only funding, but the allowance of discretion in how existing facilities are used – or not used. This bill includes

language that could limit the Department's ability to achieve the goals referenced above and restrict the Department's ability to maximize operational efficiencies, address environmental hazards in aged facilities, and meet the evolving demands of the inmate population. As a result, I disapprove these sections.

I am disapproving section 13 as it is unclear what the intent or purpose of the section is, and as drafted it could impact the ability to administer the authorizations provided for in the bill.

I am disapproving item 1100-2517 in section 2 as there are currently no plans to implement such a program. I am disapproving language in 1790-3011 in section 2D that would impose unreasonable restrictions on program administration. The reasons for these disapprovals are also set forth in Attachments A and B.

The remainder of this bill I approve.

Respectfully Submitted,

Charles D. Baker

Governor

Attachment A

H.5065, “An Act Financing the General Governmental Infrastructure of the Commonwealth”.

Veto Items: Line Item Accounts

Item Number	Action	Reduce By	Reduce To
Local Public Meeting Infrastructure Grant Program			
1100-2517	Veto		
I am vetoing this item because there is currently no plan to implement such a program and it is duplicative of other existing programs.			
Executive Office of Technology Services and Security			
1790-3011	Strike Wording		
I am striking this language as it would impose unreasonable restrictions on program administration.			

Attachment B

H.5065, “An Act Financing the General Governmental Infrastructure of the Commonwealth”.

Veto Items: Outside Sections

Corrections Improvements Prohibition 1

Section 3

I am vetoing this section because it unnecessarily restricts improvements to correctional facilities in the Commonwealth.

Corrections Improvements Prohibition 2

Section 4

I am vetoing this section because it unnecessarily restricts improvements to correctional facilities in the Commonwealth.

Authorization Restriction

Section 13

I am vetoing this section because it could have an unintended impact on the ability to administer the authorizations contained in the bill.

Corrections Improvements Prohibition 3

Section 15

I am vetoing this section because it unnecessarily restricts improvements to correctional facilities in the Commonwealth.

The actions taken by the Governor are delineated on this excerpt from the original parchment:—

I disapprove Sections 3, 4, 13 and 15.

I disapprove the following item:

in Section 2

1100-2517

I disapprove in the following items in Section 2D the wording as indicated:

Section 2D	Wording Stricken
1790-3011	"; provided, that funds shall be made available to support the development of a secure and modern integrated data repository for educational information for educators, administrators and the public to create a more mobile educational workforce; provided further, that funds shall be made available to support the coordination of care in veterans' homes and partner organizations for compliance with regulations requiring interoperability with accountable care organizations and electronic prescriptions; provided further, that funds shall be made available to support efforts to modernize and integrate the eligibility and enrollment process for state benefits agencies; provided further, that funds shall be made available to support a comprehensive modernization of the commonwealth's unemployment system; provided further, that any expenditure of funds from this item for any costs associated with the development, implementation and deployment of an online delivery system for unemployment insurance compensation benefits shall conform to the requirements for such expenditures contained in item 1790-3009 of section 2 of chapter 151 of the acts of 2020"

The remainder of this bill I approve.

Approved, August 4, 2022

at _____ o'clock and _____ minutes, _____ .M.

Charles D. Baker

Governor