

**HOUSE . . . . . No. 5260**

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The Commonwealth of Massachusetts



CHARLES D. BAKER  
GOVERNOR

OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE · BOSTON, MA 02133  
(617) 725-4000

KARYN POLITO  
LIEUTENANT GOVERNOR

*August 31, 2022*

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2022 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

As you know, Fiscal Year 2022 (FY22) was another remarkable year as it relates to tax revenues that leaves the Commonwealth in an exceptionally strong fiscal position. Actual revenue collections exceeded the twice-upgraded benchmark by \$3.5 billion, representing revenue growth of approximately 20.5% above Fiscal Year 2021. Meanwhile, a total of \$2.3 billion was deposited into the Stabilization Fund, bringing its FY22 ending balance to a historic \$6.9 billion.

Earlier in August, our Administration shared a preliminary FY22 surplus figure of \$1.9 billion after accounting for statutory transfers, previously appropriated supplemental funding, and estimated tax refunds due under Chapter 62F. With year-end revenue accounting progressing, the FY22 surplus now stands at \$2.3 billion. This figure incorporates the final calculated amount by which net state tax revenues exceeded allowable revenues and will therefore be returned to taxpayers under Chapter 62F of \$2.941 billion, which the Department of Revenue submitted today to the State Auditor in its annual report. This legislation includes a section setting aside the necessary amount of FY22 surplus to ensure that it is easily available as our administration implements the law and returns the exceeded allowable revenues to Commonwealth taxpayers as required by statute.

The proposal filed today allocates approximately \$1.622 billion gross / \$840 million net of the tax surplus to support a number of key priorities, such as the MBTA staffing and safety improvements, health and human services investments, and school safety initiatives, as well as for other fiscal year closeout needs. This bill does not fully allocate the FY22 state surplus – instead, it leaves \$1.5 billion remaining, which, in combination with approximately \$2.2 billion in available American Rescue Plan Act (ARPA) Fiscal Recovery Funds, is sufficient to fund the tax relief measures and other critical investments in the FORWARD/economic development bill that is currently pending with the Legislature.

In more detail, this supplemental budget proposal includes:

- \$200 million to support the MBTA’s work addressing the Federal Transit Administration’s safety directives and \$10 million to establish a training academy that will create a talent pipeline to address MBTA staffing challenges;
- \$108 million net for ongoing costs related to COVID-19, including for personal protective equipment, testing, treatment, and vaccines;
- \$50 million to support the construction, development, and capacity of new provider-operated community housing options for individuals being discharged from skilled nursing facilities and psychiatric, chronic, and rehabilitation hospitals;
- \$39 million to modernize the Commonwealth’s information technology infrastructure, improve cybersecurity and resiliency efforts, and optimize space efficiency across Executive department offices;
- \$37.3 million for a number of school safety initiatives, including \$20 million for matching grants that will enable security and communications upgrades in K-12 schools and public higher education institutes and \$10 million for child care providers to support safety measures and multi-hazard emergency planning;
- \$30 million to support the implementation of federal funding received through the Infrastructure Investment and Jobs Act in Fiscal Year 2023, including for project design, permitting, real estate transactions, and engineering;
- \$30 million to support the appointment of a guardian ad litem in Department of Children and Families custody cases;
- \$20 million to address the needs of immigrants and refugees, including temporary housing costs; and
- \$20 million to establish regional low threshold housing for homeless or housing unstable individuals with substance use disorder.

Moreover, I am recommending several policy changes. I am filing a number of necessary corrections that will allow for the successful implementation of various new statutes that became law earlier this month, including corrections to implement new tax credits related to offshore wind development and the employment of Massachusetts National Guard personnel. Other corrections will assist with the implementation of the 1% allocation of the retail sales of marijuana made by social equity businesses and will follow other similar statutes to allow the Department of Revenue to intercept sports wagering winnings for outstanding child support and tax debts.

I am also filing multiple new proposals that will bolster health and human services in the Commonwealth. One section will establish a trust fund in tandem with the \$50 million appropriation noted above to increase provider-operated community housing options through a grant program to be administered by the Secretary of Health and Human Services. Another section will provide the Department of Veterans' Services with the authority to access the FBI national criminal database prior to hiring employees for the Soldiers Homes located in Chelsea and Holyoke, in order to ensure that our most vulnerable residents are kept safe and secure. Finally, a set of related sections will establish effective and efficient administrative processes through which the Department of Public Health will manage the licensure and oversight of Registered Sanitarians and Certified Health Officers.

I am also refiling some important sections that have not yet been acted on by the Legislature. These include a critically important section that I am refiling that will mandate the appointment of a guardian ad litem (GAL) in every proceeding at the Juvenile Court in which it is alleged that a child has been subjected to child abuse or neglect. The GAL will provide children in the custody of the Department of Children and Families an independent advocate responsible for considering only the child's best interests. Additionally, the section will set a minimum hourly wage for GALs appointed pursuant to this requirement. I am also refiling a section that will permit the Department of Conservation and Recreation to extend the leases at certain skating rinks while also making changes that will encourage the lessees to make capital improvements to the rinks in order to ensure the continued operation of the facilities.

We recognize that the Legislature is committed to passing an economic development bill this session, which will direct needed funding toward many shared priorities. With a combined \$3.7 billion in available funding resources between the remaining state surplus and ARPA funds, investments in the following areas are clearly affordable and remain critically important:

- Tax reform measures that will provide meaningful relief to Massachusetts households and improve the state's competitiveness, including changes that would increase the rental deduction cap, expand dependent care tax credits, double the maximum senior circuit breaker tax credit, and reform the estate tax;

- Climate and environmental investments, including for state parks, trails, and campgrounds;
- Economic development programs and projects, including funding to revitalize downtowns, support businesses, and make targeted investments in local economic development;
- Support for fiscally distressed hospitals and human service providers; and
- Affordable housing production and homeownership programs focused on equitable development and opportunity.

I am also requesting that certain sections that I have filed in various pieces of legislation this year be included when the Legislature acts on the economic development bill, as these sections are currently before the House and Senate Conference Committee. These sections include the following:

- Brownfields Redevelopment Fund improvements and an extension of the Brownfields Tax Credit;
- Chapter 40R base districts and the new starter home chapter of the General Laws;
- Housing Development Incentive Program (HDIP) cap increase;
- Public housing reforms;
- Various changes that will improve administration and efficiency for municipal finance, including exceptions to the current restrictions for Municipal General Funds;
- Necessary compliance fixes related to Insurance Holding Companies;
- An extension of capital authorization for the Massachusetts Life Sciences Center;
- A correction to a line item to assist Ukrainian refugees;
- A correction to ensure that necessary transfers continue at the Massachusetts Department of Transportation;
- Sections related to the future of the Hynes Convention Center and the Boston Convention and Exhibition Center;
- Improvements to the Apprenticeship Tax Credit;

- Changes to the Department of Public Health’s standing order authority related to COVID-19 tests; and
- Changes that will allow local school districts to use time-limited federal education funds without incurring state level financial penalties.

Other necessary sections that are before the conference committee and which I support include changes to Domestic Money Transmission regulation.

I am also requesting action on a number of sections that I have filed in supplemental budgets earlier this year, including the following:

- The addition of early college/innovation pathways as an enrollment category for the purposes of Chapter 70 school funding.
- The expansion of voluntary services post-discharge from the Department of Youth Services care;
- Changes to the statutory dates by which the Massachusetts Bay Transportation Authority must finalize its annual capital budget;
- Changes to the Transitional Escrow Fund that specify that fringe costs may not be deducted from expenditures from that Fund; and
- Changes to the funding allocation for the Department of Family and Medical Leave as well as reimbursement language for the Inland Fish and Game Fund.

Sufficient revenues are available to finance the appropriations and other measures proposed in this legislation. I urge you to enact this legislation promptly to facilitate the closing of the books for fiscal year 2022 and to further pass other pending legislation as described above that would invest in our local communities, support critical state programs, services, and assets, and provide permanent tax relief for the people of the Commonwealth.

Respectfully submitted,

Charles D. Baker,  
*Governor*

The Commonwealth of Massachusetts

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

An Act making appropriations for the 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 purpose, which is 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 through the fiscal year ending June 30, 2023.

9           SECTION 2.

10          DISTRICT ATTORNEY

11	Hampden District Attorney		
12	0340-0500	Hampden District Attorney	\$180,157
13	OFFICE OF THE COMPTROLLER		
14	Office of the Comptroller		
15	1599-3384	Judgments Settlements and Legal Fees	\$10,000,000
16	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE		
17	Reserves		
18	1599-0793	COVID Response Reserve	\$400,000,000
19	1599-4448	Collective Bargaining Contract Costs	\$30,428,027
20	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES		
21	Office of the Secretary of Health and Human Services		
22	4000-0300	EOHHS and Medicaid Administration	\$2,000,000
23	4000-0700	MassHealth Fee for Service Payments	\$490,000,000
24	Department of Public Health		
25	4510-0721	Boards of Registration for Health Professions Licensure	\$7,100,000
26	TRANSPORTATION		
27	Massachusetts Department of Transportation		

28           1595-6368    Massachusetts Transportation Trust Fund   \$36,738,441

29           1595-6369    Commonwealth Transportation Fund Transfer to the MBTA

30   \$200,000,000

31           EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

32           Office of the Secretary of Labor and Workforce Development

33           7003-0101    Labor and Workforce Development Shared Services   \$10,500,000

34           EXECUTIVE OFFICE OF EDUCATION

35           Department of Elementary and Secondary Education

36           7061-9400    Student and School Assessment   \$3,000,000

37           SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
38 provide for an alteration of purpose for current appropriations, and to meet certain requirements  
39 of law, the sums set forth in this section are hereby appropriated from the General Fund unless  
40 specifically designated otherwise in this section, for the several purposes and subject to the  
41 conditions specified in this section, and subject to the laws regulating the disbursement of public  
42 funds for the fiscal year ending June 30, 2022. Except as otherwise stated, these sums shall be  
43 made available through the fiscal year ending June 30, 2027.

44           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

45           Reserves



46           1599-0122    For a reserve to address the needs of immigrants and refugees, including  
47 temporary housing costs; provided, that the office for refugees and immigrants shall administer  
48 the program   \$20,000,000

49           1599-0999    For a reserve to assist agencies in organizational transformation and other  
50 improvements; provided, that funds shall be expended to implement changes in space use across  
51 Executive department offices with the aims of optimizing efficient services for the public,  
52 digitizing paper documents, increasing telecommuting opportunities for employees and reducing  
53 lease costs where feasible and advisable       \$28,956,875

54           1599-1214    For a reserve for expansion, upgrades or enhancements to staffing,  
55 operations or infrastructure for new and existing facilities that treat men with an alcohol or  
56 substance use disorder under sections 1 and 35 of chapter 123 of the General Laws; provided,  
57 that the secretary of administration and finance may transfer funds from this item to state  
58 agencies as defined in section 1 of chapter 29 of the General Laws \$14,000,000

59           1599-1250    For initiatives to improve the safety and security of child care providers,  
60 public schools and public institutions of higher education, to be administered by the executive  
61 office of education in coordination with the executive office of public safety and security and the  
62 executive office of health and human services; provided, that not less than \$20,000,000 shall be  
63 used for matching grants to public schools and districts and to public institutions of higher  
64 education for security and communications upgrades; provided further, that not less than  
65 \$10,000,000 shall be made available for a grant program for center-based child care providers to  
66 improve security and for training for center-based and family child care providers on multi-  
67 hazard emergency planning; provided further, that not less than \$2,000,000 shall be made

68 available for a public awareness campaign giving middle and high schools direction on what to  
69 do if students, staff, family or friends see a student exhibiting troubling behavior; provided  
70 further, that not less than \$500,000 shall be made available to develop a dedicated website with  
71 comprehensive listings of resources, model programs and best practices for parents and  
72 educators; provided further, that not less than \$2,750,000 shall be made available for grants to  
73 public schools, districts and educational collaboratives to support a safe and anonymous system  
74 for informing school staff and law enforcement professionals of unsafe, harmful, dangerous, life-  
75 threatening, violent or unlawful activity that occurs or is threatened on school property or that  
76 relates to an enrolled student or school personnel; provided further, that such grant funding may  
77 be expended to facilitate integrated coordination of school- and community-based resources,  
78 intervention and referral to services; provided further, that such grant funding may be used to  
79 support or update tip line systems currently in place; provided further, that not less than  
80 \$1,000,000 shall be made available for the department of elementary and secondary education to  
81 provide assistance and funding to public schools and districts for school safety initiatives that  
82 may include developing, implementing and training in district- and school-based multi-hazard  
83 evacuation plans, to support emergency management plan development, implementation and  
84 maintenance, table top exercising, conducting after action meetings and school behavioral threat  
85 assessment; provided further, that such funds may be used to support stipends for school and  
86 district staff as well as community partners participating on school- and district-based teams for  
87 emergency management planning or threat assessment; provided further, that such funds may be  
88 used by the department of elementary and secondary education to provide professional  
89 development to grantees; and provided further, that not less than \$1,000,000 shall be made  
90 available to support the administration of initiatives funded from this item \$37,250,000

91           1599-1410    For implementing chapter 144 of the acts of 2022; provided, that the  
92 secretary of veterans' services may transfer funds between 1410-0010, 1410-0012, 1410-0015,  
93 1410-0018, 1410-0024, 1410-0075, 1410-0251, 1410-0400, 1410-0630, 1410-1616, 4180-0100,  
94 and 4190-0100; and provided further, that the secretary shall notify the house and senate  
95 committees on ways and means not less than 30 days in advance of any such transfer  
96           \$10,000,000

97           1599-2106    For a reserve to support the costs of recruiting, training, and compensating  
98 guardians ad litem appointed pursuant to section 29 1/2 of chapter 119 of the General Laws;  
99 provided, that the secretary of administration and finance may authorize the transfer of funds  
100 from this item to other items for such purposes       \$30,000,000

101           1599-2115    For costs associated with responding to and recovering from the COVID-  
102 19 public health emergency; provided, that not less than \$6,000,000 shall be expended for  
103 MelroseWakefield Healthcare, Inc., for the redevelopment and construction of a behavioral  
104 health facility on the former Malden Hospital site; provided further, that not less than \$2,000,000  
105 shall be expended for the South Boston Community Health Center; provided further, that not less  
106 than \$1,000,000 shall be expended for Community Health Programs, Inc. to expand access to  
107 dental services, including pediatric dental services, for MassHealth members in Berkshire  
108 County; provided further, that not less than \$10,000,000 shall be expended for the Boys & Girls  
109 Club of Greater Lowell; and provided further, that not less than \$5,000,000 shall be expended for  
110 matching funds for a recreation and community center located at 101 Parker Street in the city of  
111 Lawrence       \$24,000,000

112           1599-6624    For a reserve to support expenses associated with the department of  
113 unemployment assistance; provided, that the secretary of administration and finance may transfer  
114 funds from this item as described in section 1 of chapter 29 of the General Laws   \$15,000,000

115           1599-8910    For a reserve to support costs associated with the 14 county sheriffs’  
116 offices; provided, that the secretary of administration and finance may transfer funds from this  
117 item to state agencies as defined in section 1 of chapter 29 of the General Laws   \$28,000,000

118           Division of Capital Asset Management and Maintenance

119           1102-0929    For a capital grant program for the preparation of plans and specifications,  
120 repairs, construction, renovations, improvements, maintenance and repair, asset management and  
121 demolition at public institutions of higher education; provided, that not less than \$25,000,000  
122 shall be expended for projects related to the Science & Engineering Dion Building at the  
123 University of Massachusetts – Dartmouth; provided further, that funds shall be made available  
124 for capital improvements to the college of visual and performing arts at the University of  
125 Massachusetts at Dartmouth, also known as the Star Store campus, to support arts programming  
126           \$45,000,000

127           EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

128           Office of the Secretary of Health and Human Services

129           4000-0325    For the establishment of regional low threshold housing for homeless or  
130 housing unstable individuals with substance use disorder   \$20,000,000

131           EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

132           Department of Housing and Community Development

133           7004-1000     For the federal Low Income Home Energy Assistance Program, to assist  
134 eligible elders, working families and other households with assistance paying a portion of winter  
135 home energy bills; provided, that the department of housing and community development shall  
136 establish the maximum assistance for which a household shall be eligible   \$10,000,000

137           7004-9323     For grants to local housing authorities for the redevelopment of public  
138 housing; provided, that the grants shall require a local match as determined by the department of  
139 housing and community development; provided further, that up to \$50,000,000 shall be  
140 expended for the Mary Ellen McCormack Public Housing Community in the city of Boston;  
141 provided further, that the department may exempt a recipient of grants from this item from the  
142 requirements of chapters 7C and 121B of the General Laws upon a showing by the recipient that  
143 such exemptions are necessary to accomplish the effective revitalization of public housing and  
144 shall not adversely affect public housing residents or applicants of any income who are otherwise  
145 eligible; and provided further, that the department may provide to recipients of grants from this  
146 item such additional regulatory relief as may be required to further the objectives of public  
147 housing redevelopment, including pursuit of complementary funding sources to ensure  
148 preservation as permanently affordable housing     \$50,000,000

149           EXECUTIVE OFFICE OF EDUCATION

150           Department of Early Education and Care

151           3000-1795     For developing and replicating innovative and flexible models of childcare  
152 delivery that address evolving needs of parents and employers in the aftermath of COVID-19;  
153 provided, that up to \$4,000,000 may be expended for Leo Inc. in the city of Lynn for capital  
154 costs to increase childcare capacity   \$10,000,000

155 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer  
156 from the General Fund to the trust funds named within each item unless specifically designated  
157 otherwise in this section, for the purposes and subject to the conditions specified in this section  
158 and subject to the laws regulating the disbursement of public funds for the fiscal year ending  
159 June 30, 2022. Notwithstanding section 19A of chapter 29 of the General Laws, any transfer  
160 under this section shall be made by the comptroller in accordance with a transfer schedule to be  
161 developed for each item by the comptroller after consulting with the appropriate agency  
162 secretary, the secretary of administration and finance and the state treasurer.

163 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

164 Office of the Secretary of Technology Services and Security

165 1595-0007 For an operating transfer to the Cybersecurity and Resiliency Fund,  
166 established in section 12 of chapter 7D of the General Laws as added by section 4 of this act  
167 \$10,000,000

168 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

169 Office of the Secretary of Health and Human Services

170 1595-0522 For an operating transfer to the Building Capacity for Community Living  
171 Fund, established in section 2AAAAAA of chapter 29 of the General Laws as added by section  
172 19 of this act \$50,000,000

173 TRANSPORTATION

174 Massachusetts Department of Transportation

175           1595-6373           For an operating transfer to the Massachusetts Transportation Trust  
176 Fund, established under section 4 of chapter 6C of the General Laws; provided, that funds shall  
177 be expended for the nonparticipating costs of eligible projects in the federal highway system,  
178 including project design, permitting, right of way, real estate transactions, the costs of  
179 engineering, and other services essential to these projects; provided further, that the  
180 Massachusetts Department of Transportation shall report on the use of the funds not later than  
181 October 31 following the end of each fiscal year to the joint committee on transportation, the  
182 house and senate committees on ways and means and the secretary of administration and finance

183           \$30,000,000

184           Commonwealth Transportation Fund.....100%

185           SECTION 2C.I. For the purpose of making available in fiscal year 2023 balances of  
186 appropriations which otherwise would revert on June 30, 2022, the unexpended balances of the  
187 appropriations listed below, not to exceed the amount specified below for each item, are hereby  
188 re-appropriated for the purposes of and subject to the conditions stated for the corresponding  
189 item in section 2 of chapter 24 of the acts of 2021. However, for items which do not appear in  
190 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the  
191 purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of  
192 this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund  
193 or funds designated for the corresponding item in section 2 of said chapter 24; provided,  
194 however, that for items which do not appear in section 2 of said chapter 24, the amounts in this  
195 section are re-appropriated from the fund or funds designated for the corresponding item in  
196 section 2 through 2E of this act or in prior appropriation acts. The unexpended balance of each  
197 appropriation in the Massachusetts management accounting and reporting system with a

198 secretariat code of 01 or 17 is hereby re-appropriated for the purposes of and subject to the  
199 conditions stated for the corresponding item in said section 2 of said chapter 24. The sums  
200 reappropriated in this section shall be in addition to any amounts available for said purposes.

201 JUDICIARY

202 Trial Court

203 0330-0410 Alternative Dispute Resolution Services \$250,000

204 DISTRICT ATTORNEYS

205 Northwestern District Attorney

206 0340-0600 Northwestern District Attorney \$260,000

207 TREASURER AND RECEIVER-GENERAL

208 State Lottery Commission

209 0640-0000 State Lottery Commission \$1,420,171

210 OFFICE OF THE INSPECTOR GENERAL

211 Office of the Inspector General

212 0910-0200 Office of the Inspector General \$307,000

213 0910-0300 Inspector General Internal Special Audit Units \$54,160

214 0910-0330 Division of State Police Oversight \$50,000

215 BOARD OF LIBRARY COMMISSIONERS



216 Board of Library Commissioners

217 7000-9101 Board of Library Commissioners \$89,000

218 OFFICE OF THE CHILD ADVOCATE

219 Office of the Child Advocate

220 0930-0100 Office of the Child Advocate \$250,000

221 POLICE REFORM COMMISSIONS

222 Police Reform Commissions

223 1599-1210 Peace Officer Standards and Training Commission Reserve \$2,899,430

224 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

225 Reserves

226 1599-0054 Hinton Lab Response Reserve \$620,000

227 1599-0080 Tests Vaccines Outreach Reserve \$11,000,000

228 1599-0768 DUA Public Information Campaign Reserve \$855,324

229 1599-1211 Police Reform Reserve \$3,328,000

230 Bureau of the State House

231 1102-3400 State House Security Operations \$112,000

232 Health Policy Commission

233	1450-1200	Health Policy Commission	\$300,000
234		Supplier Diversity Office	
235	1780-0100	Supplier Diversity Office	\$555,000
236		EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
237		Office of the Secretary of Energy and Environmental Affairs	
238	2000-0100	Energy and Environmental Affairs Administration	\$388,957
239	2000-0101	Climate Adaptation and Preparedness	\$73,000
240	2000-1700	Energy and Environmental Affairs Information Technology Costs	
241		\$781,909	
242		Department of Fish and Game	
243	2300-0101	Riverways Protection and Access	\$457,000
244		Department of Agricultural Resources	
245	2511-0100	Agricultural Resources Administration	\$152,000
246		Department of Conservation and Recreation	
247	2810-0122	Special Projects in Parks and Recreation	\$333,000
248		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
249		Department of Public Health	
250	4590-0915	Public Health Hospitals	\$400,000

251	Department of Mental Health		
252	5046-0000	Adult Mental Health and Support Services	\$5,000,000
253	Department of Children and Families		
254	4800-0015	Clinical Support Services and Operations	\$2,175,325
255	4800-1100	Social Workers for Case Management	\$5,060,000
256	Massachusetts Commission for the Blind		
257	4110-1000	Community Services for the Blind	\$400,000
258	Massachusetts Commission for the Deaf and Hard of Hearing		
259	4125-0100	Massachusetts Commission for the Deaf and Hard of Hearing	
260			\$871,396
261	Department of Developmental Services		
262	5920-2000	Community Residential Services	\$34,000,000
263			
264	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT		
265	Office of the Secretary of Housing and Economic Development		
266	7002-0017	Housing and Economic Development IT Costs	\$125,000
267	Department of Business Development		
268	7007-0801	Microlending	\$1,300,000

269	7007-0150	Regional Economic Development Grants	\$1,300,000
270		Department of Telecommunications and Cable	
271	7006-0071	Department of Telecommunications and Cable	\$160,000
272		Massachusetts Marketing Partnership	
273	7008-0900	Office of Travel and Tourism	\$146,282
274		EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY	
275		Office of the Secretary of Public Safety and Security	
276	8000-0600	Executive Office of Public Safety	\$400,000
277		Department of State Police	
278	8100-0515	New State Police Class	\$2,275,000
279	8100-1014	SAEK Testing	\$2,200,000
280		Municipal Police Training Committee	
281	8200-0200	Municipal Police Training Committee	\$500,000
282		Department of Fire Services	
283	8324-0000	Department of Fire Services	\$3,058,688
284	8324-0050	Local Fire Department Projects and Grants	\$173,170
285		Military Division	

286           8700-0001    Military Division       \$511,000  
287           Department of Correction  
288           8900-0010    Prison Industries and Farm Services Program       \$91,164  
289           Parole Board  
290           8950-0001    Parole Board Administration   \$498,250

291           SECTION 2C.II. For the purpose of making available in fiscal year 2023 balances of  
292 retained revenue and intragovernmental chargeback authorizations which otherwise would revert  
293 on June 30, 2022, the unexpended balances of the authorizations listed below, not to exceed the  
294 amount specified below for each item, are hereby re-authorized for the purposes of and subject to  
295 the conditions stated for the corresponding item in section 2 or 2B of chapter 24 of the acts of  
296 2021. However, for items which do not appear in section 2 or 2B of said chapter 24, the amounts  
297 in this section are re-authorized for the purposes of and subject to the conditions stated for the  
298 corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. Amounts in  
299 this section are re-authorized from the fund or funds designated for the corresponding item in  
300 section 2 or 2B of the general appropriation act; however, for items which do not appear in  
301 section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized  
302 from the fund or funds designated for the corresponding item in section 2, 2A, or 2B of this act  
303 or in prior appropriation acts. The sums re-authorized in this section shall be in addition to any  
304 amounts available for those purposes.

305           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

306           Operational Services Division

307 1775-0800 Chargeback for Purchase Operation and Repair of State Vehicles  
308 \$2,800,000

309 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

310 Department of Veterans' Services

311 1410-0018 Agawam and Winchendon Cemeteries Retained Revenue \$650,000

312 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

313 Department of Correction

314 8900-0011 Prison Industries Retained Revenue \$65,125

315 8900-0021 Chargeback for Prison Industries and Farm Program \$1,463,943

316 SECTION 3. Section 106 of chapter 6A of the General Laws, as inserted by section 9 of  
317 chapter 144 of the acts of 2022, is hereby amended by adding the following paragraph:-

318 The secretary shall maintain a standardized policy and procedure for all state-operated  
319 veterans' homes in the commonwealth regarding a background record check process prior to  
320 employment, which shall include fingerprint-based checks of state and national criminal history  
321 databases, as authorized by Public Law 92-544. The department of veterans' services shall  
322 conduct fingerprint-based checks of the state and national criminal history databases, as  
323 authorized by Public Law 92-544, to determine the suitability of all candidates for employment  
324 in state-operated veterans' homes in the commonwealth.

325 Fingerprints shall be submitted to the identification section of the department of state  
326 police for a state criminal history check and forwarded to the Federal Bureau of Investigation for

327 a national criminal history check, according to the policies and procedures established by the  
328 identification section and by the department of criminal justice information services.

329         Upon receipt of the results of the state and national criminal background checks, the  
330 department of veterans' services and its authorized staff shall treat the information according to  
331 sections 167-178, inclusive, of chapter 6 and the regulations thereunder regarding criminal  
332 offender record information. Information obtained by the department of veterans' services under  
333 this section may be used only for such purposes and shall not be disseminated to any  
334 unauthorized person or entity.

335         Authorized department staff may receive all criminal offender record information and the  
336 results of checks of state and national criminal history databases under said Public Law 92-544.  
337 The department shall promulgate regulations necessary to implement this section.

338         SECTION 4. Chapter 7D of the General Laws is hereby amended by adding the  
339 following section:-

340         Section 12. (a) There shall be established and set up a separate non-budgeted special  
341 revenue, to be known as the Cybersecurity and Resiliency Fund. The chief information officer  
342 for the commonwealth shall expend funds in the trust without further appropriation to support  
343 activities related to the procurement of end-user devices in compliance with any security and  
344 resiliency directives that the executive office of technology services and security may develop.  
345 The unexpended balance in the fund at the end of a fiscal year shall remain available for  
346 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund  
347 to be in deficit at any point.

348 (b) Not later than 30 days after the start of each fiscal year, the chief information officer  
349 shall submit a spending plan to the secretary of administration and finance and the house and  
350 senate committees on ways and means. The spending plan shall include the expected quantity  
351 and total cost of any procurements planned for that fiscal year for each client department. The  
352 spending plan shall include the fund balance at the start of the current fiscal year and  
353 expenditures and incomes from the prior fiscal year. Spending from the fund shall be subject to  
354 approval of the secretary of administration and finance. The chief information officer shall report  
355 not less than every 6 months to the secretary of administration and finance and the house and  
356 senate committees on ways and means on how the funds have been expended and how  
357 expenditures have differed from the spending plan.

358 SECTION 5. Chapter 10 of the General Laws is hereby amended by inserting after  
359 section 35SSS the following section:-

360 Section 35TTT. (a) There shall be established and set up on the books of the  
361 commonwealth a separate non-budgeted special revenue fund to be known as the  
362 Starmet/Nuclear Metals Superfund Fund to be expended, without further appropriation, by the  
363 secretary of energy and environmental affairs or the secretary's designee, as trustee, in  
364 consultation with the department of environmental protection. Any balance in the fund at the end  
365 of the fiscal year shall remain available for expenditure in subsequent fiscal years. No  
366 expenditure made from the fund shall cause the fund to become deficient at any point during the  
367 fiscal year.

368 (b) The fund is established to accept, expend or otherwise utilize, on behalf of the  
369 commonwealth, funds received from the United States on behalf of the United States Army, or



370 from any other person or non-governmental, quasi-governmental or governmental entity, for the  
371 purpose of:

372 (1) Providing a separate account for the receipt of the monies from the United States on  
373 behalf of the United States Army pursuant to the Administrative Agreement between the  
374 department, the United States Army, and the United States on behalf of the United States Army  
375 dated March 2004, as amended from time to time; and

376 (2) Reimbursement or payment to the commonwealth, or to the department for costs at or  
377 in connection with the Starmet/Nuclear Metals Superfund site related to the agreement. This  
378 includes, without limitation, development, procurement, contractor and oversight costs related to  
379 the agreement and costs of implementing the agreement, including salaries of department staff  
380 and any salary-related charges.

381 There shall be credited to the fund any appropriation, grant, gift or other contribution  
382 made to the fund and any interest earned on the monies in the fund.

383 (c) If the department determines that monies remaining in the fund are not needed to  
384 reimburse or pay the commonwealth or the department for costs under the agreement, such funds  
385 shall be retained for further response actions at or in connection with the site.

386 SECTION 6. Sections 51 to 53, inclusive, and sections 70 to 72, inclusive, of chapter 13  
387 of the General Laws are hereby repealed.

388 SECTION 7. Subsection (a) of section 45 of chapter 15A of the General Laws, as  
389 appearing in the 2020 Official Edition, is hereby amended by striking out the last sentence and  
390 inserting in place thereof the following 2 sentences:- A vacancy on a board that exists as a result

391 of this section shall be filled for the remainder of the term in the same manner as the prior  
392 appointment and be consistent with section 21 of chapter 15A and section 1A of chapter 75. The  
393 commissioner shall forthwith notify the governor when any such vacancy exists.

394 SECTION 8. Section 10C of chapter 21A of the General Laws, as so appearing, is hereby  
395 amended by striking out, in line 1, the words “secretary, undersecretary,”.

396 SECTION 9. Chapter 21N of the General Laws is hereby amended by adding the  
397 following section:-

398 Section 12. (a) Upon issuance by the department of a notice of non-compliance, any  
399 alternative compliance payment, as defined in 310 CMR 7.75, owed by a retail electric supplier  
400 pursuant to sections 2, 6 and 7 of this chapter , including any interest, additional amount,  
401 addition to debt or assessable penalty under said sections 2, 6 or 7, or pursuant to the  
402 department’s administrative penalty authority set forth in section 16 of chapter 21A, together  
403 with any costs that may accrue in addition thereto, shall constitute a debt to the department. Such  
404 debt shall also be a lien in favor of the department upon all property and rights to property,  
405 whether real or personal, belonging to the indebted retail electric supplier including property  
406 acquired after the lien arises. The lien shall arise 30 days after the department issues the first  
407 notice of non-compliance and shall continue until: (1) the debt is satisfied; (2) a judgment against  
408 the retail electric supplier arising out of such debt is satisfied; (3) any such debt or judgment is  
409 discharged by the department by a waiver or release under subsection (d); or (4) any such debt or  
410 judgment becomes unenforceable by reason of the lapse of time. The lien created in favor of the  
411 department for any such alternative compliance payment shall remain in effect for a period of 10  
412 years after issuance of the notice of non-compliance. For a bankruptcy case under the United

413 States Code, the running of the period of limitations in this section shall be suspended for: (i) the  
414 period during which the department is prohibited by reason of such case from collecting the lien  
415 and (ii) the period during which a plan for payment of the lien is in effect and 6 months  
416 thereafter. The running of the period of limitations in this section shall be suspended for the  
417 period during which the payment or collection is stayed pursuant to the retail electric supplier  
418 contesting the lien. If the lien would extend beyond its initial or any subsequent 10-year period,  
419 the department may refile its notice of lien. If any such notice of lien is refiled within the  
420 required refiling period, as defined in section 6323(g)(3) of the Internal Revenue Code, the lien  
421 in favor of the department shall relate back to the date of the first such lien filing. The  
422 department shall promulgate such regulations as may be necessary for the implementation of this  
423 subsection.

424 (b) A lien imposed by this section shall not be perfected as against any mortgagee,  
425 pledgee, purchaser, creditor or judgment creditor until notice thereof has been filed by the  
426 department:

427 (1) with respect to real property or fixtures, in the registry of deeds of the county where  
428 such property is situated; and

429 (2) with respect to personal property other than fixtures, in the filing office in which the  
430 filing of a financing statement would perfect, under article 9 of chapter 106, an attached  
431 nonpossessory security interest in tangible personal property belonging to the retail electric  
432 supplier liable to pay the alternative compliance payment as if the retail electric supplier were  
433 located in the commonwealth under section 9-307 of said chapter 106. The filing of any such lien

434 or of a waiver or release of any such lien shall be received and registered or recorded without  
435 payment of any fee in the commonwealth.

436 (c) In any case where an alternative compliance payment becomes due upon issuance of a  
437 notice of non-compliance, the department, in addition to other modes of relief, may direct a civil  
438 action to be filed in a superior court of the commonwealth to collect the debt or enforce the lien  
439 of the department under this section with respect to such liability, or to subject any property of  
440 whatever nature, of the indebted retail electric supplier, or in which the supplier has any right,  
441 title or interest, to the payment of such liability.

442 (d) The department may issue a waiver or release of any lien imposed by this section.  
443 Such waiver or release shall be conclusive evidence that the lien upon the property covered by  
444 the waiver or release is extinguished. The department shall issue a waiver or release of any lien  
445 imposed by this section in any case where the debt for which such lien attached has been paid or  
446 legally abated.

447 (e) Notwithstanding any general or special law to the contrary, the department may  
448 establish financial compliance assurance requirements for any retail electricity supplier subject to  
449 requirements or standards established in this chapter. The department may require a bond or  
450 other security in amount and form as determined to be necessary and appropriate to ensure  
451 compliance with all such requirements or standards.

452 SECTION 10. Section 10A of chapter 22C of the General Laws, as appearing in the 2020  
453 Official Edition, is hereby amended by striking out the fifth and sixth paragraphs and inserting in  
454 place thereof the following paragraph:-

455           The colonel shall determine the duties and responsibilities of state police cadets. A state  
456 police cadet shall not carry arms and shall not have any power of arrest other than that of an  
457 ordinary citizen. A state police cadet shall be considered an employee of the commonwealth.

458           SECTION 11. Subsection (a) of section 8A of chapter 23J of the General Laws, as  
459 inserted by section 14 of chapter 179 of the acts of 2022, is hereby amended by striking out the  
460 words “, in consultation with the department of revenue”.

461           SECTION 12. Subsection (b) of said section 8A of said chapter 23J, as so inserted, is  
462 hereby amended by striking out the words “, in consultation with the department of revenue,”.

463           SECTION 13. Subparagraph (1) of subsection (c) of said section 8A of said chapter 23J,  
464 as so inserted, is hereby amended by striking out the words “and the department of revenue”.

465           SECTION 14. Subparagraph (2) of said subsection (c) of said section 8A of said chapter  
466 23J, as so inserted, is hereby amended by striking out the words “, in consultation with the  
467 department of revenue,”.

468           SECTION 15. Said subparagraph (2) of said subsection (c) of said section 8A of said  
469 chapter 23J, as so inserted, is hereby further amended by striking out the words “, exemptions or  
470 other tax benefits”.

471           SECTION 16. Subsection (b) of section 9A of chapter 23J of the General Laws, as  
472 inserted by section 18 of chapter 179 of the acts of 2022, is hereby amended by striking out the  
473 words “shall make expenditures from the trust fund” and inserting in place thereof the following  
474 words:- may make expenditures from the fund solely.

475 SECTION 17. Section 5 of chapter 23N of the General Laws, as inserted by section 5 of  
476 chapter 173 of the acts of 2022 is hereby amended by striking out subsection (c) and inserting in  
477 place thereof the following subsection:-

478 (c)(1) The commission is authorized to obtain a state and national fingerprint-based  
479 criminal background check, as authorized by Public Law 92-544, to determine the suitability of  
480 any applicant for an operator license under this section and a person who has control of an  
481 operator licensee as defined in paragraph (b).

482 (2)(i) Fingerprints shall be submitted to the identification section of the department of  
483 state police for a state criminal history check and forwarded to the Federal Bureau of  
484 Investigation for a national criminal history check, according to the policies and procedures  
485 established by the identification section and by the department of criminal justice information  
486 services. Fingerprint submissions may be retained by the Federal Bureau of Investigation, the  
487 state identification section, and the department of criminal justice information services to assist  
488 the commission to ensure the continued suitability of these licensees and persons subject to  
489 criminal background checks under this section. The department of criminal justice information  
490 services may disseminate the results of the state and national criminal background checks to  
491 commission authorized commission staff.

492 (ii) Notwithstanding subsections 9 and 9 1/2 of section 4 of chapter 151B, if the  
493 commission receives information from a fingerprint-based check that does not include a final  
494 disposition or is otherwise incomplete, the commission may request that an applicant, including  
495 new and renewing applicants, provide additional information to assist the commission in  
496 determining the suitability of the individual for licensure, certification, approval, or employment.

497 (3) The commission is authorized to receive all available criminal offender record  
498 information, juvenile adjudications and delinquency matters, sealed records and the results of  
499 checks of state and national criminal history information databases under said Public Law 92-  
500 544. Upon receipt of the results of the state and national criminal background checks, the  
501 commission and its authorized staff shall treat the information according to sections 167-178,  
502 inclusive, of chapter 6 and the regulations thereunder regarding criminal offender record  
503 information. Information obtained by the commission under this section may be used only for  
504 such purposes.

505 (4) There shall be a fee charged for fingerprint-based background checks under this  
506 section, established by the secretary of administration and finance in consultation with the  
507 secretary of public safety and security and the commissioner, to offset the costs of operating and  
508 administering a fingerprint-based criminal background check system. The secretary of  
509 administration and finance, in consultation with the secretary of public safety and the  
510 commissioner, may increase the fee accordingly if the Federal Bureau of Investigation increases  
511 its fingerprint background check service fee. Any fees collected from fingerprinting activity  
512 under this chapter shall be deposited into the Fingerprint-Based Background Check Trust Fund  
513 established under section 2HHHH of chapter 29.

514 (5) Upon receipt of the results of a state and national criminal background check for an  
515 applicant, the commissioner shall review the results and determine the suitability of the applicant  
516 for said license. Any applicant convicted of any disqualifying offense, as determined by the  
517 commission, shall not be licensed.

518 (6) The commission may promulgate regulations necessary to carry out this subsection.

519 SECTION 18. Said chapter 23N of the General Laws, as inserted by said section 5 of said  
520 chapter 173, is hereby amended by adding the following section:-

521 Section 24. (a) Prior to an operator's disbursement of cash or a prize that is subject to  
522 withholding under section 3402 of the internal revenue code, the operator shall review  
523 information made available by the IV-D agency, as set forth in chapter 119A, and by the  
524 department of revenue to determine if the winner of the cash or prize owes any past-due: (i) child  
525 support to the commonwealth or to an individual to whom the IV-D agency is providing  
526 services; or (ii) tax liability to the commonwealth.

527 (b)(1) If the winner of the cash or prize owes past-due child support or has a past-due tax  
528 liability, the operator shall notify the IV-D agency or the commonwealth, as applicable, of the  
529 winner's name, address and social security number.

530 (2) Subsequent to statutory state and federal tax withholding, the operator shall first  
531 disburse to the IV-D agency the full amount of the cash or prize or such portion of the cash or  
532 prize that satisfies the winner's past-due child support obligation.

533 (3) If funds remain available after the disbursement to the IV-D agency or if no such  
534 obligation to the IV-D agency is owed, the operator shall disburse to the department of revenue  
535 the full amount of the cash or prize or such portion of the cash prize that satisfies the winner's  
536 past-due tax liability.

537 (4) The operator shall disburse to the winner only that portion of the prize, if any,  
538 remaining after the holder's past-due child support obligation and the winner's past-due tax  
539 liability have been satisfied.



540 SECTION 19. Chapter 29 of the General Laws is hereby amended by inserting after  
541 section 2ZZZZZ, as inserted by section 22 of chapter 126 of the acts of 2022, the following  
542 section:-

543 Section 2AAAAAA. (a) There shall be established on the books of the commonwealth a  
544 separate non-budgeted special revenue fund known as the Building Capacity for Community  
545 Living Fund to be administered by the secretary of health and human services. The purpose of  
546 the fund shall be to expand capacity for community living options for individuals served by the  
547 department of developmental services and the department of mental health with priority given to  
548 new community or independent living options for individuals who are discharged from settings  
549 that may include, but not be limited to, skilled nursing facilities and psychiatric, chronic and  
550 rehabilitation hospitals.

551 (b) Amounts credited to the fund may be expended, without further appropriation, by the  
552 secretary for grants and low or zero interest loans to entities for the purpose of expanding  
553 community living capacity and options in Massachusetts, including the purchase, modification,  
554 design, construction or improvement of new or existing community living options.  
555 Notwithstanding the generality of the foregoing, all grants and loans shall be subject to  
556 immediate repayment in full in the event the recipient fails to provide community housing as  
557 required by the grant or loan.

558 The secretary shall promulgate regulations to administer the grants and loans issued from  
559 the fund. The regulations shall require the secretary to consider, among other things, geographic  
560 distribution of community housing initiatives, unmet community need and the need for public  
561 investment to ensure community living options for individuals with serious mental illness or with

562 disabilities who are in skilled nursing facilities and psychiatric, chronic or rehabilitation  
563 hospitals.

564 (c) No expenditures from the fund shall cause the fund to be in deficiency at the close of  
565 the fiscal year. Any balance in the fund at the close of the fiscal year shall be available for  
566 expenditure in subsequent fiscal years and shall not be transferred to any other fund.

567 SECTION 20. Subsection (aa) of section 6 of chapter 62 of the General Laws, as inserted  
568 by section 7 of chapter 154 of the acts of 2022, is hereby amended by striking out subparagraph  
569 (1) and inserting in place thereof the following subparagraph:-

570 (1) An employer engaged in business in the commonwealth that is not a business  
571 corporation subject to the excise under chapter 63 and employs not more than 100 employees  
572 may be allowed a credit equal to \$2,000 for each member of the Massachusetts national guard  
573 hired by the employer. A business that is eligible for and claims the credit allowed under this  
574 subsection in a taxable year shall be eligible for a second credit of \$2,000 in the subsequent  
575 taxable year with respect to such member of the Massachusetts national guard, subject to  
576 certification of continued employment by the employer to the Massachusetts office of business  
577 development during the subsequent taxable year.

578 SECTION 21. Said subsection (aa) of said section 6 of said chapter 62, as so inserted, is  
579 hereby further amended by adding the following 2 subparagraphs:-

580 (6) The Massachusetts office of business development, in consultation with the  
581 commissioner, shall authorize, administer and determine eligibility for the tax credit pursuant to  
582 this subsection and section 38KK of chapter 63, and shall allocate the credit in accordance with  
583 the standards and requirements set forth in regulations promulgated pursuant to this subsection.

584 (7) The Massachusetts office of business development, in consultation with the  
585 commissioner, shall promulgate regulations establishing an application process for the credit;  
586 provided, that the credit shall be authorized to all eligible applicants on a first-come, first-served  
587 basis; provided further, that the \$1,000,000 limit on the total cumulative value of the credits  
588 authorized annually set forth in subparagraph (5) shall not be exceeded.

589 SECTION 22. Said section 6 of said chapter 62 of the General Laws is hereby amended  
590 by striking out subsections (aa) and (bb), both as inserted by section 44 of chapter 179 of the acts  
591 of 2022, and inserting in place thereof the following 2 subsections:-

592 (bb)(1) A taxpayer, to the extent authorized by the offshore wind tax incentive program  
593 established in subsection (d) of section 8A of chapter 23J, may be allowed a refundable jobs  
594 credit against the tax liability imposed under this chapter in an amount determined by the  
595 Massachusetts clean energy technology center established in section 2 of chapter 23J, in  
596 consultation with the department of revenue.

597 (2) A taxpayer taking a credit under this subsection shall commit to the creation of a  
598 minimum of 50 net new permanent full-time employees in the commonwealth.

599 (3) A credit allowed under this subsection shall reduce the liability of the taxpayer under  
600 this chapter for the taxable year. If a credit claimed under this subsection by a taxpayer exceeds  
601 the taxpayer's liability as otherwise determined under this chapter for the taxable year, 90 per  
602 cent of such excess credit, to the extent authorized by the offshore wind tax incentive program,  
603 shall be refundable to the taxpayer. Excess credit amounts shall not be carried forward to other  
604 taxable years.

605 (4) The department of revenue shall issue the refundable portion of the jobs credit  
606 without further appropriation and in accordance with the cumulative amount, including the  
607 current year costs of incentives allowed in previous years, which shall not exceed \$35,000,000  
608 annually as set forth in subsection (d) of section 8A of chapter 23J.

609 (5) The credit under this subsection shall be attributed on a pro rata basis to the owners,  
610 partners or members of the legal entity entitled to the credit under this subsection and shall be  
611 allowed as a credit against the tax due under this chapter from such owners, partners or members  
612 in a manner determined by the commissioner.

613 (cc)(1) As used in this subsection, the following words shall, unless the context clearly  
614 requires otherwise, have the following meanings:

615 “Capital investment”, expenses incurred for the site preparation and construction, repair,  
616 renovation, improvement, or equipping of a building, structure, facility, or other improvements  
617 to real property, including, but not limited to, site-related utility and transportation infrastructure  
618 improvements.

619 “Center”, the Massachusetts clean energy technology center established in section 2 of  
620 chapter 23J.

621 “Certified offshore wind company”, as defined in section 1 of chapter 23J.

622 “Offshore wind facility”, any building, complex of buildings, or structural components of  
623 buildings, including water access infrastructure, and all machinery and equipment used in the  
624 manufacturing, assembly, development or administration of component parts that are primarily  
625 used to support the offshore wind industry.

626 “Owner”, a taxpayer subject to tax under this chapter that: (i) holds title to an offshore  
627 wind facility; or (ii) ground leases the land underlying the facility for at least 50 years.

628 “Tenant”, a taxpayer subject to tax under this chapter that is a lessee in an offshore wind  
629 facility.

630 (2) An owner or tenant, to the extent authorized by the offshore wind tax incentive  
631 program established in section 8A of chapter 23J, may take a refundable credit against the taxes  
632 imposed by this chapter in an amount, as determined by the center, of up to 50 per cent of its  
633 total capital investment in an offshore wind facility. The total amount of tax credit awarded  
634 pursuant to this subsection shall be distributed in equal parts over the 5 taxable years that  
635 correspond to the period in which the owner or tenant is certified pursuant to said section 8A of  
636 said chapter 23J.

637 (3) An owner shall be eligible for a tax credit authorized under this subsection if the  
638 owner demonstrates to the center that: (i) the owner is a certified offshore wind company; (ii) the  
639 owner’s total capital investment in the offshore wind facility equals not less than \$35,000,000;  
640 and (iii) the offshore wind facility will employ not less than 200 new full-time employees by the  
641 fifth year of the owner’s certification period under section 8A of chapter 23J. Upon verification,  
642 the center will provide this information to the department of revenue for the purpose of  
643 administering the credit.

644 (4) A tenant shall be eligible for a tax credit authorized pursuant to this subsection if the  
645 tenant demonstrates to the center that: (i) the tenant is a certified offshore wind company; (ii) the  
646 owner has made a total capital investment in the facility that equals not less than \$35,000,000;  
647 (iii) the tenant occupies a leased area of the offshore wind facility that represents not less than 25

648 per cent of the owner's capital investment in the facility; and (iv) the tenant will employ, in the  
649 aggregate with other tenants at the offshore wind facility, not less than 200 full-time employees  
650 by the fifth year of the tenant's certification period pursuant to section 8A of chapter 23J. Upon  
651 verification, the center will provide this information to the department of revenue for the purpose  
652 of administering the credit. The amount of tax credits awarded to a tenant under this subsection  
653 for a taxable year shall not exceed the tenant's total lease payments for occupancy of the offshore  
654 wind facility for the taxable year.

655 (5) An owner or tenant taking a credit authorized in this subsection shall not take the  
656 credits authorized in subsection (g) or (bb) in the same taxable year.

657 (6) The department of revenue shall issue the refundable portion of the credit without  
658 further appropriation and in accordance with the cumulative amount, including the current year  
659 costs of incentives allowed in previous years, which shall not exceed \$35,000,000 annually as set  
660 forth in subsection (d) of section 8A of chapter 23J.

661 (7) The credit under this subsection shall be attributed on a pro rata basis to the owners,  
662 partners or members of the legal entity entitled to the credit under this subsection and shall be  
663 allowed as a credit against the tax due under this chapter from such owners, partners or members  
664 in a manner determined by the commissioner.

665 (8) The department of revenue shall promulgate such rules and regulations as are  
666 necessary to administer the credit established in this subsection.

667 SECTION 23. Section 38KK of chapter 63 of the General Laws, as inserted by section 8  
668 of chapter 154 of the acts of 2022, is hereby amended by striking out subsection (a) and inserting  
669 in place thereof the following subsection:-

670 (a) A business corporation with not more than 100 employees may be allowed a credit  
671 against its excise due under this chapter in an amount equal to \$2,000 for each member of the  
672 Massachusetts national guard hired by the business corporation. A business corporation that is  
673 eligible for and claims the credit allowed under this section in a taxable year with respect to a  
674 member of the Massachusetts national guard shall be eligible for a second credit of \$2,000 in the  
675 subsequent taxable year with respect to such member of the Massachusetts national guard,  
676 subject to certification of continued employment by the employer to the Massachusetts office of  
677 business development during the subsequent taxable year.

678 SECTION 24. Said section 38KK of said chapter 63, as so inserted, is hereby further  
679 amended by adding the following 2 subparagraphs:-

680 (f) The Massachusetts office of business development, in consultation with the  
681 commissioner, shall authorize, administer and determine eligibility for the tax credit pursuant to  
682 this section and subsection (aa) of section 6 of chapter 62 and allocate the credit in accordance  
683 with the standards and requirements set forth in regulations promulgated pursuant to this section.

684 (g) The Massachusetts office of business development, in consultation with the  
685 commissioner, shall promulgate regulations establishing an application process for the credit;  
686 provided, that the credit shall be authorized for all eligible applicants on a first-come, first-served  
687 basis; provided further, that the \$1,000,000 limit on the total cumulative value of the credits  
688 authorized annually set forth in subsection (e) shall not be exceeded.

689 SECTION 25. Said chapter 63 of the General Laws is hereby further amended by striking  
690 out sections 38KK and 38LL, both as inserted by section 45 of chapter 179 of the acts of 2022,  
691 and inserting in place thereof the following 2 sections:-

692 Section 38LL. (a)(1) A corporation subject to tax under this chapter, to the extent  
693 authorized by the offshore wind tax incentive program established in subsection (d) of section  
694 8A of chapter 23J, may be allowed a refundable jobs credit against the tax liability imposed  
695 under this chapter in an amount determined by the Massachusetts clean energy technology center  
696 established in section 2 of chapter 23J, in consultation with the department of revenue.

697 (2) A corporation taking a credit under this section shall commit to the creation of a  
698 minimum of 50 net new permanent full-time employees in the commonwealth.

699 (3) A credit allowed under this section shall reduce the liability of the corporation under  
700 this chapter for the taxable year. If a credit claimed under this section by a corporation exceeds  
701 the corporation's liability as otherwise determined under this chapter for the taxable year, 90 per  
702 cent of such excess credit, to the extent authorized by the offshore wind tax incentive program,  
703 shall be refundable to the corporation. Excess credit amounts shall not be carried forward to  
704 other taxable years.

705 (4) The department of revenue shall issue the refundable portion of the jobs credit  
706 without further appropriation and in accordance with the cumulative amount, including the  
707 current year costs of incentives allowed in previous years, which shall not exceed \$35,000,000  
708 annually as set forth in subsection (d) of section 8A of chapter 23J.

709 Section 38MM. (a) As used in this section, the following words shall, unless the context  
710 clearly requires otherwise, have the following meanings:-

711 "Capital investment", expenses incurred for the site preparation and construction, repair,  
712 renovation, improvement, or equipping of a building, structure, facility, or other improvements



713 to real property, including, but not limited to, site-related utility and transportation infrastructure  
714 improvements.

715 “Center”, the Massachusetts clean energy technology center established in section 2 of  
716 chapter 23J.

717 “Certified offshore wind company”, as defined in section 1 of chapter 23J.

718 “Offshore wind facility”, any building, complex of buildings, or structural components of  
719 buildings, including water access infrastructure, and all machinery and equipment used in the  
720 manufacturing, assembly, development or administration of component parts that are primarily  
721 used to support the offshore wind industry.

722 “Owner”, a taxpayer subject to tax under this chapter that: (i) is a corporation that holds  
723 title to an offshore wind facility; or (ii) ground leases the land underlying an offshore wind  
724 facility for at least 50 years.

725 “Tenant”, a taxpayer subject to tax under this chapter that is a lessee in an offshore wind  
726 facility.

727 (b) An owner or tenant, to the extent authorized by the offshore wind tax incentive  
728 program established in section 8A of chapter 23J, may take a refundable credit against the taxes  
729 imposed by this chapter in an amount, as determined by the center, of up to 50 per cent of its  
730 total capital investment in an offshore wind facility. The total amount of tax credit awarded  
731 pursuant to this section shall be distributed in equal parts over the 5 taxable years that correspond  
732 to the period in which the owner or tenant is certified pursuant to said section 8A of said chapter  
733 23J.

734 (c) An owner shall be eligible for a tax credit authorized under this section if the owner  
735 demonstrates to the center that: (i) the owner is a certified offshore wind company; (ii) the  
736 owner's total capital investment in the offshore wind facility equals not less than \$35,000,000;  
737 and (iii) the offshore wind facility will employ not less than 200 new full-time employees by the  
738 fifth year of the owner's certification period under section 8A of chapter 23J. Upon verification,  
739 the center will provide this information to the department of revenue for the purpose of  
740 administering the credit.

741 (d) A tenant shall be eligible for a tax credit authorized pursuant to this section if the  
742 tenant demonstrates to the center that: (i) the tenant is a certified offshore wind company; (ii) the  
743 owner has made a total capital investment in the facility that equals not less than \$35,000,000;  
744 (iii) the tenant occupies a leased area of the offshore wind facility that represents not less than 25  
745 per cent of the owner's capital investment in the facility; and (iv) the tenant will employ, in the  
746 aggregate with other tenants at the offshore wind facility, not less than 200 full-time employees  
747 by the fifth year of the tenant's certification period under section 8A of chapter 23J. Upon  
748 verification, the center will provide this information to the department of revenue for the purpose  
749 of administering the credit. The amount of tax credits awarded under this section to a tenant for a  
750 taxable year shall not exceed the tenant's total lease payments for occupancy of the offshore  
751 wind facility for the taxable year.

752 (e) An owner or tenant taking a credit authorized in this section shall not take the credits  
753 authorized in section 38N or 38LL in the same taxable year.

754 (f) The department of revenue shall issue the refundable portion of the credit without  
755 further appropriation and in accordance with the cumulative amount, including the current year

756 costs of incentives allowed in previous years, which shall not exceed \$35,000,000 annually as set  
757 forth in subsection (d) of section 8A of chapter 23J.

758 (g) The department of revenue shall promulgate such rules and regulations as are  
759 necessary to administer the credit established in this section.

760 SECTION 26. Section 2 of chapter 64N of the General Laws, as most recently amended  
761 by section 5 of chapter 180 of the acts of 2022, is hereby amended by striking out the second  
762 paragraph.

763 SECTION 27. Section 5 of said chapter 64N of the General Laws, as appearing in the  
764 2020 Official Edition, is hereby amended by adding the following paragraph:-

765 Notwithstanding the previous paragraph, all monies received by the commonwealth equal  
766 to 1 per cent of the total sales price of the sale of marijuana or marijuana products from that  
767 portion of the excise imposed by section 2 of this chapter from a marijuana retailer that is a  
768 social equity business, as defined in section 1 of chapter 94G, shall, not less than quarterly, be  
769 distributed, credited and paid by the state treasurer upon certification of the commissioner to  
770 each city or town that has at least 1 marijuana retailer that is a social equity business, in  
771 proportion to the amount of the sums received from the sale of marijuana or marijuana products  
772 by any such marijuana retailer in the city or town. Any city or town seeking to dispute the  
773 commissioner's calculation of its distribution under this paragraph shall notify the commissioner,  
774 in writing, not later than 1 year from the date the money was distributed by the commissioner to  
775 the city or town.

776 SECTION 28. Clause (xxxvi) of subsection (a $\frac{1}{2}$ ) of section 4 of chapter 94G of the  
777 General Laws, as inserted by section 15 of chapter 180 of the acts of 2022, is hereby amended by

778 striking out the words “section 3; and” and inserting in place thereof the following words:-  
779 section 3;.

780 SECTION 29. Clause (xxxvii) of said subsection (a<sup>1/2</sup>) of said section 4 of said chapter  
781 94G, as so inserted, is hereby amended by striking out the words “standards.” and inserting in  
782 place thereof the following words:- standards; and

783 SECTION 30. Said subsection (a<sup>1/2</sup>) of said section 4 of said chapter 94G, as most  
784 recently amended by said section 15 of said chapter 180, is hereby amended by adding the  
785 following clause:-

786 (xxxviii) procedures and policies for the commission to provide the department of  
787 revenue with a list of businesses that qualify as social equity businesses to facilitate the  
788 department of revenue’s timely certification of the amounts required to be distributed, credited,  
789 and paid to cities and towns pursuant to section 5 of chapter 64N.

790 SECTION 31. Chapter 111 of the General Laws is hereby amended by inserting after  
791 section 27D the following 2 sections:-

792 Section 27E. As used in this section, the following words shall have the following  
793 meanings unless the context clearly requires otherwise:-

794 “Department”, the department of public health.

795 “Registered Sanitarian”, a sanitarian who has been duly registered by the department and  
796 who maintains such active registration.

797 “Sanitarian”, a person with broad basic education, experience in the physical, biological  
798 and social sciences, supplemented by specialization in the field of sanitary sciences and

799 technology, and who is qualified to carry out instructional and inspectional duties and enforce  
800 the laws in the field of environmental sanitation.

801           The department shall establish the requirements for the registration of sanitarians in the  
802 Commonwealth. The department shall prescribe the duties and qualifications of a registered  
803 sanitarian and shall develop a process and application for registration as a sanitarian. The  
804 department shall establish minimum standards for educational qualifications of applicants. A  
805 person who desires to be registered as a sanitarian and who meets this educational qualification,  
806 shall complete an application, on a form to be prescribed and furnished by the department and  
807 shall include with such application proof of satisfactory education, training and experience to  
808 meet the requirements for certification and proof of having passed such licensing examination as  
809 approved or administered by the department. The application shall include an examination, the  
810 sufficiency of which is to be determined by the department. Said application shall be  
811 accompanied by a registration fee to be determined by the secretary of administration and  
812 finance under section 3B of chapter 7. If the applicant is found qualified by the department, the  
813 applicant shall be registered by the department as a sanitarian, with the right to use the title  
814 registered sanitarian and the letters "R.S."

815           Such registration shall expire at the end of the calendar year, and may be renewed on or  
816 before January fifteenth of the following year; provided, however, that a person seeking such  
817 renewal shall provide evidence of such continuing education as the department shall require by  
818 regulation. The fee for renewal of registration shall be determined by the secretary of  
819 administration and finance under section 3B of chapter 7 and shall be acknowledged by sending  
820 the person certified a notice of renewal.

821           The department shall promulgate such rules and regulations as necessary to carry out the  
822 provisions of this chapter. Such rules and regulations may provide for the issuance of temporary  
823 certificates of registration pending an examination to applicants who appear to be qualified and  
824 may, in like manner, provide for the issuance of certificates of registration without examination  
825 to persons holding certificates of registration or licenses as sanitarians under the laws of another  
826 state.

827           No individual may assume such title or list the credentials of registered sanitarian to  
828 indicate that the person is a registered sanitarian unless so registered by the department.

829           Section 27F. As used in this section, the following words shall have the following  
830 meanings unless the context clearly requires otherwise: -

831           “Department”, the department of public health.

832           “Certified Health Officer”, A health officer who has been duly certified by the  
833 department and who maintains such active certification.

834           “Health Officer”, a person with a broad basic education and experience in the physical  
835 and biological and social sciences supplemented by specialization in the field of health  
836 administration and who is qualified to carry out public health administrative duties and enforce  
837 the laws in the field of public health.

838           The department shall establish the requirements for the certification of health officers in  
839 the commonwealth. The department shall prescribe the duties and qualifications of a certified  
840 health officer and shall develop a process and application for certification as a health officer. The  
841 department shall establish minimum standards for educational qualifications of applicants. A

842 person who desires to be certified as a health officer and who meets the educational  
843 qualifications shall complete an application, on a form to be prescribed and furnished by the  
844 department and shall include with such application proof of satisfactory education, training and  
845 experience to meet the requirements for certification and proof of having passed such licensing  
846 examination as approved or administered by the department. Said application shall be  
847 accompanied by a registration fee to be determined by the secretary of administration and  
848 finance under section 3B of chapter 7. If the department deems the educational qualifications of  
849 an applicant are satisfactory and if such applicant passes a written examination satisfactory to the  
850 department, the department shall issue to the applicant a certificate, with the right to use the title  
851 certified health officer and the letters “CHO”.

852 Said certification shall expire at the end of the calendar year and may be renewed on or  
853 before January fifteen of the following year; provided, however, that a person seeking such  
854 renewal shall provide evidence of such continuing education as the department shall require by  
855 regulation. The fee for renewal or certification shall be determined by the secretary of  
856 administration and finance under section 3B of chapter 7 and shall be acknowledged by sending  
857 the person certified a notice of renewal.

858 The department shall promulgate such rules and regulations as necessary to carry out the  
859 provisions of this chapter. Such rules and regulations may provide for the issuance of temporary  
860 certification pending an examination to applicants who appear to be qualified and may in like  
861 manner provide for the issuance of certification without examination to persons holding  
862 certification as health officers under the laws of another state.

863 No individual may assume such title or list the credentials of certified health officer  
864 (CHO) to indicate that the person is a certified health officer unless so certified by the  
865 department.

866 SECTION 32. Sections 87LL to 87OO, inclusive, and sections 87WWW to 87YYY,  
867 inclusive, of chapter 112 of the General Laws are hereby repealed.

868 SECTION 33. Chapter 119 of the General Laws is hereby amended by inserting after  
869 section 29 the following section:-

870 Section 29 1/2. (a) In any proceeding filed pursuant to clause (3) of subsection (a) of  
871 section 23 or section 24 of this chapter, section 3 of chapter 210 or any other proceeding  
872 determining custody of a child receiving services from the department in which it is alleged that  
873 the child has been subject to abuse or neglect, the court shall appoint a qualified guardian ad  
874 litem to advocate for the best interests of the child unless the court, after making written findings,  
875 determines for good cause shown that the appointment is unnecessary. The guardian ad litem  
876 must have professional experience in the field of child welfare or the field of child mental health  
877 and must be a licensed social worker, a registered nurse or a licensed attorney. An attorney  
878 serving as counsel for the child, pursuant to section 29 or otherwise, shall not serve in the same  
879 proceeding as guardian ad litem.

880 (b) The guardian ad litem shall be an independent advocate for the best interests of the  
881 child, considering the child's safety, well-being and permanency. In determining the best  
882 interests of the child, the guardian ad litem must consider, without limitation, the following  
883 factors: (i) the physical safety of a child, taking into account any medical conditions or  
884 disabilities the child may have; (ii) a child's need for permanence, stability and continuity of



885 relationships; (iii) a child's age and sense of time; (iv) a child's level of maturity; (v) a child's  
886 language, culture and ethnicity; (vi) the degree of a child's attachment to family members,  
887 including siblings; and (vii) a child's sense of belonging and identity.

888 (c) The duties of the guardian ad litem shall include: (i) investigating and collecting  
889 relevant information about the child and reporting to the court factual information regarding the  
890 best interests of the child; (ii) maintaining regular in person contact with the child, and in a  
891 manner appropriate to his or her developmental level, meeting with, interviewing or observing  
892 the child prior to all hearings; (iii) appearing at all hearings to be heard by the court; and (iv)  
893 advocating for the child's best interests with clear and specific recommendations based upon an  
894 independent investigation that the court shall consider in making findings and rulings in any  
895 proceeding. The guardian ad litem shall report to the court and all parties in writing prior to all  
896 hearings. All reports shall be provided at least 72 hours in advance of the hearing for which the  
897 report is prepared. The guardian ad litem shall appear at all hearings and be provided the  
898 opportunity to be heard. Any report filed by the guardian ad litem shall be considered evidence  
899 pursuant to section 21A of chapter 119.

900 (d) The department shall provide the guardian ad litem with a copy of the case file and  
901 shall provide the guardian ad litem with periodic updates. Upon presentation of the order of  
902 appointment by the guardian ad litem, any state agency, school, health care provider, including  
903 behavioral health provider, insurance carrier or managed care entity, police department or other  
904 law enforcement agency shall permit the guardian ad litem to inspect and copy any records  
905 relating to the child or children involved in the case, notwithstanding any general or special law  
906 to the contrary, unless such access is otherwise specifically prohibited under federal law. The

907 guardian ad litem shall seek necessary consents where federal law prohibits disclosure of  
908 relevant records without such consent.

909 (e) The rate of compensation to all guardians ad litem who are appointed pursuant to this  
910 section, payable by the commonwealth, shall, subject to appropriation, be equivalent to the rate  
911 of compensation payable to counsel appointed or assigned to care and protection cases pursuant  
912 to section 11 of chapter 211D.

913 SECTION 34. Paragraph (2) of subsection (a<sup>1/2</sup>) of section 18 of chapter 123 of the  
914 General Laws, as inserted by section 48 of chapter 177 of the acts of 2022, is hereby amended by  
915 striking out the second sentence and inserting in place thereof the following 5 sentences:- The  
916 court shall provide notice of the petition to the person in charge of the place of detention, who  
917 shall cause the prisoner to be clinically examined by a physician or psychologist designated by  
918 the department as qualified to perform such examination. The physician or psychologist shall  
919 conduct the examination within 24 hours of receiving the examination request. The results of the  
920 clinical examination shall be reported to the district court that has jurisdiction. Such report shall  
921 include an opinion, with reasons therefore, as to whether the prisoner needs hospitalization by  
922 reason of mental illness. The court may order the prisoner's requested transfer if the prisoner: (i)  
923 has been on mental health watch for at least 48 hours; and (ii) is in need of hospitalization by  
924 reason of mental illness.

925 SECTION 35. Said paragraph (2) of said subsection (a<sup>1/2</sup>) of said section 18, as so  
926 inserted, is hereby further amended by inserting, after the words "every 24 hours thereafter that  
927 the prisoner remains on mental health watch," the following words:- unless a qualified mental  
928 health professional, as defined by section 1 of chapter 127, finds notice every 24 hours thereafter

929 to be clinically contraindicated, whereupon a finding of clinical contraindication shall be entered  
930 into the prisoner's medical record, .

931 SECTION 36. Said subsection (a<sup>1/2</sup>) of said section 18, as so inserted, is hereby further  
932 amended by adding the following paragraph:-

933 (3) Any orders for hospitalization under this subsection shall proceed as provided in  
934 subsection (a).

935 SECTION 37. The ninth paragraph of section 10 of chapter 498 of the acts of 1993 is  
936 hereby amended by adding the following 2 sentences:- Notwithstanding any general or special  
937 law or provision of the Reuse Plan or the Bylaws to the contrary, the total commercial and  
938 industrial building space to be developed in the Devens Regional Enterprise Zone shall be not  
939 more than 12,000,000 net new square feet. The commission may issue regulations regarding the  
940 calculation of total commercial and industrial building space.

941 SECTION 38. Section 181 of chapter 25 of the acts of 2009, as amended by section 11 of  
942 chapter 42 of the acts of 2022, is hereby further amended by striking out the figure "6" and  
943 inserting in place thereof the following figure:- 3.

944 SECTION 39. Item 3000-0410 of section 2 of chapter 99 of the acts of 2018 is hereby  
945 amended by adding the following words:- ; provided further, that notwithstanding any general or  
946 special law to the contrary, for the fiscal year 2023 grant cycle, the department may issue grants  
947 to any organization licensed by the department that serves low-income families eligible for  
948 public subsidy.

949 SECTION 40. Item 1000-0008 of section 2 of chapter 24 of the acts of 2021 is hereby  
950 amended by striking out the words “5 per cent” and inserting in place thereof the following  
951 words:- 19.4 per cent.

952 SECTION 41. Item 1599-2057 of section 2 of chapter 102 of the acts of 2021 is hereby  
953 amended by striking out the following words:- ; provided, that the funds appropriated in this item  
954 shall be transferred to said fund.

955 SECTION 42. Section 81 of said chapter 102 is hereby amended by striking out the  
956 figure “2,550,000,000” and inserting in place thereof the following figure:- 2,563,676,478.

957 SECTION 43. Said section 81 of said chapter 102 is hereby further amended by striking  
958 out the figure “1,450,000,000” and inserting in place thereof the following figure:-  
959 1,460,323,522.

960 SECTION 44. Section 2 of chapter 126 of the acts of 2022 is hereby amended by  
961 inserting after item 1599-8909 the following item:-

962 1599-9817 For a reserve to enhance, expand, and strengthen Medicaid home and  
963 community-based services; provided, that the secretary of administration and finance, in  
964 consultation with the secretary of health and human services, may transfer funds from this item  
965 to state agencies as defined under section 1 of chapter 29 of the General  
966 Laws.....\$200,000,000

967 SECTION 45. Item 3000-1045 of said section 2 of said chapter 126 is amended by  
968 adding the following words:- ; provided further, that \$150,000,000 distributed through this item  
969 shall be in accordance with the terms of the supplemental Child Care and Development Fund

970 Discretionary Funds in the federal American Rescue Plan Act of 2021, Public Law 117-2, and  
971 any state plans filed under that act.

972 SECTION 46. Said section 2 of said chapter 126 is hereby further amended by inserting  
973 after item 3000-1046 the following item:-

974 3000-1047 For a reserve to support system-wide infrastructure investments and  
975 improve access to early education and care services for children and families, including  
976 stabilization grants; provided, that the commissioner of early education and care may transfer  
977 funds from this item to items 3000-1045; provided further, that not less than 30 days prior to the  
978 transfer of funds from this item, the department shall submit a spending plan to the executive  
979 office for administration and finance, the house and senate committees on ways and means and  
980 the joint committee on education, which shall detail by object class the distribution of funds to be  
981 transferred; and provided further, that funds distributed through this item shall be in accordance  
982 with the terms of the supplemental Child Care and Development Fund Discretionary Funds in the  
983 federal American Rescue Plan Act of 2021, Public Law 117-2, and any state plans filed under  
984 that act.....\$150,000,000

985 SECTION 47. Item 7061-9805 of said section 2 of said chapter 126 is hereby amended  
986 by striking out the words “executive office of education”, each time they appear, and inserting in  
987 place thereof, in each instance, the following words:- department of higher education.

988 SECTION 48. Section 34 of said chapter 126 is hereby amended by striking out the word  
989 “Subsection” and inserting in place thereof the following words:- The ninth paragraph of  
990 subsection.

991 SECTION 49. Section 168 of said chapter 126 is hereby amended by striking out the  
992 words “not later than March 31, 2023” and inserting in place thereof the following words:-  
993 within six months of the inclusive concurrent enrollment advisory board task force filing the  
994 report required by subsection (b) of section 165 of this act.

995 SECTION 50. Subsection (c) of section 82 of chapter 144 of the acts of 2022 is hereby  
996 amended by striking out the words “executive office of technology services and security” and  
997 inserting in place thereof the following words:- transferor agency.

998 SECTION 51. Subsection (d) of section 76 of chapter 179 of the acts of 2022 is hereby  
999 amended by striking out the words “(aa) and (bb) of section 6 of chapter 62 and sections 38KK  
1000 and 38LL” and inserting in place thereof the following words:- (bb) and (cc) of section 6 of  
1001 chapter 62 and sections 38LL and 38MM.

1002 SECTION 52. Said section 76 of said chapter 179 is hereby further amended by striking  
1003 out the figure “30” and inserting in place thereof the following figure:- 120.

1004 SECTION 53. Said chapter 179 is hereby further amended by striking out section 97 and  
1005 inserting in place thereof the following section:-

1006 Section 97. Section 4 of this act is hereby repealed.

1007 SECTION 54. (a) Notwithstanding sections 32 to 37 of chapter 7C and sections 52 to 55  
1008 of chapter 7 of the General Laws or any other general or special law to the contrary, the division  
1009 of capital asset management and maintenance, using those competitive proposal processes as the  
1010 division considers necessary or appropriate, in consultation with the department of conservation  
1011 and recreation, may lease and enter into other agreements with 1 or more bidders, for 1 or more

1012 ice-skating rinks and facilities, for terms not to exceed 30 years, for the continued use, operation,  
1013 maintenance, repair and improvement of the state-owned buildings and facilities, together with  
1014 the land and appurtenances associated therewith, comprising the following ice skating rinks and  
1015 facilities under the care and control of the department of conservation and recreation: Veterans  
1016 Memorial Skating Rink, Arlington; Porazzo Memorial Rink, East Boston district, Boston; Roche  
1017 Memorial Rink, West Roxbury district, Boston; Simoni Memorial Rink, Cambridge; Allied  
1018 Veterans Memorial Rink, Everett; Connery Memorial Rink, Lynn; Flynn Memorial Rink,  
1019 Medford; LoConte Memorial Rink, Medford; Daly Memorial Rink, Newton; Cronin Memorial  
1020 Rink, Revere; Max Ulin Skating Rink, Milton; Kasabuski Arena, Saugus; Veterans Memorial  
1021 Rink, Somerville; Shea Memorial Rink, Quincy; Veterans Memorial Rink, Waltham; Connell  
1022 Memorial Rink and Pool, Weymouth; Representative John G. Asiaf Skating Rink, Brockton;  
1023 Arthur R. Driscoll Memorial Skating Rink, Fall River; Staff Sergeant Robert Pirelli Veterans  
1024 Memorial Rink, Franklin; Stephen Hetland Memorial Skating Rink, New Bedford; John A.  
1025 Armstrong Memorial Skating Rink, Plymouth; Theodore J. Aleixo, Jr. Skating Rink, Taunton;  
1026 Veterans Memorial Skating Arena, Haverhill; John J. Janas Memorial Skating Rink, Lowell;  
1027 Henry Graf, Jr., Skating Rink, Newburyport; James E. McVann and Louis F. O'Keefe Memorial  
1028 Skating Rink, Peabody; Daniel S. Horgan Memorial Skating Rink, Auburn; Gardner Veterans  
1029 Skating Rink, Gardner; John J. Navin Skating Rink, Marlboro; Honorable Charles J. Buffone  
1030 Skating Rink, Worcester; Greenfield Area Skating Rink, Greenfield; Henry J. Fitzpatrick Skating  
1031 Rink, Holyoke; Ray Smead Memorial Skating Rink, Springfield; and Vietnam Veterans  
1032 Memorial Skating Rink, North Adams.

1033 (b) The lease and other agreements shall be on terms acceptable to the commissioner of  
1034 capital asset management and maintenance, after consultation with the commissioner of

1035 conservation and recreation and, notwithstanding any general or special law to the contrary, shall  
1036 provide for the lessees to operate, manage, improve, repair and maintain the ice-skating rinks and  
1037 facilities. Any such lease or other arrangement shall include a description of the required capital  
1038 improvements and, at a minimum, performance specifications. Any consideration received from  
1039 the leases or other agreements shall be payable to the department for deposit in the Conservation  
1040 Trust, established under section 1 of chapter 132A of the General Laws. There shall be an option  
1041 for renewal or extension of the leases and other agreements not exceeding an additional 5 years.  
1042 Such renewal or extension shall be at the discretion of the division of capital asset management  
1043 and maintenance, in consultation with the department of conservation and recreation, in  
1044 accordance with the original lease terms and conditions or agreement terms and conditions more  
1045 favorable to the commonwealth. All leases must contain a provision that requires the lessee to  
1046 carry comprehensive general liability insurance with the commonwealth named as a co-insured,  
1047 protecting the commonwealth against all personal injury or property damage within the rink or  
1048 on the land during the term of the lease.

1049 (c) The division of capital asset management and maintenance, in consultation with and  
1050 on behalf of the department of conservation and recreation, shall solicit proposals through a  
1051 request for proposals which shall include key contractual terms and conditions to be incorporated  
1052 into the lease, including but not limited to (1) a comprehensive list of all rinks operated by the  
1053 responsive bidder in the last four years, (2) prior or current facilities management or experience  
1054 of the responsive bidder, (3) prior or current skating or hockey management experience of the  
1055 responsive bidder, (4) reservation policies, (5) proposed reasonable rates that will ensure  
1056 continued public access, (6) required financial audits, (7) policies to encourage use of the rink by  
1057 persons of all races and nationalities, (8) safety and security plans, (9) seasonal opening and



1058 closing dates, (10) hours of operation, and (11) how the operator will ensure that ice time at the  
1059 rink shall be allocated to user groups in the following order of priority: general public skating;  
1060 nonprofit youth groups; school hockey, for-profit youth groups other than non-profit youth  
1061 groups; and adult organizations or informal groups. Ice time may be allocated at the discretion of  
1062 the operator, but general public skating shall be booked, in 2-hour contiguous blocks at a  
1063 minimum of 12 hours per week, with a range of times and days which reasonably allow for  
1064 public skaters of all ages to participate in some public skating sessions. Every effort shall be  
1065 made to balance the ice allocation needs of long-established youth organizations and newly  
1066 formed youth organizations in a manner that provides equal opportunity and equal access for  
1067 youths of each gender.

1068           The inspector general shall review and approve any request for proposals issued by the  
1069 division before issuance.

1070           (d) The leases and other agreements authorized in this section shall provide that any  
1071 benefits to the community and the costs of improvements and repairs made to the property  
1072 provided by the lessees shall be taken into account as part of the consideration for the lease or  
1073 other agreements. The lessees or the recipients of the property shall bear the costs considered  
1074 necessary or appropriate by the commissioner of capital asset management and maintenance for  
1075 the transactions including, without limitation, costs for legal work, survey, title and the  
1076 preparation of plans and specifications.

1077           (e) The provisions of any general or special law or rule or regulation relating to the  
1078 advertising, bidding or award of contracts, to the procurement of services or to the construction

1079 and design of improvements shall not be applicable to any selected bidder which is awarded a  
1080 lease pursuant to this section, except as provided in this section.

1081 SECTION 55. Notwithstanding section 2YYYY of chapter 29, as most recently amended  
1082 by section 17 of chapter 126 of the acts of 2022, in fiscal year 2022, the secretary may expend  
1083 from the Substance Use Disorder Federal Reinvestment Trust Fund, without further  
1084 appropriation: (i) not more than \$100,000,000 to expand and support the residential treatment  
1085 system to treat individuals with a substance use disorder or co-occurring mental health and  
1086 substance use disorder; (ii) not more than \$40,000,000 to expand and support access to  
1087 medication assisted treatment; (iii) not more than \$20,000,000 to expand and support access to  
1088 recovery treatment support services; and (iv) not more than \$50,000,000 to implement and  
1089 support the American Society of Addiction Medicine assessment and care planning across  
1090 substance use treatment providers. For the purpose of accommodating timing discrepancies  
1091 between the receipt of revenues and related expenditures, the fund may incur expenses, and the  
1092 comptroller shall certify for payment, amounts not to exceed the most recent revenue estimate as  
1093 certified by the MassHealth director, as reported in the state accounting system. Amounts  
1094 credited to the fund shall not be subject to further appropriation and money remaining in the fund  
1095 at the end of the fiscal year shall be available for expenditure in the subsequent fiscal year. No  
1096 expenditure made from the fund shall cause the fund to be in deficit at any point.

1097 SECTION 56. Notwithstanding the reporting requirements in section 1 of chapter 93 of  
1098 the acts of 2020, each report required shall occur once weekly beginning July 1, 2022.

1099 SECTION 57. Notwithstanding section 1 of chapter 102 of the acts of 2021, in order to  
1100 effectuate the use of Transitional Escrow Fund money for certain expenses authorized by said

1101 chapter 102, as amended, the secretary of administration and finance shall request in writing the  
1102 transfer of funds from the Transitional Escrow Fund established in section 16 of chapter 76 of  
1103 the acts of 2021 to the General Fund in an amount sufficient to reimburse the General Fund for  
1104 expenses authorized in said chapter 102 and designated to be paid from said Transitional Escrow  
1105 Fund pursuant to section 81 of said chapter 102, as amended by sections 42 and 43 of this act.  
1106 The secretary of administration and finance may make more than one such request. Upon receipt  
1107 of any such request, the comptroller shall transfer said funds from the Transitional Escrow Fund  
1108 to the General Fund. Said transfer shall be effective as of June 30 of the fiscal year in which the  
1109 expenses were incurred, provided that the comptroller shall not record an expense in a fiscal year  
1110 that has been closed.

1111 SECTION 58. Notwithstanding any general or special law to the contrary, the secretary  
1112 of health and human services shall, not later than September 30, 2022, provide to the comptroller  
1113 information on the amount of the federal financial participation revenues claimed and received  
1114 by the commonwealth for eligible expenditures made from the MassHealth Delivery System  
1115 Reform Trust Fund established in section 2SSSS of chapter 29 of the General Laws for fiscal  
1116 year 2022 that are attributable to the increase to the federal medical assistance percentage  
1117 authorized by section 6008 of the federal Families First Coronavirus Response Act, Public Law  
1118 116-127. The comptroller shall credit said amount to the General Fund and not the MassHealth  
1119 Delivery System Reform Trust Fund in fiscal year 2022.

1120 SECTION 59. Notwithstanding any general or special law to the contrary, the secretary  
1121 of health and human services may expend from the Health Information Technology Trust Fund,  
1122 as established under section 35RR of chapter 10 of the General Laws, any monies received from  
1123 the Coalition for Serious Illness Care through Health Resources in Action for the following

1124 purposes: (i) to develop, implement and operate a program governing the statewide use of  
1125 Portable Order for Life Sustaining Treatment (POLST) administered by the department of elder  
1126 affairs; (ii) to support the transition from the use of the Medical Order for Life Sustaining  
1127 Treatment (MOLST) program in the department of public health to the POLST program in the  
1128 department of elder affairs; (iii) to develop, implement and operate a statewide electronic POLST  
1129 (ePOLST) program administered by the department of elder affairs; and (iv) to provide for any  
1130 other program purpose related to the transition from MOLST to POLST, or the establishment,  
1131 maintenance or operation of the POLST or ePOLST programs.

1132 SECTION 60. (a) Notwithstanding any general or special law to the contrary, no later  
1133 than August 15, 2023, the commissioner of revenue shall certify to the secretary of  
1134 administration and finance and the chairs of the house and senate committees on ways and means  
1135 the amount of tax revenue estimated to have been foregone in fiscal year 2023 as a result of tax  
1136 reductions enacted after August 31, 2022 and before January 3, 2023 and effective for tax years  
1137 beginning on or after January 1, 2022. Within 10 days of receipt of such certification, the  
1138 secretary of administration and finance shall direct the comptroller to transfer the lesser of that  
1139 certified amount or the remaining balance of the Commonwealth Taxpayer Relief Fund,  
1140 established in section 2ZZZZZ of chapter 29 of the General Laws, from said Commonwealth  
1141 Taxpayer Relief Fund to the General Fund. Said transfer shall be deemed to be effective June 30,  
1142 2023.

1143 (b) Notwithstanding any general or special law to the contrary, no later than August 15,  
1144 2024, if there is a remaining balance as of that date in the Commonwealth Taxpayer Relief Fund,  
1145 established in section 2ZZZZZ of chapter 29 of the General Laws, the commissioner of revenue  
1146 shall certify to the secretary of administration and finance and the chairs of the house and senate

1147 committees on ways and means the amount of tax revenue estimated to have been foregone in  
1148 fiscal year 2024 as a result of tax reductions enacted in this act. Within 10 days of receipt of such  
1149 certification, the secretary of administration and finance shall direct that comptroller to transfer  
1150 the lesser of that certified amount or the remaining balance of said Commonwealth Taxpayer  
1151 Relief Fund, from said Commonwealth Taxpayer Relief Fund to the General Fund. Said transfer  
1152 shall be deemed to be effective June 30, 2024.

1153 SECTION 61. Sections [Board of Registration of Sanitarians / CHO 1], [Board of  
1154 Registration of Sanitarians / CHO 2] and [Board of Registration of Sanitarians / CHO 3] shall  
1155 take effect upon the execution of the transfer agreement between the department of public health  
1156 and the division of occupational licensure required pursuant to chapter 39 of the acts of 2021 or  
1157 January 1, 2023, whichever occurs first.

1158 SECTION 62. The credits authorized in subsection (aa) of section 6 of chapter 62 of the  
1159 General Laws, as inserted by section 7 of chapter 154 of the acts of 2022, and section 38KK of  
1160 chapter 63 of the General Laws, as inserted by section 8 of said chapter 154, shall be available  
1161 for qualified employees who are hired after July 1, 2022 and shall be available for the tax year  
1162 beginning on January 1, 2023 and for subsequent tax years.

1163 SECTION 63. In calculating the consolidated net surplus for fiscal year 2022 pursuant to  
1164 section 5C of chapter 29 of the General Laws and any relevant special acts, the comptroller shall  
1165 exclude from the consolidated net surplus \$2,941,499,730, or more or less as necessary to equal  
1166 the amount by which net state tax revenues exceed allowable state tax revenues for fiscal year  
1167 2022 pursuant to section 5 of chapter 62F of the General Laws, as determined by the state

1168 auditor. That amount shall be treated as a reserved balance in the General Fund at the close of  
1169 fiscal year 2022.

1170 SECTION 64. (a) On or before September 30, 2022, the secretary of administration and  
1171 finance, in consultation with the Massachusetts emergency management agency, shall estimate  
1172 the amount of federal reimbursements claimed or anticipated to be claimed but not yet received  
1173 by August 31, 2022, in connection with costs incurred or balances designated in fiscal year 2022  
1174 associated with the response to the 2019 novel coronavirus.

1175 (b) On or before September 30, 2022, the secretary of administration and finance, in  
1176 consultation with the secretary of health and human services, shall estimate the amount of federal  
1177 reimbursements claimed or anticipated to be claimed but not yet received by August 31, 2022, in  
1178 connection with costs incurred or balances designated in fiscal year 2022 pursuant to section  
1179 9817 of the American Rescue Plan Act of 2021, Public Law 117-2 and any related guidance  
1180 issued by the federal government.

1181 (c) For the purposes of certifying the amount of the consolidated net surplus in the  
1182 budgetary funds at the close of fiscal year 2022 pursuant to section 5C of chapter 29 of the  
1183 General Laws, the comptroller shall record the estimates for each budgetary fund made pursuant  
1184 to subsections (a) and (b) as statutory receivables in fiscal year 2022.

1185 SECTION 65. (a) On or before September 30, 2022, the secretary of administration and  
1186 finance shall estimate the amount of revenue anticipated but not yet received by August 31,  
1187 2022, which will be credited to the Massachusetts Coronavirus Relief Fund established in section  
1188 98 of chapter 124 of the acts of 2020, provided that this estimate shall not exceed \$30,000,000.

1189 (b) For the purposes of calculating the ending balance of the Massachusetts Coronavirus  
1190 Relief Fund for fiscal year 2022, the comptroller shall record the estimates for the Massachusetts  
1191 Coronavirus Relief Fund as calculated in subsection (a) as statutory receivables in fiscal year  
1192 2022.

1193 (c) Prior to the issuance of the fiscal year 2023 Statutory Basis Financial Report, the  
1194 comptroller shall eliminate any negative balance in the Massachusetts Coronavirus Relief Fund  
1195 with a transfer from the General Fund.

1196 SECTION 66. The salary adjustments and other economic benefits authorized by the  
1197 following collective bargaining agreements shall be effective for the purposes of section 7 of  
1198 chapter 150E of the General Laws:

1199 (1) between the Commonwealth of Massachusetts and the Coalition of Public Safety,  
1200 Unit 5;

1201 (2) between the University of Massachusetts and the Massachusetts Society of  
1202 Professors, Amherst Campus, Unit A50;

1203 (3) between the University of Massachusetts and the New England Police Benevolent  
1204 Association (NEPBA) Local 190, Amherst Campus, Unit A07;

1205 (4) between the University of Massachusetts and the MTA/NEA Classified, Boston  
1206 Campus, Unit B31 & B32;

1207 (5) between the University of Massachusetts and the New England Police Benevolent  
1208 Association (NEPBA) Local 290, Boston Campus, Unit B33; and,

1209           (6)     between the Commonwealth of Massachusetts, Essex North and South Registries  
1210 of Deeds and AFSCME Local 653, Council 93, Administrative Unit.

1211           SECTION 67. Sections 11 to 15, inclusive, and sections 22 and 25 of this act shall apply  
1212 for taxable years beginning on or after January 1, 2023.

1213           SECTION 68. Sections 11 to 15, inclusive, and sections 22 and 25 of this act are hereby  
1214 repealed.

1215           SECTION 69. Section 68 shall take effect on January 1, 2033.