

# HOUSE . . . . . No. 96

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, March 25, 2021.

The committee on State Administration and Regulatory Oversight to whom was referred the message from His Excellency the Governor recommending legislation relative to financing the reconstruction of the Soldiers' Home in Holyoke (House, No. 64), reports recommending that the accompanying bill (House, No. 96) ought to pass [Bond Issue: \$400,000,000.00].

For the committee,

ANTONIO F. D. CABRAL.

**HOUSE . . . . . No. 96**

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**The Commonwealth of Massachusetts**

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

An Act financing the reconstruction of the Soldiers' Home in Holyoke.

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

1           SECTION 1. To provide for a program to protect, repair and improve the capital facilities  
2 of the commonwealth and for a program of capital asset acquisitions, dispositions and other  
3 improvements for general government operations, the sum set forth in section 2 for the several  
4 purposes and subject to the conditions specified in this act are hereby made available, subject to  
5 the laws regulating the disbursement of public funds. The sum made available in this act shall be  
6 in addition to any other amounts previously appropriated for these purposes.

7           SECTION 2.

8           EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

9           Division of Capital Asset Management and Maintenance

10           4000-2026 For costs associated with planning and studies, dispositions, acquisition of  
11 land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds  
12 the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79

13 of the General Laws, for the preparation of plans and specifications, repairs, construction,  
14 renovations, improvements, modernization, construction, reconstruction, furnishing, equipping,  
15 acquiring, remodeling, refurbishing, asset management, accessibility improvements, demolition,  
16 disposition and remediation of facilities and grounds operated by the various departments within  
17 the executive office of health and human services, all as the commissioner of capital asset  
18 management and maintenance, in consultation with the secretary of health and human services  
19 and the appropriate commissioners of the departments within the executive office, shall consider  
20 appropriate; provided, that \$400,000,000 may be expended for the design and construction of a  
21 new facility for the Soldiers' Home in Holyoke to replace the existing Soldiers' Home facility;  
22 provided further, that costs payable from this item shall include, but not be limited to, the costs of  
23 leases of temporary relocation space or equipment as required for completion of the project;  
24 provided further, that costs payable from this item may include facilities for additional Adult  
25 Day Health programming on the site; provided further, that any federal reimbursement received  
26 by a state agency including, but not limited to, the project related to providing health care,  
27 human services and veterans' services in connection with projects funded from this item may be  
28 retained by the executive office for administration and finance and expended for the purposes of  
29 the project, without further appropriation, in addition to the amounts appropriated in this item;  
30 provided further, the executive office of health and human services, in consultation with the  
31 executive office for administration and finance and the department of veterans' services, shall  
32 conduct a study of the current capacity to provide appropriate comprehensive services including  
33 but not limited to housing, for Massachusetts veterans, the necessity and feasibility of expanding  
34 capacity at current soldiers' homes or for establishing additional regional or satellite soldiers'  
35 homes in the commonwealth; provided further the study shall examine factors including, but not

36 limited to, the current and projected populations of veterans, the geographical distribution of the  
37 populations and the needs of the populations. The study shall assess potential additional funding  
38 mechanisms for expanded capacity at current soldiers' homes or for the construction and  
39 operation of additional soldiers' homes, including the availability of federal, state or private  
40 funds. The executive office of health and human services shall file the report not later than June  
41 1, 2021 with the clerks of the house of representatives and senate who shall forward the same to  
42 the house and senate committees on ways and means and the joint committee on veterans and  
43 federal affairs; provided further, that upon completion of the study, the department of veterans'  
44 services, in consultation with the executive office of health and human services, shall develop a  
45 plan to address any regional demographic inequities and may expend funds for the construction  
46 or development of additional regional or satellite soldiers' homes in the commonwealth  
47 according to the plan..... \$400,000,000

48 SECTION 3. To carry out the purpose of this act, the commissioner of capital asset  
49 management and maintenance may, notwithstanding sections 32 to 37, inclusive, of chapter 7C  
50 of the General Laws or any other general or special law to the contrary, acquire, by purchase,  
51 lease or leaseback for a term, including any extensions, not to exceed 50 years, gift or other  
52 transfer, or by eminent domain under chapter 79 of the General Laws, any interests in land and  
53 buildings considered necessary by the commissioner to carry out the purposes of this act  
54 including, but not limited to, easements for drainage, access, utilities and environmental  
55 mitigation, and may grant and retain such easements and interests as considered necessary by the  
56 commissioner to carry out the purposes of this act.

57 SECTION 4. The general court finds and declares that the prompt accomplishment of the  
58 important public purposes of this act by promoting the public interest and labor harmony requires

59 the construction by project labor agreement of a new facility for the Soldiers' Home in Holyoke  
60 to replace the existing Soldiers' Home facility that is sufficiently extensive in  
61 size, complexity and duration for which this act authorizes funds. Therefore, the Commonwealth,  
62 in its capacity as a market participant for public construction projects, hereby requires a project  
63 labor agreement, including a uniform grievance and arbitration procedure and an obligation not  
64 to strike, for construction and renovation work only on the specified projects pursuant to item  
65 4000-2026 of section 2; provided further, that the funds authorized by this item or otherwise by  
66 this act shall be expended only in accordance with the following conditions: (a) the provisions of  
67 sections 26 to 27F, inclusive, and section 29 of chapter 149 of the General Laws shall apply to all  
68 contracts for said project; and (b) all construction employees employed in the construction of  
69 said project shall be paid not less than the wage rate established for such work pursuant to a  
70 project labor agreement with the appropriate labor organization or labor organizations, which  
71 includes (1) a uniform grievance and arbitration procedure for the resolution of work-related  
72 disputes on job sites; (2) mutually agreeable uniform work rules and schedules for the project;  
73 (3) an obligation for any such labor organization and its constituent members not to strike with  
74 respect to work on such project; and, (4) the participation goals of minority and women workers  
75 to be employed on each such contract and the processes and procedures to ensure compliance  
76 with those workforce participation goals, including reporting and enforcement provisions as  
77 outlined in Sections 44A subsection G of Chapter 149; provided, that it shall not be a  
78 precondition to the award of a contract that a bidder has previously entered into a collective  
79 bargaining agreement with a labor organization, but only that the bidder be willing to execute  
80 and comply with said project labor agreement for the designated project if it is awarded a  
81 contract for such designated project.

82 For the project specified in item 4000-2026, the funds authorized by said item or  
83 otherwise by this act shall be expended only in accordance with the following conditions: (a) the  
84 provisions of sections 26 to 27F, inclusive, and section 29 of chapter 149 of the General Laws  
85 shall apply to all contracts for said project; and (b) all construction employees employed in the  
86 construction of said project shall be paid not less than the wage rate established for such work  
87 pursuant to a project labor agreement with the appropriate labor organization or labor  
88 organizations, which includes (1) a uniform grievance and arbitration procedure for the  
89 resolution of work-related disputes on job sites; (2) mutually agreeable uniform work rules and  
90 schedules for the project; (3) an obligation for any such labor organization and its constituent  
91 members not to strike with respect to work on such project; and, (4) the participation goals of  
92 minority and women workers to be employed on each such contract and the processes and  
93 procedures to ensure compliance with those workforce participation goals, including reporting  
94 and enforcement provisions as outlined in Sections 44A subsection G of Chapter 149; provided,  
95 that it shall not be a precondition to the award of a contract that a bidder has previously entered  
96 into a collective bargaining agreement with a labor organization, but only that the bidder be  
97 willing to execute and comply with said project labor agreement for the designated project if it is  
98 awarded a contract for such designated project.

99 SECTION 5. To meet the expenditures necessary in carrying out section 2, the state  
100 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
101 amount to be specified by the governor, from time to time, but not exceeding, in the aggregate,  
102 \$400,000,000. All such bonds issued by the commonwealth shall be designated on their face,  
103 Holyoke Soldiers' Home Capital Improvement Act of 2021, and shall be issued for a maximum  
104 term of years, not exceeding 30 years, as recommended by the governor to the general court

105 pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be  
106 payable not later than June 30, 2056. All interest and payments on account of principal on these  
107 obligations shall be payable from the General Fund. Notwithstanding any other provision of this  
108 act to the contrary, bonds issued under this section and interest thereon shall be general  
109 obligations of the commonwealth.