

SENATE No. 1186

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to establish the Massachusetts works progress administration.

PETITION OF:

NAME:

James B. Eldridge

DISTRICT/ADDRESS:

Middlesex and Worcester

SENATE No. 1186

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 1186) of James B. Eldridge for legislation to establish the Massachusetts Works Progress Administration. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2832 OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act to establish the Massachusetts works progress administration.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide jobs to people suffering from unemployment and to improve the public infrastructure , 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. The General Laws are hereby amended by inserting after chapter 151A the
2 following chapter:-

3 CHAPTER 151AA.

4 Section 1. The following words and phrases as used in this chapter shall have the
5 following meanings, unless the context clearly requires otherwise:-

6 "Program", the Massachusetts works progress administration established pursuant to
7 section 2 of this chapter.

8 "Eligible individual", an individual who lives in Massachusetts and has been unemployed
9 for at least the 60-day period prior to the commencement of a project described in section 3 of
10 this chapter.

11 "Priority individual", an individual who has been unemployed for at least the 60-day
12 period prior to the commencement of a project described in section 3 of this chapter and belongs
13 to a community that has historically been disproportionately affected by a high unemployment
14 rate, including, but not limited to, Black and Latinx communities; people with disabilities; and
15 students and recent graduates.

16 Section 2. There is hereby established within the executive office of labor and workforce
17 development, the works progress administration.

18 (a) The purpose of this program is to: (1) receive works project proposals submitted by
19 commonwealth departments and agencies pursuant to paragraph (a) of section 3 of this chapter;
20 and (2) select works projects proposals that meet the criteria pursuant to paragraph (b) of section
21 3 of this chapter, as being eligible for assistance under such program.

22 (b) The secretary of labor and workforce development shall appoint an executive director
23 of the program. The executive director shall hire other staff as necessary to implement the
24 program.

25 Section 3. (a) Not later than 30 days after the effective date of this section, and
26 subsequently at such times as the program shall request, the commissioner of the department of

27 public health, the commissioner of the department of energy resources, the commissioner of the
28 department of agricultural resources, the secretary of transportation, the commissioner of the
29 department of environmental protection, the secretary of elder affairs, the commissioner of the
30 department of higher education, the chair of the cannabis control commission, the commissioner
31 of the department of fish and game, and the commissioner of the department of conservation and
32 recreation shall submit proposals to the program for works projects within the jurisdiction of
33 each secretary, commissioner or other administrator that satisfy the criteria described in
34 subsection (b) of this section. Any other department, agency, or local non-profit organizations
35 and coalitions may also submit works projects to the program.

36 (b) Any work project to be considered for the program shall meet the following criteria:
37 (1) the project would create multiple jobs at an affordable hourly rate; (2) individuals with the
38 required skills necessary to carry out the project can be readily recruited or trained and employed
39 from among eligible individuals; (3) the project would provide a continuing contribution to
40 economic growth or environmental benefits after it has been completed; and (4) the project may
41 be staffed by employees with minimal delay.

42 (c) Works projects under this section may include, but shall not be limited to: (1) contact
43 tracing for the COVID-19 coronavirus; (2) climate change resiliency and restoration focused on
44 nature based solutions, land and water conservation and restoration, and water quality projects
45 including, but not limited to: (i) residential and commercial water use efficiency improvement
46 projects; (ii) aquatic ecosystem and water quality improvement projects; (iii) residential and
47 commercial building weatherization projects; (iv) renewable energy infrastructure projects; (v)
48 soil erosion and pesticide runoff prevention projects; (vi) conservation and recreational land, trail
49 construction and maintenance projects; (vii) municipal drinking and wastewater projects; (viii)

50 nature-based solutions for climate resilience and restoration; or (iv) tree planting and retention
51 projects; (3) projects enhancing the creative economy including, but not limited to: (i)
52 commissioning public works of visual art; (ii) staging public musical performances if consistent
53 with social distancing guidelines; (iii) creating public works of multimedia art; (iv) creating
54 public works of digital art; or (v) staging public performing arts performances if consistent with
55 social distancing guidelines; (4) projects enhancing the agricultural, aquaculture, fisheries, food
56 and beverage sectors including, but not limited to: (i) public instructional classes on nutrition,
57 including community gardening; (ii) projects using technology to improve agriculture; or (iii)
58 projects improving enrollment and access to resources addressing food insecurity; (5)
59 infrastructure projects, including but not limited to: (i) road construction; (ii) railroad
60 construction; (iii) mass transit improvements; (iv) rail-to-trail conversion; (v) nature-based
61 solutions to improve the resiliency of built infrastructure; or (vi) culvert upgrades, and actions
62 that reduce wildlife-vehicle collisions; (6) projects enhancing home care services, including but
63 not limited to virtual services; (7) projects enhancing online education; (8) projects enhancing
64 the cannabis industry; and (9) any other project that the program determines is appropriate.

65 (d) Project proposals submitted to the program shall include: (1) a description of the
66 project and a full schedule of estimated costs; (2) an estimate of the number of employment
67 hours required to complete the project; (3) a hiring timetable relating to the employment of
68 various staffing levels under the project; (4) an estimated project completion date; and (5) other
69 information as the department determines to be appropriate.

70 (e) The program shall approve those proposals which are submitted pursuant to and meet
71 the criteria set forth in subsection (b) and ensure the projects are fairly distributed geographically

72 throughout the commonwealth. The program shall provide funding for those projects from
73 amounts appropriated for the program.

74 (f) The program shall prioritize projects located within a county where the unemployment
75 rate, as reported by the United States bureau of labor statistics, is more than 5 percentage points
76 higher than that county's rate as of March 2021 or projects that demonstrate a commitment to
77 hiring priority individuals.

78 (g) A department that has submitted a works project proposal pursuant to subsection (a)
79 shall be responsible for the administration and completion of such project.

80 (h) A department shall be a party to any contract that governs a works project approved
81 and funded in any manner under this section. Departments may contract with private
82 corporations having tax exempt status under 26 U.S.C. 501(c)(3) and privately held businesses
83 for part or all of an approved project subject to the approval of the program.

84 (i) The program shall guarantee certain rights to the eligible individuals including but not
85 limited to: (1) payment of overtime and workers' compensation coverage; (2) childcare vouchers
86 to eligible individuals who qualify for financial assistance through the department of early
87 education and care; and (3) eligible individuals shall not be barred from any project on account
88 of criminal offender record information or arrest records.

89 (j) The executive director of the program in consultation with local jobs coalitions, shall
90 provide necessary training to eligible individuals to carry out a project.

91 Section 3. Not later than 6 months after the effective date of this section, and biannually
92 thereafter on June 30 and December 31 of each year, the program shall file a report with the

93 clerk of the house of representatives and senate which includes: (a) the number of works project
94 proposals submitted to the program; (b) the number of works projects approved by the program
95 during the reporting period; (c) the number of works projects completed by the date of the report;
96 and (d) with respect to each approved work project, a project description that includes
97 information about whether the project is complete and such other information as the program
98 determines appropriate.

99 Section 4. The auditor shall conduct an annual audit of: (a) the performance and activities
100 of the program; (b) the performance and completion of work projects; and (c) the performance of
101 the eligible agencies with respect to such projects.