The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court (2017-2018)

SENATE, Thursday, February 1, 2018

The committee on Ways and Means, to whom was referred the House Bill providing for capital facility repairs and improvements for the Commonwealth (House, No. 4045) (the committee on Bonding, Capital Expenditures and State Assets having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2244); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2279. [Bond authorization: \$3,546,000,000]

For the committee, Karen E. Spilka **SENATE No. 2279**

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court (2017-2018)

SECTION 1. To provide for a program to protect, repair and improve the capital
facilities of the commonwealth and for a program of capital asset acquisitions, dispositions and
other improvements for general government operations, the sums set forth in sections 2, 2A, 2B
and 2C, inclusive, for the several purposes and subject to the conditions specified in this act are
hereby made available, subject to the laws regulating the disbursement of public funds, which
sums shall be in addition to any other amounts previously appropriated for these purposes.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Division of Capital Asset Management and Maintenance

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1102-2017 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79 of the General Laws, for the preparation of plans and specifications, disparity studies, repairs, construction, renovations, improvements, asset management, accessibility improvements, demolition, disposition and remediation of state-owned and former county facilities and grounds and for costs associated with repair and maintenance of buildings and building systems and

equipment at various facilities of the commonwealth; provided, that any federal reimbursement received by a state agency in connection with projects funded from this item may be retained by the executive office for administration and finance and expended for the purposes of the project, without further appropriation, in addition to the amounts appropriated in this item; provided further, that all maintenance and repair work funded in this item shall be listed in the capital asset management information system administered by the division of capital asset management and maintenance; provided further, that where appropriate, the commissioner of capital asset management and maintenance may transfer funds authorized in this item in accordance with a delegation of project control and supervision process pursuant to section 5 of chapter 7C of the General Laws; provided further, that funds so transferred shall be distributed based on the severity of the need that the repair shall address and other criteria developed by the division, in consultation with the secretary of administration and finance; provided further, that \$1,000,000 shall be expended for repairs and improvement of the state highway route 146 pedestrian bridge at the Blackstone Heritage Corridor visitor center in the city of Worcester; provided further, that \$5,000,000 shall be expended for the repairs, renovations and improvements to the Turnure Terrace building and for the acquisition, design and construction of new senior and low-income family housing in the town of Lenox; provided further, that \$3,000,000 shall be expended for improvements at Smith Vocational and Agricultural high school in the city of Northampton; provided further, that \$1,500,000 shall be expended for structural analysis and construction upgrades of the old comfort station building owned by the department of conservation and recreation located on the Neponset river greenway walking and bike path in the Mattapan square neighborhood in the Mattapan section of the city of Boston to improve the building so that the department may advertise the space for lease for a small business which will benefit the

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surrounding community including, but not limited to, a coffee shop, an ice cream shop or a bike shop; provided further, that \$500,000 shall be expended for the drafting and creation of a plan for infrastructure, improvement and future public access to the Neponset river alongside the property owned by the department of conservation and recreation on Edgewater drive in the Mattapan section of the city of Boston; provided further, that \$5,000,000 shall be expended to rebuild the department of conservation and recreation's Metropolis ice rink in the town of Canton; provided further, that \$1,000,000 shall be expended for the repairs and improvements to the stone cottage location at High Rock Tower reservation in the city of Lynn; provided further, that \$1,000,000 shall be expended for the renovation and improvement of the Connery memorial rink in the city Lynn; and provided further, that \$100,000 shall be expended for the renovation and improvement of the Lynn Heritage State Park visitor center in the city of Lynn\$680,000,000

4000-2025 For costs associated with planning and studies, dispositions, acquisition of land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79 of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations, improvements, modernization, construction, reconstruction, furnishing, equipping, acquiring, remodeling, refurbishing, asset management, accessibility improvements, demolition, disposition and remediation of facilities and grounds operated by the various departments within the executive office of health and human services, all as the commissioner of capital asset management and maintenance, in consultation with the secretary of health and human services and the appropriate commissioners of the departments within the executive office, shall consider appropriate; provided, that costs payable from this item shall include, but not be limited to, the costs of leases of temporary relocation space or equipment as required for completion of a

project; provided further, that any federal reimbursement received by a state agency including, but not limited to, projects related to the provision of health care, human services and veterans' services in connection with projects funded from this item may be retained by the executive office for administration and finance and expended for the purposes of the project, without further appropriation, in addition to the amounts appropriated in this item; provided further, that \$13,000,000 shall be expended for air conditioning, mechanical ventilation, roof replacement and other necessary upgrades at the Western Massachusetts Hospital in the city of Westfield; provided further, that funds shall be expended for the design, construction and relocation of the department of youth services Paul T. Leahy Center in the city of Worcester; provided further, that \$30,000,000 be expended for the cost associated with the repair, renovation or construction of a skilled nursing facility, or a facility of last resort, for adults diagnosed with a disability or mental health issues; provided further, that such facility shall maintain at least 70 per cent of its beds for medically-involved, mentally ill individuals; provided further that MassHealth shall determine a rate structure for the facility that reflects medically-appropriate care; and provided further, that \$20,000,000 shall be made available for critical systems improvements at the Taunton State Hospital in the city of Taunton\$401,000,000

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7066-2018 For the costs associated with the plans and specifications, planning and studies, repairs, construction, reconstruction, demolition, remediation, rehabilitation, modernization, disposition, renovations, improvements and maintenance at state universities and community college campus facilities and grounds; provided, that projects approved for design and construction by the division of capital asset management and maintenance shall be consistent in priority and need with regional capital master plans developed by the division of capital asset management and maintenance, in consultation with the presidents of the state universities and

community colleges and approved by the board of higher education; provided further, that all maintenance and repair work funded by this item shall be included in the capital asset management information system administered by the division of capital asset management and maintenance; provided further, that \$2,500,000 shall be expended for the deferred maintenance of North Shore Community College; provided further, that \$6,000,000 shall be expended for improvements to the Whittemore Library at Framingham State University; provided further, that \$3,300,000 shall be expended for renovations to Crocker Hall at Framingham State University; and provided further, that \$41,000,000 shall be expended for a new science building and to renovate the existing science center at Cape Cod Community College and to modernize and renovate other existing facilities at Cape Cod Community College..............\$475,000,000

8000-3502 For costs associated with planning and studies, dispositions, acquisition of
land and buildings and interests therein by purchase, prepayment of lease for a term that exceeds
the useful life of the facility, gift or other transfer or by eminent domain pursuant to chapter 79
of the General Laws, for the preparation of plans and specifications, repairs, construction,
renovations, improvements, remediation, rehabilitation, modernization and demolition for public
safety and security facilities, all as the commissioner of capital asset management and
maintenance, in consultation with the secretary of public safety and security and the appropriate
commissioners of the departments within the executive office, shall consider appropriate;
provided, that costs payable from this item shall include, but not be limited to, the costs of leases
of temporary relocation space or equipment as required for completion of a project; provided
further, that \$25,000,000 shall be expended for the construction of a new public safety center in
the city of Lawrence; provided further, that \$45,000,000 shall be expended for the purpose of
designing, constructing, originally equipping and furnishing a new police headquarters in the city
of Springfield; provided further, that \$25,000,000 shall be expended for the acquisition of land
and construction of a new public safety building in the town of Ashland; provided further, that
\$9,000,000 shall be expended for the development and construction of a public safety complex in
the town of Princeton; provided further, that \$1,000,000 shall be expended for the repair and
rehabilitation of fire stations in the city of Lynn; provided further, that \$3,000,000 shall be
expended for the design, rehabilitation or construction of a fire station in the town of Nahant; and
provided further, that \$10,000,000 shall be expended for construction of a public safety complex
in the city of Medford\$500,000,000

SECTION 2A.

Division of Capital Asset Management and Maintenance

JUDICIARY

Trial Court

1102-5700 For capital needs at court facilities including, but not limited to, expenditures
for the planning, design and acquisition of land and buildings and interests therein by purchase,
lease for a term, including any extensions, not to exceed 50 years, gift or other transfer or by
eminent domain under chapter 79 of the General Laws, the preparation of plans and
specifications, the construction, renovation, reconstruction, alteration, improvement, demolition,
expansion, repair and improvements, including equipment and temporary relocation costs, as
needed for priority projects identified by the division of capital asset management and
maintenance and the administrative office of the trial court including, but not limited to, projects
identified in the Courts Capital Master Plan released in April 2017, for building repairs necessary
to correct unsafe and overcrowded conditions, for the remediation of life safety code violations,
for the remediation of access code and civil rights violations, for the remediation of
environmental hazards and for security improvements and other necessary repairs at court
facilities owned by the commonwealth or by a political subdivision of the commonwealth;
provided, that costs payable from this item shall include, but not be limited to, the costs of
engineering and other services essential to these projects rendered by the division of capital asset
management and maintenance employees or by consultants; provided further, that the amounts
expended for division employees may include the salary and salary-related expenses of these
employees to the extent that they work on or in support of these projects; provided further, that
\$150,000,000 shall be expended for the cost of reconstruction or replacement of court facilities
located in the city of Quincy; provided further, that \$4,500,000 shall be expended to determine

the scope, square footage and cost of replacement for a new Suffolk county high rise court house; provided further, that \$500,000 shall be expended for a feasibility study to determine the scope of a southern Middlesex facility; provided further, that \$30,000,000 shall be expended for the costs of modernizing the court facility in the city of Malden to address the envelope, life safety, holding and security, mechanical, electrical and plumbing systems and cross circulation; provided further, that \$45,000,000 shall be expended for the modernization of Brockton superior court to address envelope, life safety, holding and security, mechanical, electrical and plumbing systems and cross circulation; provided, further, that \$40,000,000 shall be expended for modernization of the court facility located in the city of Lynn to address life safety, holding and security, mechanical, electrical and plumbing systems and cross circulation; provided further, that \$20,000,000 shall be expended for modernization of the court facility located in the city of Attleboro to address life safety, holding and security, mechanical, electrical and plumbing systems and cross circulation; provided further, that \$20,000,000 shall be expended for modernization of the court facility located in the city of Northampton to address life safety, holding and security, mechanical, electrical and plumbing systems and cross circulation; provided further, that \$20,000,000 shall be expended for upgrades at the district court of Fitchburg; provided further, that \$20,000,000 shall be expended for renovations and construction at the first district court of southern Middlesex; provided further, that \$12,000,000 shall be expended for capital improvements to the East Boston division of the Boston municipal court; provided further, that \$12,000,000 shall be expended for costs of renovations at the district court of central Berkshire, held at Pittsfield; provided further, that \$15,000,000 shall be expended for renovations at the second district court of Plymouth, held at Hingham; provided further, that \$7,000,000 shall be expended for the renovation of the district court of central Middlesex, held at

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Concord; provided further, that \$15,000,000 be expended for renovations at the first district court of southern Worcester; provided further, that \$12,000,000 shall be expended for the costs of renovations at the fourth district court of Plymouth, held at Wareham; provided further, that \$10,000,000 shall be expended for renovations at the third district court of eastern Middlesex, held at Cambridge; provided further, that \$8,000,000 shall be expended for renovations at the West Roxbury division of the Boston municipal court; provided further, that \$8,000,000 shall be expended for renovations at the South Boston division of the Boston municipal court; provided further, that \$23,000,000 shall be expended for roof, masonry or windows at the Roderick L. Ireland courthouse, Pittsfield superior court, Lawrence superior court, district court of Holyoke, the fourth district court of eastern Middlesex, held at Woburn and Northampton superior court; provided further, that not less \$2,000,000 shall be expended for life safety and fire alarms systems at the district court of northern Norfolk, held at Dedham; provided further, that \$5,000,000 shall be expended for mechanical, electrical and plumbing systems and boilers and controls at the district court of western Norfolk, held at Wrentham; provided further, that \$3,000,000 shall be expended for mechanical, electrical and plumbing systems and boilers and controls at Dedham superior court; provided further, that \$2,000,000 shall be expended for mechanical, electrical and plumbing systems and boilers and controls at the fourth district court of eastern Middlesex, held at Woburn; provided further, that \$18,000,000 shall be expended for holding doors, security doors, cell doors, duress alarms, cameras or sally ports at the Dorchester division of the Boston municipal court, Springfield housing and juvenile court, the district court of southern Norfolk, held at Stoughton, the juvenile court and the second district court of Barnstable, held at Orleans and the district court of Peabody; and provided further, that

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\$123,562,890 shall be expended for the costs of the reconstruction or replacement of court facilities located in the downtown area of the city of New Bedford\$675,000,000

SECTION 2B.

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EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary

1100-3005 For a grant program to cities, towns, counties, regional organizations whose membership is exclusively composed of municipal governments or municipal redevelopment authorities or agencies, or similar governmental development agencies to provide funding for capital facility purposes, including those owned or operated by nonprofit organizations including, but not limited to, planning and studies, preparation of plans and specifications, site assembly and preparation, dispositions, acquisitions, repairs, renovations, improvements, construction, demolition, remediation, modernization, and reconstruction of facilities, infrastructure, equipment and other capital assets, technical assistance, information technology equipment and infrastructure and for costs associated with improving accessibility of municipal facilities under guidelines adopted by the executive office for administration and finance; provided, that the executive office shall expend not more than 1 per cent of the total amount available for the cost of administering this program; provided further, that \$2,000,000 shall be expended for improvements to the town hall in the town of Hopkinton; provided further, that \$50,000 shall be expended for accessibility projects at public facilities in the town of Holliston; provided further, that \$800,000 shall be expended for the rehabilitation of facilities at the Three County Fairgrounds, including the grandstand and barn, in the city of Northampton; provided further, that \$4,000,000 shall be expended for the establishment and construction of a Boston

Public Library branch in the South Boston waterfront section of the city of Boston; provided further, that \$4,000,000 shall be expended for the construction of an Upham's Corner library and for the renovation of the Strand Theatre in the Dorchester section of the city of Boston; provided further, that \$2,000,000 shall be expended for the study, design, and construction of a Cape Verdean cultural center in the city of Boston; provided further, that \$2,000,000 shall be expended for renovations and improvements to Fraser field in the city of Lynn; provided further, that \$500,000 shall be expended for the design and construction of the Lynn community path in the city of Lynn; and provided further that \$8,000,000 shall be expended to the Tri-Town water district, comprised of the cities known as the towns of Braintree and Randolph and the town of Holbrook, for the construction of a new Tri-Town water treatment facility\$5,000,000

Division of Capital Asset Management and Maintenance

efficiency, climate change readiness, environmental risk reduction, resiliency and carbon emissions reduction of state-owned facilities, equipment and related capital assets, including costs associated with planning and studies, prepayment of lease for a term that exceeds the useful life of the facility, gifts or other transfers or by eminent domain under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs, construction, renovations, improvements, asset management and demolition, disposition and remediation of state-owned and former county facilities and grounds and repair and maintenance of buildings and building systems and equipment at various state-owned facilities; provided, that all maintenance and repair work funded in this item shall be listed in the capital asset management information system administered by the division of capital asset management and maintenance; provided further, that the commissioner of capital asset management and maintenance may, if appropriate,

1102-2019 For the accelerated energy program to improve the energy efficiency of stateowned facilities, including costs associated with planning and studies, prepayment of a lease for
a term that exceeds the useful life of the facility, gifts or other transfers or by eminent domain
under chapter 79 of the General Laws, for the preparation of plans and specifications, repairs,
construction, renovations, improvements, asset management and demolition, disposition and
remediation of state-owned and former county facilities and grounds and repair and maintenance
of buildings and building systems and equipment at various state-owned facilities; provided, that
all maintenance and repair work funded in this item shall be listed in the capital asset
management information system administered by the division of capital asset management and
maintenance; provided further, that the commissioner of capital asset management and
maintenance may, where appropriate, transfer funds in accordance with the delegation of project
control and supervision process under section 5 of chapter 7C of the General Laws; provided

SECTION 2C.

EXECUTIVE OFFICE FOR PUBLIC SAFETY AND SECURITY

Office of the Secretary

8000-0702 For equipment for the department of correction and other agencies within the executive office of public safety and security including, but not limited to, medical equipment, security equipment, safety equipment, communications equipment and vehicles\$20,000,000 SECTION 3. Section 5 of chapter 7C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in line 9, the figure "\$2,000,000" and

inserting in place thereof the following figure: \$5,000,000.

SECTION 4. Said section 5 of said chapter 7C, as so appearing, is hereby further amended by adding the following 2 sentences:- Notwithstanding this section, the commissioner may delegate project control and supervision to the University of Massachusetts over projects involving structural or mechanical work with an estimated cost of less than \$10,000,000 if the commissioner determines that the University of Massachusetts has the ability to control and supervise the project. As used in this section, "estimated cost" shall mean the estimated construction cost stated in a study or program prepared in accordance with section 59.

SECTION 5. Section 46 of said chapter 7C, as so appearing, is hereby amended by striking out, in line 68, the figure "\$10,000" and inserting in place thereof the following figure:"\$30,000".

SECTION 6. Said section 46 of said chapter 7C, as so appearing, is hereby further amended by striking out, in line 70, the figure "\$100,000" and inserting in place thereof the following figure:- "\$300,000".

SECTION 7. Item 7066-8000 of section 2 of chapter 258 of the acts of 2008 is hereby amended by striking out the figure "\$36,100,000", inserted by section 5 of chapter 237 of the acts of 2014, and inserting in place thereof the following figure:- \$59,000,000.

SECTION 8. Said item 7066-8000 of said section 2 of said chapter 258 of the acts of 2008 is hereby further amended by striking out the figure "\$1,303,055,630", inserted by section 7 of said chapter 237, and inserting in place thereof the following figure:- \$1,425,955,630.

SECTION 9. Item 7100-1000 of said section 2 of said chapter 258 is hereby amended by striking out the figure "\$1,101,500,000", inserted by section 9 of said chapter 237, and inserting in place thereof the following figure:- \$1,201,500,000.

SECTION 10. Section 3 of said chapter 258, is hereby amended by striking out the figure "\$2,404,555,630", inserted by section 10 of said chapter 237, and inserting in place thereof the following figure:- \$2,604,555,630.

SECTION 11. Said section 3 of said chapter 258, as most recently amended by section 10 of said chapter 237, is hereby further amended by striking out the words "June 30, 2048" and inserting in place thereof the following words:- June 30, 2052.

SECTION 12. Item 1102-2008 of section 2C of chapter 304 of the acts of 2008 is hereby amended by striking out, in line 37, the figure "\$60,000,000" and inserting in place thereof the following figure:- \$21,100,000.

SECTION 13. Item 1102-5600 of said section 2C of said chapter 304, as amended by section 50 of chapter 118 of the acts of 2012, is hereby further amended by striking out the words "; provided further, that not less than \$72,000,000 shall be expended for the costs of the renovation of the probate and family court building located in the city of Salem".

SECTION 14. Subsection (d) of section 49 of chapter 9 of the acts of 2011 is hereby amended by striking out, in line 4, the figure "\$100,000" and inserting in place thereof the following figure:- \$150,000.

SECTION 15. Subsection (e) of said section 49 of said chapter 9 is hereby amended by striking out the words "January 1, 2017", inserted by section 23 of chapter 119 of the acts of 2015, and inserting in place thereof the following words:- January 1, 2019.

SECTION 16. Subsection (f) of said section 49 of said chapter 9 is hereby amended by striking out the words "June 1, 2017", inserted by section 24 of said chapter 119, and inserting in place thereof the following words:- June 30, 2019.

SECTION 17. To meet the expenditures necessary in carrying out sections 2 and 2A, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor, but not exceeding in the aggregate \$3,031,000,000. All such bonds issued by the commonwealth shall be designated on their face Capital Improvement Act of 2017 and shall be issued for a maximum term of years, not exceeding 30 years, as the governor recommends to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2052. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 18. To meet the expenditures necessary in carrying out section 2B, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor, but not exceeding in the aggregate \$320,000,000. All such bonds issued by the commonwealth shall be designated on their face Capital Improvement Act of 2017 and shall be issued for a maximum term of years, not exceeding 20 years, as the governor recommends to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2042. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 19. To meet the expenditures necessary in carrying out section 2C, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor, but not exceeding in the aggregate \$20,000,000. All such bonds issued by the commonwealth shall be designated on their face Capital Improvement Act of 2017 and shall be issued for a maximum term of years, not exceeding 10 years, as the governor recommends to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. The bonds shall be payable not later than June 30, 2032. All interest and payments on account of principal on these obligations shall be payable from the General Fund. Bonds and interest thereon issued pursuant to this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 20. The secretary of administration and finance shall submit a report on the progress of projects funded through the authorizations in this act and included in the governor's 5-year capital investment plan to the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means and the chairs of the senate and house committees on bonding, capital expenditures and state assets. The report shall include, but not be limited to: (i) the planned spending for the previous year; (ii) the actual spending for the previous year; (iii) the planned spending for the current year; (iv) the spending to date for the current year; (v) the original estimated total project cost; (vi) the project description; (vii) the location of the project; (viii) the type of spending; (ix) the type of asset; and (x) the useful life of the project once completed. The report shall be submitted not later than June 30 and December 31 of each year for a period of 8 years after the effective date of this act.

SECTION 21. To provide for the continued availability of certain bond-funded spending authorizations which otherwise would expire, the balances of the following items and any

allocations thereof shall be extended through June 30, 2020 for the purposes of and subject to the conditions stated for these items in the original authorizations and any amendments to such authorizations: 0640-0035, 1100-9201, 1599-7061, 1599-7062, 1599-7063, 1790-3001, 1790-3002, 1790-3003, 1790-3004, 1100-3001, and 8000-2030.

SECTION 22. To provide for the continued availability of certain bond-funded spending authorizations which otherwise would expire, the balances of the following items and any allocations thereof shall be extended through June 30, 2022 for the purposes of and subject to the conditions stated for these items in the original authorizations and any amendments to such authorizations: 0640-0302, 0330-2223, 1100-3002, 1100-3003, 1102-2009, 1102-2014, 1102-2015, 1102-2016, 1102-5600, 1790-2500, 2200-7021, 4000-2020, 4000-2022, 7000-9091, 7002-8018, 7066-8000, 7100-1000, 8000-3501, 8000-0701, 8000-2021, 8000-2022, 8100-2026, 8900-7500, and 8900-8500.