

**HOUSE . . . . . No. 3702**

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**The Commonwealth of Massachusetts**



CHARLES D. BAKER  
GOVERNOR

OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
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KARYN POLITO  
LIEUTENANT GOVERNOR

*May 3, 2019*

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2019 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

This bill consists of \$23.7 million in supplemental appropriations, at a net state cost of \$22.0 million.

Spending recommendations include \$14 million for judgments and settlements to bring the authorization in line with projected need, \$5 million for revised projections of the cost of indigent legal defense, \$2 million to bring federally reimbursable expenses at the Department of Revenue back on budget, and \$794,000 for smaller expenses, primarily at district attorneys’ offices.

I further recommend increasing one chargeback ceiling.

Several spending items filed earlier this year and still pending in the Legislature require action. I renew my request that you authorize spending within the Executive Office of Labor and Workforce Development, including at the new Department of Family and Medical Leave. I would also renew my requests for authorization to support a fentanyl interdiction task force, Community Compact grants to municipalities, and an epidemiological study of cannabis use.

This bill includes 23 outside sections related to other policy matters.

Among these are several sections making changes to the statute governing Child Support Enforcement (“CSE”) that are necessary for the Commonwealth to remain in compliance with federal requirements for the child support program and Title IV Part D of the Social Security Act. These changes provide the Probate and Family Court flexibility when issuing a medical support order that will help to ensure that children receive health coverage from a parent by permitting the court to order the noncustodial parent to contribute to insurance premiums or uninsured medical expenses paid by the custodial parent. Along with other changes that are needed to maintain compliance with federal requirements, the sections define a reasonable cost of health insurance as a numeric percentage of income and health care coverage as accessible if services are available within 15 miles of the child’s primary residence. These changes are time-sensitive and I urge that their enactment occur before July 1, 2019 so as not to put at risk critical federal funding for CSE services.

Another section in this bill would establish an alternative to the existing job order contracting option at the Division of Capital Asset Management and Maintenance (“DCAMM”) in order to expedite public accommodation and Americans with Disabilities Act compliance projects of up to \$1 million. This alternative process will allow DCAMM flexibility to improve access to public facilities in the Commonwealth.

I am also proposing a change to a section that became law as part of the Economic Development Act of 2018. The original section authorized municipalities that have received state grants to construct a municipally-owned broadband network in an adjoining city or town and to acquire easements and other real property interest in connection with such projects. The language that I am proposing would help to effectuate this purpose by allowing the reimbursement paid by one municipality to another to be counted as part of the grant that is being expended and not as general fund revenue for the municipality. This change will prevent delays in communities receiving the reimbursements.

I am also proposing a change to the Commonwealth’s pension and workers’ compensation statutes that would ensure that an employee of the Commonwealth who is receiving workers’ compensation benefits and has qualified for retirement benefits receives a combined benefit of no more than the average rate of regular compensation as computed by the State Retirement Board. This section would also limit the employee’s workers’ compensation benefit to an amount that is equal to no more than the difference between the retirement benefits and the average annual salary from which it was determined. This change would apply to employees who are receiving workers’ compensation benefits and who apply for their pension after the effective date of these sections.

I am also proposing changes to the membership of the Military Asset and Security Strategy Task Force in order to add members from the Executive Office of Technology Services

and Security and the Massachusetts Technology Collaborative as they will add valuable expertise and experience to the Task Force's important work.

Also included is an outside section that would put into effect certain collective bargaining contracts. I have previously recommended the creation of reserve funding for these contracts, to be used once the contracts are ratified and in effect. Unfunded costs of the contracts now ready to go into effect total \$9.3 million, and I would recommend that the Legislature authorize that additional spending through an existing collective bargaining reserve.

Additionally, three sections authorize the continuation of certain spending into fiscal year 2020.

Finally, I renew my request for a number of policy sections that were filed earlier this year and are still pending in the Legislature. These sections include an increase in the aggregate ceiling on the Department of Utilities' assessments of electric and gas distribution companies; amendments to the Substance Use Disorder Trust Fund; a proposed requirement that school multi-hazard evacuation plans be reported to the Department of Elementary and Secondary Education to ensure that plans have been formulated; proposed changes to the Massachusetts Bay Transportation Authority's budget approval date; and corrections to a section that allows limited use of capital funds for employee costs that became law last year. I am also renewing my request for sections related to the Commonwealth's marijuana statute, including a section to clarify that the statutory definition of "horticultural use" includes hemp so as to allow for hemp to be grown on land that includes an agricultural preservation restriction, and a section prohibiting the use of EBT cards for the purchase of marijuana products. I am also requesting corrections to the current law governing stun guns as well as a correction to the premium pay statute to include three holidays that were omitted when premium pay was reduced last year in the Grand Bargain legislation.

Sufficient revenues are estimated to be available to finance the appropriations proposed in this legislation. Because certain items are time sensitive, including new collective bargaining contracts, I urge you to enact this legislation promptly.

Respectfully submitted

Charles D. Baker,  
*Governor*

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court  
(2019-2020)

An Act making appropriations for the fiscal year 2019 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 2019 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 2019, 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, 2019. 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 until June 30, 2019, except as otherwise stated.

9           SECTION 2.

10          JUDICIARY

11 Committee for Public Counsel Services

12 0321-1510 Private Counsel Compensation \$5,000,000

13 DISTRICT ATTORNEYS

14 Plymouth District Attorney

15 0340-0800 Plymouth District Attorney \$207,201

16 Bristol District Attorney

17 0340-0998 Bristol District Attorney State Police Overtime \$125,208

18 Berkshire District Attorney

19 0340-1100 Berkshire District Attorney \$321,196

20 OFFICE OF THE STATE COMPTROLLER

21 1599-3384 Judgments, Settlements and Legal Fees \$14,200,000

22 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

23 Human Resources Division

24 1750-0300 Dental and Vision Contribution \$1,742,434

25 Department of Revenue

26 1201-0160 Child Support Enforcement Divisions \$2,000,000

27

28 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

29 Military Division

30 8700-0001 Military Division \$140,000

31 SECTION 2B. To provide for supplementing certain intragovernmental chargeback  
32 authorizations in the general appropriation act and other appropriation acts for fiscal year 2019,  
33 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for  
34 an alteration of purpose for current intragovernmental chargeback authorizations, and to meet  
35 certain requirements of law, the sum set forth in this section is hereby authorized from the  
36 Intragovernmental Service Fund for the several purposes specified in this section or in the  
37 appropriation acts, and subject to the provisions of law regulating the disbursement of public  
38 funds for the fiscal year ending June 30, 2019. This sum shall be in addition to any amounts  
39 previously authorized and made available for the purposes of this item.

40 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

41 Human Resources Division

42 1750-0105 Chargeback for Workers' Compensation \$2,100,000

43 SECTION 3. Section 216 of chapter 6 of the General Laws, as appearing in the 2016  
44 Official Edition, is hereby amended by striking out, in line 3, the words "up to 4".

45 SECTION 4. Said section 216 of said chapter 6, as so appearing, is hereby further  
46 amended by inserting, after the word "designee", in line 22, the following words:- the secretary  
47 of technology services and security or a designee; the executive director of the Massachusetts  
48 Technology Park Corporation or a designee;.

49 SECTION 5. Subdivision (2) of section 14 of chapter 32 of the General Laws, as  
50 appearing in the 2016 Official Edition, is hereby amended by striking out subsection (c) and  
51 inserting in place thereof, the following 2 subsections:-

52 (c) If a member or a beneficiary entitled to a pension under the provisions of section 5, 6,  
53 7 or 9, and also having a right to compensation under the provisions of chapter 152, neglects or  
54 fails to prosecute fully such right or to co-operate with the board in its prosecution thereof, as  
55 provided for by the provisions of section 73 of such chapter, the board may, during the period of  
56 such neglect or failure, suspend such member's or beneficiary's right to further payment under  
57 the provisions of section 6, 7 or 9. Under the circumstances set forth in the said section 73, the  
58 duty of the board to prosecute shall be mandatory.

59 (d) A member or beneficiary who is entitled to a pension under section 5 and also has a  
60 right to compensation under the provisions of chapter 152 shall receive a combined benefit of no  
61 more than the average annual rate of regular compensation computed by the state retirement  
62 board that is the basis for the superannuation retirement benefit under section 5. The workers'  
63 compensation payment shall not exceed the difference between the superannuation retirement  
64 allowance received under section 5 and the average annual rate of annual compensation on which  
65 it was based, nor shall the workers' compensation payment exceed the workers' compensation  
66 statutory benefit calculated under the provisions of chapter 152.

67 SECTION 6. Section 28 of chapter 119 of the General Laws, as appearing in the 2016  
68 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof  
69 the following subsection:-

70 (a) During the pendency of an action brought under section 24, temporary orders  
71 providing for the support of a child may be entered. The court may thereafter enter a judgment  
72 against the party chargeable with support. Any order of support entered under this section shall  
73 conform to and be enforced under section 12 of chapter 119A. When the court makes an order of  
74 support, the court shall determine whether health care coverage for the child is available at  
75 reasonable cost and accessible to the child pursuant to section 12 of chapter 119A, and if such  
76 coverage is available, enter an order for health care coverage in accordance with said section. If  
77 the court determines that an order for health care coverage is not in the best interest of the child  
78 or creates an undue hardship for either parent, the court shall enter written findings.

79 SECTION 7. Subsection (a) of section 12 of chapter 119A of the General Laws, as so  
80 appearing, is hereby amended by striking out, in line 2, the words “, section 40 of chapter 201”.

81 SECTION 8. Said subsection (a) of said section 12 of said chapter 119A, as so  
82 appearing, is hereby further amended by striking out, in lines 11 to 13, the words “, unless the  
83 obligor and obligee agree in writing that the obligee shall obtain health care coverage for his  
84 child or children or that such coverage will be provided by other means”.

85 SECTION 9. Paragraph (5) of subsection (b) of said section 12 of said chapter 119A, as  
86 so appearing, is hereby amended by striking out the third, fourth and fifth sentences and inserting  
87 in place thereof the following paragraphs:- Each such judgment or order shall also include a  
88 provision for health care coverage for the child in accordance with this section; and may require  
89 the obligor to pay an amount toward the cost of health care coverage or toward uninsured  
90 medical expenses on behalf of the child. The court shall enter an order that requires the obligor  
91 or the obligee to provide health care coverage if such coverage is available at reasonable cost and



92 accessible to the child. If the court determines that an order for health care coverage is not in the  
93 best interest of the child or creates an undue hardship for the obligor or the obligee, then the  
94 court shall enter written findings.

95         If the child is enrolled in Medicaid, the court shall order the obligee to maintain such  
96 coverage for so long as the child remains eligible, provided that if private health insurance is  
97 available to the obligor at reasonable cost and accessible to the child, the court shall also order  
98 the obligor to enroll the child in such insurance.

99         If health care coverage pursuant to this section is not available to the obligor or the  
100 obligee at the time the order is entered, the court shall order the parties to notify the IV-D agency  
101 if such coverage becomes available. For the purposes of this section: (i) health care coverage  
102 shall be deemed reasonable in cost if the cost to the party ordered to provide health care coverage  
103 does not exceed 8% of the gross income of said party; (ii) health care coverage shall be deemed  
104 accessible to the child if covered services are available within 15 miles of the primary residence  
105 of the child; (iii) health care coverage includes private health insurance available through  
106 employment, union affiliation or otherwise, and public health coverage administered by the Title  
107 XIX agency; and (iv) private health insurance shall be deemed not available at reasonable cost to  
108 obligors or obligees who receive Medicaid on behalf of themselves or the child.

109         If the IV-D agency is responsible for enforcing the order, the court shall order the obligor  
110 and the obligee to notify the IV-D agency of any changes in the availability and terms of health  
111 care coverage. If the obligor is required to provide health care coverage for a child of his through  
112 an employment-related health plan and if the IV-D agency has the name and address of the  
113 employer, the IV-D agency shall transfer the national medical support notice, as required by Title

114 IV, Part D of the Social Security Act, to the employer notifying the employer to enroll the child  
115 in a health care plan provided by the employer for which the obligor is eligible. If the obligee is  
116 required to provide health care coverage, the IV-D agency may transmit such national medical  
117 support notice to the employer of the obligee and the provisions of this section with respect to  
118 the notice shall apply to such obligee and such employer.

119 SECTION 10. Subsection (c) of said section 12 of said chapter 119A, as so appearing, is  
120 hereby amended by striking out the last three sentences.

121 SECTION 11. Subsection (d) of said section 12 of said chapter 119A, as so appearing, is  
122 hereby amended by striking out the fifth sentence and inserting in place thereof the following  
123 sentence:- When said agency ascertains that an obligor has failed to comply with a judgment or  
124 order for health care coverage and health care coverage is available to the obligor at reasonable  
125 cost and accessible to the child, the IV-D agency shall send notice of the judgment or national  
126 medical support notice to the employer or to a provider of health care coverage together with  
127 notice of the provisions of subsection (f).

128 SECTION 12. Said subsection (d) of said section 12 of said chapter 119A, as so  
129 appearing, is hereby further amended by striking out the last sentence and inserting in place  
130 thereof the following sentence:- The obligor may contest an order for health care coverage by  
131 requesting that the court that issued the order determine whether such coverage is available to the  
132 obligor at reasonable cost and accessible to the child; provided, however, that the obligor shall  
133 bear the burden of proving that such coverage is not available at reasonable cost or accessible to  
134 the child; and provided further that the provider of health care coverage shall maintain coverage  
135 for the child under the order pending a modification of the order.

136 SECTION 13. Said section 12 of said chapter 119A, as so appearing, is hereby further  
137 amended by striking out subsection (k) and inserting in place thereof, the following subsection:-

138 (k) Upon receipt of the national medical support notice or upon application of the  
139 employee pursuant to the order for health care coverage, the employer shall enroll the child in  
140 the health care plan. The national medical support notice shall have the same effect as an  
141 enrollment application signed by the employee and shall operate to enroll the child in the health  
142 care plan. The employer shall comply with the requirements of the national medical support  
143 notice, as set forth in the instructions incorporated into such notice. Where health care coverage  
144 is provided by the obligor, the employer or the provider of health care coverage shall furnish the  
145 obligee with such information as may be necessary for the child to obtain benefits through the  
146 plan and shall permit the obligee or, with the approval of the obligee, the provider of medical  
147 services to submit claims for covered services without the approval of the obligor. A claim  
148 submitted in accordance with this subsection shall be payable, as appropriate, directly to the  
149 obligee, to the provider of medical services or, if the individual has assigned his rights to medical  
150 support pursuant to Title XIX of the Social Security Act, to the division of medical assistance. In  
151 any case where the division of medical assistance has been assigned the rights of an individual  
152 covered for health benefits from the provider of health care coverage and eligible for medical  
153 assistance under Title XIX of the Social Security Act, the provider of health care coverage shall  
154 apply to the division the same requirements applicable to an agent or assignee of any other  
155 individual so covered.

156 SECTION 14. Subsection (m) of said section 12 of said chapter 119A, as so appearing,  
157 is hereby amended by striking out the last sentence.

158 SECTION 15. Section 73 of chapter 152 of the General Laws, as so appearing, is hereby  
159 amended by inserting after the first paragraph the following paragraph:-

160 An employee of the commonwealth who is receiving compensation benefits pursuant to  
161 this chapter and who has qualified for a superannuation retirement allowance pursuant to section  
162 5 of chapter 32, shall receive a combined benefit of no more than the average annual rate of  
163 regular compensation computed by the state retirement board that is the basis for the  
164 superannuation retirement benefit under section 5. The workers' compensation payment shall  
165 not exceed the difference between the superannuation retirement allowance received under  
166 section 5 and the average annual rate of annual compensation on which it was based, nor shall  
167 the workers' compensation payment exceed the workers' compensation statutory benefit  
168 calculated under the provisions of this chapter.

169 SECTION 16. The first paragraph of section 28 of chapter 208 of the General Laws, as  
170 so appearing, is hereby amended by striking out the last two sentences and inserting in place  
171 thereof the following paragraphs:- When the court makes an order for maintenance or support of  
172 a child, said court shall include a provision requiring either parent to provide health care  
173 coverage for the child, if such coverage is available at reasonable cost and accessible to the child;  
174 and may require the obligor to pay an amount toward the cost of health care coverage or toward  
175 uninsured medical expenses on behalf of the child. If the court determines that an order for  
176 health care coverage is not in the best interest of the child or creates an undue hardship for either  
177 parent, then the court shall enter written findings.

178 If the child is enrolled in Medicaid, the court shall order the obligee to maintain such  
179 coverage for so long as the child remains eligible, provided that if private health insurance is

180 available to the obligor at reasonable cost and accessible to the child, the court shall also order  
181 the obligor to enroll the child in such insurance.

182 If the IV-D agency as set forth in chapter 119A is responsible for enforcing the order, the  
183 court shall order the parents to notify the IV-D agency of any changes in the availability and  
184 terms of health care coverage. For the purposes of this section: (i) health care coverage shall be  
185 deemed reasonable in cost if the cost to the party ordered to provide health care coverage does  
186 not exceed 8% of the gross income of said party; (ii) health care coverage shall be deemed  
187 accessible to the child if covered services are available within 15 miles of the primary residence  
188 of the child; (iii) health care coverage includes private health insurance available through  
189 employment, union affiliation or otherwise, and public health coverage administered by the Title  
190 XIX agency; and (iv) ) private health insurance shall be deemed not available at reasonable cost  
191 to parents who receive Medicaid on behalf of themselves or the child.

192 SECTION 17. The fifth paragraph of section 32 of chapter 209 of the General Laws, as  
193 so appearing, is hereby amended by striking out the last two sentences of the fifth paragraph and  
194 inserting in place thereof the following paragraphs:- When the court makes an order for  
195 maintenance or support on behalf of a spouse or child, said court shall include a provision  
196 requiring either parent to provide health care coverage for the child, if such coverage is available  
197 at reasonable cost and accessible to the child; and may require the obligor to pay an amount  
198 toward the cost of health care coverage or toward uninsured medical expenses on behalf of the  
199 child. If the court determines that an order for health care coverage is not in the best interest of  
200 the child or creates an undue hardship for either parent, then the court shall enter written  
201 findings.

202 If the child is enrolled in Medicaid, the court shall order the obligee to maintain such  
203 coverage for so long as the child remains eligible, provided that if private health insurance is  
204 available to the obligor at reasonable cost and accessible to the child, the court shall also order  
205 the obligor to enroll the child in such insurance.

206 If the IV-D agency as set forth in chapter 119A is responsible for enforcing the order, the  
207 court shall order the parents to notify the IV-D agency of any changes in the availability and  
208 terms of health care coverage. For the purposes of this section: (i) health care coverage shall be  
209 deemed reasonable in cost if the cost to the party ordered to provide health care coverage does  
210 not exceed 8% of the gross income of said party; (ii) health care coverage shall be deemed  
211 accessible to the child if covered services are available within 15 miles of the primary residence  
212 of the child; (iii) health care coverage includes private health insurance available through  
213 employment, union affiliation or otherwise, and public health coverage administered by the Title  
214 XIX agency; and (iv) private health insurance shall be deemed not available at reasonable cost to  
215 parents who receive Medicaid on behalf of themselves or the child.

216 SECTION 18. The first paragraph of section 37 of said chapter 209, as so appearing, is  
217 hereby amended by striking out the last two sentences and inserting in place thereof the  
218 following paragraphs:-

219 When the court makes an order for support or maintenance on behalf of a child, said  
220 court shall include a provision requiring either parent to provide health care coverage for the  
221 child, if such coverage is available at reasonable cost and accessible to the child; and may require  
222 the obligor to pay an amount toward the cost of health care coverage or toward uninsured  
223 medical expenses on behalf of the child. If the court determines that an order for health care

224 coverage is not in the best interest of the child or creates an undue hardship for either parent,  
225 then the court shall enter written findings.

226 If the child is enrolled in Medicaid, the court shall order the obligee to maintain such  
227 coverage for so long as the child remains eligible, provided that if private health insurance is  
228 available to the obligor at reasonable cost and accessible to the child, the court shall also order  
229 the obligor to enroll the child in such insurance.

230 If the IV-D agency as set forth in chapter 119A is responsible for enforcing the order, the  
231 court shall order the parents to notify the IV-D agency of any changes in the availability and  
232 terms of health care coverage. For the purposes of this section: (i) health care coverage shall be  
233 deemed reasonable in cost if the cost to the party ordered to provide health care coverage does  
234 not exceed 8% of the gross income of said party; (ii) health care coverage shall be deemed  
235 accessible to the child if covered services are available within 15 miles of the primary residence  
236 of the child; (iii) health care coverage includes private health insurance available through  
237 employment, union affiliation or otherwise, and public health coverage administered by the Title  
238 XIX agency; and (iv) private health insurance shall be deemed not available at reasonable cost to  
239 parents who receive Medicaid on behalf of themselves or the child.

240 SECTION 19. The first paragraph of section 9 of chapter 209C, as so appearing, is  
241 hereby amended by striking out the seventh and eighth sentences and inserting in place thereof  
242 the following paragraphs:- When the court makes an order or judgment for maintenance or  
243 support of a child, said court shall include a provision requiring either parent to provide health  
244 care coverage for the child, if such coverage is available at reasonable cost and accessible to the  
245 child; and may require the obligor to pay an amount toward the cost of health care coverage or

246 toward uninsured medical expenses on behalf of the child. If the court determines that an order  
247 for health care coverage is not in the best interest of the child or creates an undue hardship for  
248 either parent, then the court shall enter written findings.

249 If the child is enrolled in Medicaid, the court shall order the obligee to maintain such  
250 coverage for so long as the child remains eligible, provided that if private health insurance is  
251 available to the obligor at reasonable cost and accessible to the child, the court shall also order  
252 the obligor to enroll the child in such insurance.

253 If the IV-D agency as set forth in chapter 119A is responsible for enforcing the order, the  
254 court shall order the parents to notify the IV-D agency of any changes in the availability and  
255 terms of health care coverage. For the purposes of this section: (i) health care coverage shall be  
256 deemed reasonable in cost if the cost to the party ordered to provide health care coverage does  
257 not exceed 8% of the gross income of said party; (ii) health care coverage shall be deemed  
258 accessible to the child if covered services are available within 15 miles of the primary residence  
259 of the child; (iii) health care coverage includes private health insurance available through  
260 employment, union affiliation or otherwise, and public health coverage administered by the Title  
261 XIX agency; and (iv) private health insurance shall be deemed not available at reasonable cost to  
262 parents who receive Medicaid on behalf of themselves or the child.

263 SECTION 20. Section 49 of chapter 9 of the acts of 2011, as most recently amended by  
264 section 25 of chapter 5 of the acts of 2019, is hereby further amended by inserting after  
265 subsection (d), the following subsection:-

266 (d1/2) (1) The commissioner may procure job order contracts for use by state agencies  
267 consisting of the division of capital asset management and maintenance, the department of



268 correction and any higher education facilities subject to the department of higher education for  
269 facilities that are owned or operated by said state agencies for projects that (i) improve access to  
270 places of public accommodation listed in section 92A of chapter 272 of the General Laws; or (ii)  
271 remove barriers and create or improve accessible features for both physical and programmatic  
272 access necessary for compliance with state code and laws, including for compliance with Title II  
273 of the Americans with Disabilities Act of 1990 and for compliance with state codes and laws.

274 (2) These contracts shall be limited to job orders estimated to cost not more than  
275 \$1,000,000 each and shall be procured through the procedures specified in section 39M of  
276 chapter 30 of the General Laws except that: (i) the amount of the bid deposit shall be \$5,000; (ii)  
277 contractors who are awarded job orders under any job order contract shall be certified by the  
278 division for the category of work specified in the contract; and (iii) the amounts of surety bonds  
279 required by the contract may be satisfied with respect to each particular job order before the  
280 commencement of any work under that job order. The commissioner shall award a job order  
281 contract to the eligible and responsible bidder who offers the lowest mark-up over the base unit  
282 prices specified in the contract specifications.

283 SECTION 21. Item 7061-9814 of of chapter 154 of the acts of 2018 is hereby amended  
284 by inserting at the end thereof, the following words:-

285 ; and provided further, that appropriated funds may be expended for programs or  
286 activities during the summer months.

287 SECTION 22. The first sentence of section 56 of chapter 228 of the acts of 2018 is  
288 hereby amended by inserting at the end thereof, the following words:-

289 ; provided, that any such city or town that has entered into an agreement with an adjacent  
290 city or town to expend its grant proceeds in a manner that provides broadband service to areas  
291 within the adjacent city or town shall, upon receipt of reimbursement from the adjacent city or  
292 town, credit the funds paid in reimbursement to the grant from which the expenses were  
293 originally paid and such funds shall become part of the grant to be expended according to the  
294 provisions of the grant agreement.

295 SECTION 23. Item 7061-0010 of chapter 273 of the acts of 2018 is hereby amended by  
296 inserting at the end thereof, the following words:-

297 ; and, provided further, that any unexpended funds in this item shall not revert but shall  
298 be made available for the purpose of this item until June 30, 2020.

299 SECTION 24. Item 7009-6800 of said chapter 273 is hereby amended by inserting, at the  
300 end thereof, the following words:-

301 ; and, provided further, that any unexpended funds in this item shall not revert but shall  
302 be made available for the purpose of this item until June 30, 2020.

303 SECTION 25. The salary adjustments and other economic benefits authorized by the  
304 following collective bargaining agreements shall be effective for the purposes of section 7 of  
305 chapter 150E of the General Laws:

306 (1) between the commonwealth and the Massachusetts Correction Officers Federated  
307 Union, Unit 4;

308 (2) between the commonwealth and the Coalition of Public Safety, Unit 5;

- 309           (3)     between the sheriff of Bristol county and the National Correctional Employees  
310 Union Administrative and Technical Staff Unit, Unit SA1;
- 311           (4)     between the sheriff of Essex county and the National Correctional Employees  
312 Union, Local 123, Unit SE1;
- 313           (5)     between the sheriff of Essex county and the Essex County Correctional Officers  
314 Association, Unit SE2;
- 315           (6)     between the sheriff of Essex county and the Essex County Regional Emergency  
316 Communication Dispatchers, Unit SE5;
- 317           (7)     between the sheriff of Middlesex county and the National Correctional Employees  
318 Union, Local 116, Civil Process Unit, Unit SM6;
- 319           (8)     between the between the Worcester South registry of deeds and OPEIU, Local 6;
- 320           (9)     between the University of Massachusetts and AFT Massachusetts Maintainers  
321 AFL-CIO, Local 6350, Unit D83;
- 322           (10)    between the University of Massachusetts and the International Brotherhood of  
323 Teamsters, Local 25, Unit B33;
- 324           (11)    between the Board of Higher Education and the Massachusetts State College  
325 Association/MTA/NEA;
- 326           (12)    between the Massachusetts Department of Transportation and DOT Unit E,  
327 including the Massachusetts Organization of State Engineers and Scientists and United  
328 Steelworkers Local 5696.