

HOUSE No. 4907

The Commonwealth of Massachusetts

PRESENTED BY:

Danillo A. Sena and 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:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>7/10/2020</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>7/10/2020</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>7/14/2020</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>7/14/2020</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>7/14/2020</i>

HOUSE No. 4907

By Representative Sena of Acton and Senator Eldridge, a joint petition (subject to Joint Rule 12) of Danillo A. Sena, James B. Eldridge and others for legislation to authorize the Executive Office of Labor and Workforce Development to establish a works progress to employ certain unemployed residents. Labor and Workforce Development.

The Commonwealth of Massachusetts

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

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 151AA: -

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

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

11 “Priority individual”, shall mean an individual who has been unemployed for at least the
12 sixty-day period prior to the commencement of a project described in section 3 of this chapter
13 and belongs to a community that has historically been disproportionately affected by a high
14 unemployment rate, including but not limited to: Black and Latinx communities; people with
15 disabilities; and 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 state departments and agencies pursuant to paragraph (a) of section 3 of this chapter; and (2)
20 select works projects proposals that meet the criteria pursuant to paragraph (b) of section 3 of
21 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 chairman of the cannabis control commission, the
31 commissioner of the department of fish and game, and the commissioner of the department of
32 conservation and recreation shall submit proposals to the program for works projects within the
33 jurisdiction of each secretary, commissioner or other administrator that satisfy the criteria
34 described in subsection (b) of this section. Any other department, agency, or local non-profit
35 organizations 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 February 2020 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 section 501(c)(3) of the United States Internal
83 Revenue Code and privately held businesses for part or all of an approved project subject to the
84 approval of the program.

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

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

92 Section 4. Not later than six months after the effective date of this section, and biannually
93 thereafter on June thirtieth and December thirty-first of each year, the program shall submit a
94 report to the clerk of the house and senate which includes: (a) the number of works project
95 proposals submitted to the program; (b) the number of works projects approved by the program

96 during the reporting period; (c) the number of works projects completed by the date of the report;
97 and (d) with respect to each approved work project, a project description that includes
98 information about whether the project is complete and such other information as the program
99 determines appropriate.

100 Section 5. The auditor shall conduct an annual audit of: (a) the performance and activities
101 of the program; (b) the performance and completion of work projects; and (c) the performance of
102 the eligible agencies with respect to such projects.