HOUSE DOCKET, NO. 262 FILED ON: 1/15/2021

HOUSE . . . . . No. 2052

The Commonwealth of Massachusetts

PRESENTED BY:

Danillo A. Sena

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:
Danillo A. Sena	*37th Middlesex*	*1/15/2021*
James B. Eldridge	*Middlesex and Worcester*	*1/15/2021*
Lindsay N. Sabadosa	*1st Hampshire*	*2/26/2021*
Elizabeth A. Malia	*11th Suffolk*	*3/15/2021*

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HOUSE . . . . . No. 2052

By Mr. Sena of Acton, a petition (accompanied by bill, House, No. 2052) of Danillo A. Sena and others for legislation to establish the Massachusetts works progress administration. Labor and Workforce Development.

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:

SECTION 1. The General Laws are hereby amended by inserting after chapter 151A the following chapter:-

CHAPTER 151AA.

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

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

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

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

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

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

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

Section 3. (a) Not later than 30 days after the effective date of this section, and subsequently at such times as the program shall request, the commissioner of the department of public health, the commissioner of the department of energy resources, the commissioner of the department of agricultural resources, the secretary of transportation, the commissioner of the department of environmental protection, the secretary of elder affairs, the commissioner of the

department of higher education, the chair of the cannabis control commission, the commissioner of the department of fish and game, and the commissioner of the department of conservation and recreation shall submit proposals to the program for works projects within the jurisdiction of each secretary, commissioner or other administrator that satisfy the criteria described in subsection (b) of this section. Any other department, agency, or local non-profit organizations and coalitions may also submit works projects to the program.

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

(c) Works projects under this section may include, but shall not be limited to: (1) contact tracing for the COVID-19 coronavirus; (2) climate change resiliency and restoration focused on nature based solutions, land and water conservation and restoration, and water quality projects including, but not limited to: (i) residential and commercial water use efficiency improvement projects; (ii) aquatic ecosystem and water quality improvement projects; (iii) residential and commercial building weatherization projects; (iv) renewable energy infrastructure projects; (v) soil erosion and pesticide runoff prevention projects; (vi) conservation and recreational land, trail construction and maintenance projects; (vii) municipal drinking and wastewater projects; (viii) nature-based solutions for climate resilience and restoration; or (iv) tree planting and retention projects; (3) projects enhancing the creative economy including, but not limited to: (i) commissioning public works of visual art; (ii) staging public musical performances if consistent

with social distancing guidelines; (iii) creating public works of multimedia art; (iv) creating public works of digital art; or (v) staging public performing arts performances if consistent with social distancing guidelines; (4) projects enhancing the agricultural, aquaculture, fisheries, food and beverage sectors including, but not limited to: (i) public instructional classes on nutrition, including community gardening; (ii) projects using technology to improve agriculture; or(iii) projects improving enrollment and access to resources addressing food insecurity; (5) infrastructure projects, including but not limited to: (i) road construction; (ii) railroad construction; (iii) mass transit improvements; (iv) rail-to-trail conversion; (v) nature-based solutions to improve the resiliency of built infrastructure; or (vi) culvert upgrades, and actions that reduce wildlife-vehicle collisions; (6) projects enhancing home care services, including but not limited to virtual services; (7) projects enhancing online education; (8) projects enhancing the cannabis industry; and (9) any other project that the program determines is appropriate.

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

(e) The program shall approve those proposals which are submitted pursuant to and meet the criteria set forth in subsection (b) and ensure the projects are fairly distributed geographically throughout the commonwealth. The program shall provide funding for those projects from amounts appropriated for the program.

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

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

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

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

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

Section 3. Not later than 6 months after the effective date of this section, and biannually thereafter on June 30 and December 31 of each year, the program shall file a report with the clerk of the house of representatives and senate which includes: (a) the number of works project proposals submitted to the program; (b) the number of works projects approved by the program during the reporting period; (c) the number of works projects completed by the date of the report;

and (d) with respect to each approved work project, a project description that includes information about whether the project is complete and such other information as the program determines appropriate.

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