

HOUSE No. 4479

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
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KARYN POLITO
LIEUTENANT GOVERNOR

February 18, 2022

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2022 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

Revenues in Fiscal Year 2022 (FY22) have thus far exceeded initial expectations. The bill I propose today would allocate this surplus to support the Commonwealth’s ongoing response to COVID-19 and fund important investments in other areas with immediate need, like human services, child care, housing, climate change preparedness, and local infrastructure. In total, this bill proposes \$2.4 billion in supplemental appropriations, at a net state cost of \$1.6 billion.

This proposal provides stabilization funding for child care providers, special education schools, and human service providers to ensure access to these critical services remains available for all who need them across the state. The proposal includes \$450 million to extend Commonwealth Cares for Children (C3) stabilization grants for child care providers through fiscal year 2023 (FY23). The bill also includes \$140 million through FY23 for special education schools to help address direct care and clinical staffing needs. An additional \$401 million is recommended for rate enhancements to human service providers, \$346 million of which is supported by federal funds, for a total of \$55 million in net state cost.

The bill also increases other support for children and families, especially those whose lives have been significantly disrupted by the pandemic. It recommends \$100 million for matching grants to youth-focused nonprofits that will support the construction and renovation of new facilities for children across the state. It provides \$60 million to maintain access to rental assistance through the Rental Assistance for Families in Transition (RAFT) program as the federal Emergency Rental Assistance program begins to wind down, and it includes \$8.4 million to continue additional short-term assistance to families fostering children during the pandemic.

This proposal also includes \$700 million dedicated to the public health response to COVID-19, such as providing rapid tests and surveillance testing in congregate care settings, administering monoclonal antibody treatments, maintaining vaccination sites, and ensuring sufficient staffing in health care facilities. After anticipated FEMA reimbursements, these initiatives are expected to have a net cost of \$439 million. These funds will complement the funding provided by the supplemental budget the Legislature recently sent to me and which I was pleased to sign last week.

This bill also funds a range of infrastructure and climate-related needs in local communities. It proposes \$100 million for a supplemental Chapter 90 distribution, \$100 million to help municipalities repair roads from winter damage, and \$150 million in supplemental grants to fund climate change resiliency initiatives, including the Municipal Vulnerability Preparedness (MVP) program.

Several other important investments are supported in this bill, including:

- \$60 million to stabilize and support counseling, advocacy, and intervention services for victims of crime through FY25 until federal Victims of Crime Act (VOCA) resources are restored;
- \$50 million to support the guardian ad litem expansion initiative described more fully below;
- \$14 million to fully fund service improvements for men who are civilly committed for substance use treatment under Section 35;
- \$10 million to ensure Emergency Aid to the Elderly, Disabled and Children (EAEDC) payments are uninterrupted through caseload volatility;
- \$5 million to support the implementation of the new 988 emergency call line;
- \$5 million for Department of Mental Health (DMH) housing repairs and additional housing vouchers;
- \$2 million to optimize government services for hybrid work models;

- \$1.8 million to support behavioral health services for Haitian and Afghan evacuees;
- \$1.1 million for Safe Water Initiative Massachusetts (SWIM) grants and other summer water safety investments

I also recommend \$110 million and a related authorizing section to ratify additional collective bargaining agreements, as well as a number of technical adjustments that are neutral to the budget.

Moreover, the bill includes several policy proposals.

I am filing a section that will mandate the appointment of a guardian ad litem (GAL) in every proceeding at the Juvenile Court in which it is alleged that a child has been subjected to child abuse or neglect. The GAL will provide children in the custody of the Department of Children and Families (DCF) an independent advocate responsible for considering only the child's best interests. Additionally, the section will set a minimum hourly wage for GALs appointed pursuant to this requirement, aligned to the hourly rate paid to CPCS attorneys in care and protection cases. I am filing an accompanying appropriation request in the amount of \$50 million to support the recruitment, training, and compensation of additional GALs.

I am also including a proposal that will assist with the successful implementation of the Commonwealth's premium pay program by exempting those payments from the Massachusetts income tax.

I am also filing a number of corrections to last year's ARPA legislation, "An Act Relative to Immediate COVID-19 Recovery Needs," as well as corrections to the COVID-19 supplemental budget that I signed last week. These changes will enable the proper implementation of the spending priorities set forth by the Legislature that were signed into law, placing these initiatives in the best position to assist the state's ongoing COVID-19 recovery.

Additionally, I am filing sections that would make extensions to certain COVID-19 state of emergency provisions, such as the eviction provisions established in Chapter 257 of the Acts of 2020 that are scheduled to expire on April 1, 2022. These protections would be extended until January 1, 2023. Also included is a time-limited renewal and update of recently expired provisions that would allow the Commissioner of Elementary and Secondary Education to issue emergency educator licenses.

I am also filing sections that would align the filing dates of the Massachusetts Bay Transportation Authority's capital budget more closely with the Commonwealth's process and sections that would update the membership of the State Workforce Board to comply with federal requirements.

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

Respectfully submitted,

Charles D. Baker,
Governor

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Commission on the Status of Women

0950-0000 Commission on the Status of Women\$500,000

MASSACHUSETTS GAMING COMMISSION

Massachusetts Gaming Commission

1050-0140 Payments to Cities and Towns for Local Racing Tax Revenue.... \$391,240

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-6903 Chapter 257 and Human Service Reserve..... \$55,000,000

1599-9817 ARPA HCBS Reserve..... \$346,056,813

Human Resources Division

1750-0100 Human Resources Division.....\$1,908,823

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary of Energy and Environmental Affairs

2000-0100 Energy and Environmental Affairs Administration.....\$250,000

2000-0101 Climate Adaptation and Preparedness..... \$359,154

Department of Conservation and Recreation

2810-0100 State Parks and Recreation.....\$1,660,000

28 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

29 *Department of Transitional Assistance*

30 4408-1000 Emergency Aid to the Elderly Disabled and Children.....\$10,000,000

31 *Department of Children and Families*

32 4800-0038 Services for Children and Families.....\$8,400,000

33 *Department of Public Health*

34 4513-1026 Suicide Prevention and Intervention Program..... \$5,000,000

35 4516-1000 State Laboratory and Infectious Disease Control Services... \$1,780,754

36 *Department of Mental Health*

37 5046-0000 Adult Mental Health and Support Services..... \$5,000,000

38 *Department of Elder Affairs*

39 9110-0100 Elder Affairs Administration..... \$435,400

40 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

41 *Office of the Secretary of Housing and Economic Development*

42 7002-0010 Executive Office of Housing and Economic Development... \$190,000

43 *Department of Housing and Community Development*

44 7004-0102 Homeless Individual Shelters..... \$2,800,000

45 7004-9316 Residential Assistance for Families in Transition..... \$60,000,000

46 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

47 *Executive Office of Labor and Workforce Development*

48 7003-0101 Labor and Workforce Development Shared Services..... \$1,500,000

49 EXECUTIVE OFFICE OF EDUCATION

50 *Office of the Secretary*

51 1595-7066 STEM Pipeline Fund \$5,000,000

52 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

53 *Department of Fire Services*

54 8324-0050 Local Fire Department Projects and Grants.....\$1,750,000

55 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
56 provide for an alteration of purpose for current appropriations, and to meet certain requirements
57 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
58 specifically designated otherwise in this section, for the several purposes and subject to the
59 conditions specified in this section, and subject to the laws regulating the disbursement of public
60 funds for the fiscal year ending June 30, 2022. Except as otherwise stated, these sums shall be
61 made available until June 30, 2023.

62 OFFICE OF THE ATTORNEY GENERAL

63 *Victim and Witness Assistance Board*

64 0840-0030 For grants to organizations providing no-cost counseling, advocacy, and
65 intervention services to victims of crime; provided, that any unexpended funds in this item shall
66 not revert but shall be made available for the purpose of this item until June 30,
67 2025.....\$60,000,000

68 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

69 *Reserves*

70 1599-0766 For grants to Massachusetts approved special education schools to address
71 the impacts of COVID-19.....\$140,000,000

72 1599-0793 For a reserve to support the commonwealth’s continuing testing,
73 treatment, vaccination, public awareness, prevention, and public health response efforts against
74 the 2019 novel coronavirus, also known as COVID-19; provided, that the secretary of
75 administration and finance may transfer from this item to state agencies as defined in section 1 of
76 chapter 29 of the General Laws; provided further, that not less than \$433,000,000 shall be
77 expended for testing including, but not limited to, rapid tests, tests for schools and school-aged
78 children, surveillance testing in congregate care settings, and public testing efforts; provided
79 further, that not less than \$72,000,000 shall be expended for treatment including, but not limited
80 to, monoclonal antibodies; provided further, that not less than \$45,500,000 shall be expended for
81 vaccination including, but not limited to, vaccination sites, clinics, and testing infrastructure;
82 provided further, that not less than \$125,000,000 shall be expended for supporting the workforce
83 including, but not limited to, temporary staffing and nursing rapid response teams; provided
84 further, that in the event that a direct funding source is more appropriate for spending authorized
85 in this item, the secretary of administration and finance may spend from the other direct funding

86 source and reduce spending from this item accordingly; provided further, that if the secretary of
87 administration and finance, in consultation with the secretary of health and human services,
88 determines that the actual need for a particular purpose is less than is authorized to be spent in
89 this item for that purpose, the secretary of administration and finance may reduce spending
90 accordingly; provided further, that funds made available in this item, including those made
91 available through identification of an alternative funding source or not needed for a particular
92 purpose, may be expended by public instrumentalities at the secretary's discretion to support the
93 commonwealth's monitoring, treatment, containment, public awareness and prevention efforts
94 against the 2019 novel coronavirus; and provided further, that the secretary of administration and
95 finance shall seek federal reimbursement for spending incurred in this item where appropriate
96 and available..... \$700,000,000

97 1599-0999 For a reserve to assist agencies in organizational transformation and other
98 improvements; provided, that funds may be expended to implement changes in space use across
99 Executive department offices with the aims of optimizing efficient services for the public,
100 digitizing paper documents, increasing telecommuting opportunities for employees, and reducing
101 lease costs where feasible and advisable..... \$2,000,000

102 1599-1214 For a reserve for expansion, upgrades or enhancements to staffing,
103 operations or infrastructure for new and existing facilities that treat men with an alcohol or
104 substance use disorder under sections 1 and 35 of chapter 123 of the General Laws; provided,
105 that the secretary of administration and finance may transfer funds from this item to state
106 agencies as defined in section 1 of chapter 29 of the General Laws..... \$14,000,000

107 1599-1719 For grants to nonprofit organizations to support the construction and
108 renovation of facilities used to advance the social, intellectual, or physical needs of children and
109 youth; provided, that preference shall be given to organizations that serve communities
110 disproportionately impacted by COVID-19; provided further, that grants shall be awarded for no
111 more than \$10,000,000 for any single facility; provided further, that the grants shall require a
112 match from local and private sources, and preference shall be given to applications including at
113 least a 100 per cent match; and provided further, that funds may be transferred to the department
114 of public health, the department of elementary and secondary education, or other departments or
115 agencies of the Commonwealth for the purpose of administering the grant
116 program..... \$100,000,000

117 1599-2106 For a reserve to support the costs of recruiting, training, and compensating
118 guardians ad litem appointed pursuant to section 29 1/2 of chapter 119 of the General Laws;
119 provided, that the secretary of administration and finance may authorize the transfer of funds
120 from this item to other items for such purposes.....\$50,000,000

121 1599-4448 For a reserve for collective bargaining and related labor costs; provided,
122 that funds shall be used for fiscal year 2020, 2021, and 2022 costs of contracts once validated
123 pursuant to section 7 of chapter 150 of the General Laws; provided further, that funds may be
124 used for non-union pay increases; and provided further, that the secretary of administration and
125 finance may authorize the transfer of funds from this account to other accounts to meet the
126 projected costs.....\$109,869,518

127 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

128 *Office of the Secretary of Energy and Environmental Affairs*

129 2000-1014 For investments in climate change resiliency; provided, that funds shall be
130 expended for municipal vulnerability preparedness planning and action grants to plan for and
131 address priority projects identified through local vulnerability assessments; provided further, that
132 funds may be utilized for river, wetland and river corridor revitalization, ecological restoration
133 and protection of aquatic ecosystems and functions throughout the commonwealth including, but
134 not limited to, dam and barrier removal, in-stream improvements, flow, water quality, riverine
135 habitat, protection of high-quality riparian and wetland habitat, assessment and mitigation of
136 threats from climate change, including promoting soil health practices that improve water quality
137 or otherwise mitigate threats from climate change, and restoration of coastal areas, wetlands, salt
138 marshes and cranberry bogs, mitigation of flooding and improving recreational opportunities;
139 provided further, that regional municipal partnerships, regional planning bodies, watershed
140 associations, land trusts, conservation organizations, and similar non-profit organizations may
141 serve as lawful grantees; provided further, that not less than \$400,000 shall be expended for
142 maximizing the resilience of a combined public safety complex and emergency command center
143 in the town of Williamsburg; provided further, that not less than \$1,777,610 shall be expended
144 for removing sections of Lake Mansfield Road and converting them into a multi-use recreational
145 trail in the town of Great Barrington; provided further, that not less than \$300,000 shall be
146 expended for solar panel and battery installation for town buildings in the town of Whately;
147 provided further, that not less than \$1,000,000 shall be expended for a community resilience hub
148 in the city of Northampton; provided further, that not less than \$400,000 shall be expended for
149 the development of Wielgus Fields Park in the city of Westfield; provided further, that not less
150 than \$100,000 shall be expended for solar panel and battery installation for town buildings in the
151 town of Wendell; provided further, that not less than \$1,500,000 shall be expended for resilient

152 stormwater system management in the city of Worcester; provided further, that not less than
153 \$2,000,000 shall be expended for stabilizing the bank of Monoosnoc Brook in the city of
154 Leominster; provided further, that not less than \$750,000 shall be expended for climate
155 resilience, habitat conservation and passive recreation in the town of Berlin; provided further,
156 that not less than \$1,000,000 shall be expended for replacing the Mulberry Brook Culvert at
157 Highland Street in the town of Easton; provided further, that not less than \$400,000 shall be
158 expended for restoring the wetland and floodplain at the Sam Wright Field in the town of Easton;
159 provided further, that not less than \$750,000 shall be expended for stormwater retrofits at Smith
160 Beach in the town of Braintree; provided further, that not less than \$2,000,000 shall be expended
161 for reconstruction of the South Creek Culvert and restoration of the natural riverine channel in
162 the city of Everett; provided further, that not less than \$750,000 shall be expended for preserving
163 open space woodlands and wetlands along Beaver Dam Brook in the city of Framingham;
164 provided further, that not less than \$500,000 shall be expended for preserving woodland,
165 wetlands and floodplain along the Assabet River in the town of Concord; provided further, that
166 not less than \$750,000 shall be expended for bringing the River Street Dam into compliance in
167 the town of Acton; provided further, that not less than \$1,500,000 shall be expended for a
168 resilient conservation and recreation facility at Stow Acres in the town of Stow; provided further,
169 that not less than \$3,152,759 shall be expended for restoring the continuous coastal dune along
170 Short Beach in town of Nahant; provided further, that not less than \$880,000 shall be expended
171 for the redesign and replacement of drainage infrastructure on Dunshire Drive and ecological
172 restoration at the Deep Brook Reservation in the town of Chelmsford; provided further, that not
173 less than \$2,000,000 shall be expended for a study of combined sewer overflow improvements in
174 the city of Fall River; provided further, that not less than \$2,000,000 shall be expended for model

175 resiliency projects in the town of Wareham; provided further, that not less than \$300,000 shall be
176 expended for stormwater retrofits in the Santuit Pond watershed in town of Mashpee; provided
177 further, that not less than \$750,000 shall be expended for preserving Turkey Swamp in the town
178 of Plympton; provided further, that not less than \$2,000,000 shall be expended for preserving
179 farmland, riparian corridor and floodplain adjacent to the Oliver Estate Preserve in the town of
180 Middleborough; provided further, that not less than \$2,000,000 shall be expended for the
181 development of Piers Park III in East Boston; provided further, that not less than \$3,500,000
182 shall be expended for erosion and flood control measures at the Wastewater Treatment Facility in
183 the town of Hull; provided further, that not less than \$2,300,000 shall be expended for coastal
184 resiliency improvements to the Creek Road Pump Station in the town of Marion; provided
185 further, that not less than \$2,500,000 shall be expended for two dam removals, a culvert
186 replacement, and daylighting a culverted reach of stream along Abbey Brook in the city of
187 Chicopee; provided further, that not less than \$2,400,000 shall be expended to remove the
188 Quinapoxet Dam on the Quinapoxet River in the town of West Boylston; provided further, that
189 not less than \$2,000,000 shall be expended to remove the Wheelwright Dam in the town of
190 Hardwick; provided further, that not less than \$1,850,000 shall be expended to remove three
191 dams and address associated infrastructure in the town of Great Barrington; provided further, that
192 not less than \$1,500,000 shall be expended to remove the Edwards Pond Dam on Malden Brook
193 and replace two culverts also on Malden Brook in the town of West Boylston; provided further,
194 that not less than \$1,400,000 shall be expended to remove the Talbot Mills Dam in the town of
195 Billerica; provided further, that not less than \$1,225,000 shall be expended to remove the South
196 Middleton Dam in the town of Middleton; provided further, that not less than \$1,200,000 shall be
197 expended to remove the Larkin Mill Dam in the town of Newbury; provided further, that not less

198 than \$1,000,000 shall be expended to remove the Church Manufacturing Dam in the town of
199 Monson; provided further, that not less than \$1,000,000 shall be expended to remove two dams
200 as part of the Fore River Watershed Restoration project in the town of Braintree; provided
201 further, that not less than \$1,000,000 shall be expended to remove a dam as part of the South
202 River Restoration project in the town of Duxbury; provided further, that not less than \$900,000
203 shall be expended to remove a dam as part of the Osgood Brook Restoration project in the town
204 of Wendell; provided further, that not less than \$850,000 shall be expended to remove the
205 Becker Pond Dam in the town of Mount Washington; provided further, that not less than
206 \$850,000 shall be expended to remove a dam as part of the Veterans Memorial Lagoon and
207 South River Improvement project in the town of Marshfield; provided further, that not less than
208 \$600,000 shall be expended to remove the Whitney Pond Dam in the town of Ashburnham;
209 provided further, that not less than \$500,000 shall be expended to remove the Old Swamp River
210 Dam in the town of Weymouth; provided further, that not less than \$300,000 shall be expended
211 to remove the Peterson Pond Dam in the town of Hanover; provided further, that not less than
212 \$250,000 shall be expended to remove the Old Farm Road Dam as part of the Mill Brook
213 Headwaters Restoration project in the town of Chilmark; provided further, that not less than
214 \$11,000,000 shall be expended to remove the Bel Air Dam in the city of Pittsfield; provided
215 further, that not less than \$2,000,000 shall be expended to remove the Hager Pond Dam in the
216 city of Marlborough; provided further, that not less than \$2,000,000 shall be expended to remove
217 the Russell Pond Dam in the town of Kingston; provided further, that not less than \$3,200,000
218 shall be expended to remove the Monument Pond Dam in the town of Freetown; provided
219 further, that not less than \$3,000,000 shall be expended to remove the High Street Bridge Dam
220 and replace the upstream bridge in the town of Bridgewater; provided further, that not less than

221 \$4,000,000 shall be expended to repair the Haskell Pond Dam in the city of Gloucester; provided
222 further, that not less than \$2,000,000 shall be expended to repair the Willett Pond Dam in the
223 town of Norwood; provided further, that not less than \$5,000,000 shall be expended to replace
224 two road-stream crossings on the tidal Bass River in the town of Yarmouth; provided further,
225 that not less than \$2,000,000 shall be expended to upgrade the Bowman Lane culvert in the town
226 of Westborough; provided further, that not less than \$1,750,000 shall be expended to upgrade the
227 Stetson Road culvert in the town of Braintree; provided further, that not less than \$1,750,000
228 shall be expended to replace the Stage Road culvert in the town of Cummington; provided
229 further, that not less than \$1,750,000 shall be expended to replace the Westford Road culvert in
230 the town of Tyngsborough; provided further, that not less than \$1,375,000 shall be expended to
231 replace the East Rindge Road culvert in the town of Ashburnham; provided further, that not less
232 than \$1,200,000 shall be expended to replace the Mill Street culvert in the town of Merrimac;
233 provided further, that not less than \$1,100,000 shall be expended to replace the Brockelman
234 Road culvert in the town of Lancaster; provided further, that not less than \$975,000 shall be
235 expended to replace the Benton Hill Road culvert in the town of Becket; provided further, that
236 not less than \$1,000,000 shall be expended to replace the West Hawley Road culvert in the town
237 of Hawley; provided further, that not less than \$750,000 shall be expended to replace the Root
238 Road culvert in the town of Middlefield; provided further, that not less than \$600,000 shall be
239 expended to replace the Topsfield Road culvert in the town of Ipswich; provided further, that not
240 less than \$500,000 shall be expended to replace the Rice Corner Cross Road culvert in the town
241 of Brookfield; provided further, that not less than \$450,000 shall be expended to replace the
242 Frost Road culvert in the town of Washington; provided further, that not less than \$450,000 shall
243 be expended to replace the Pond Street culvert in the town of East Bridgewater; provided further,

244 that not less than \$425,000 shall be expended to replace the Green River Road culvert in the
245 town of Alford; provided further, that not less than \$450,000 shall be expended to replace the
246 Kinne Brook Road culvert in the town of Chester; and provided further, that not less than
247 \$450,000 shall be expended to replace the Ball Hill Road culvert in the town of
248 Princeton.....\$150,000,000

249 EXECUTIVE OFFICE OF EDUCATION

250 *Department of Early Education and Care*

251 3000-1045 For efforts to support and stabilize the early education and care workforce
252 and address varied operational costs at state child care programs supervised by the department of
253 early education and care, especially those related to the 2019 novel coronavirus pandemic and
254 the costs associated with stabilizing capacity during the period of pandemic recovery; provided,
255 that the department shall collect data from participating programs, including, but not limited to,
256 the number of enrolled children, number of educators employed, and amount of stabilization
257 grants spent to recruit and retain employees; provided further, that the department shall report
258 such data to the joint committee on education, the house and senate committees on ways and
259 means and the secretary of administration and finance on a quarterly basis; provided further, that
260 \$196,164,556 distributed through this item shall be in accordance with the terms of the
261 supplemental Child Care and Development Fund Discretionary Funds in the federal American
262 Rescue Plan Act of 2021, Public Law 117-2, and any state plans filed under that act; provided
263 further, that the department shall provide technical assistance to providers to assist them in
264 planning expenditures so as to avoid any so called “funding cliffs” in future fiscal years; and

265 provided further, that any unexpended funds in this item shall not revert to the General Fund but
266 shall be made available for this item until June 30, 2023.....\$400,000,000

267 SECTION 2B. To provide for supplementing certain intragovernmental chargeback
268 authorizations in the general appropriation act and other appropriation acts for fiscal year 2022,
269 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for
270 an alteration of purpose for current intragovernmental chargeback authorizations and to meet
271 certain requirements of law, the sum set forth in this section is hereby authorized from the
272 Intragovernmental Service Fund for the several purposes specified in this section or in the
273 appropriation acts and subject to the provisions of law regulating the disbursement of public
274 funds for the fiscal year ending June 30, 2022. This sum shall be in addition to any amounts
275 previously authorized and made available for the purposes of this item.

276 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

277 *Office of the Secretary of Health and Human Services*

278 4000-1701 Chargeback for Health and Human Services IT..... \$20,000,000

279 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer
280 from the General Fund to the trust funds named within each item unless specifically designated
281 otherwise in this section, for the purposes and subject to the conditions specified in this section
282 and subject to the laws regulating the disbursement of public funds for the fiscal year ending
283 June 30, 2022. Any transfers under this section shall be made by the comptroller not later than
284 June 30, 2022.

285 TRANSPORTATION

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Massachusetts Department of Transportation

1595-6380 For an operating transfer to the Massachusetts Transportation Trust Fund, established in section 4 of chapter 6C of the General Laws, for grants to municipalities for a winter recovery assistance program; provided, that funds may be expended for transportation projects including, but not limited to, the rehabilitation, reconstruction, resurfacing or preservation of roadways and appurtenances, the repair or replacement of traffic control devices, signage, guardrail, and storm grates, or road striping or painting..... \$100,000,000

Commonwealth Transportation Fund.....100%

1595-6386 For an operating transfer to the Massachusetts Transportation Trust Fund, established in section 4 of chapter 6C of the General Laws, for grants to municipalities for the construction, reconstruction, maintenance or improvement of municipal ways \$100,000,000

Commonwealth Transportation Fund.....100%

SECTION 3. Chapter 7C of the General Laws is hereby amended by inserting after section 2 the following section:-

Section 2A. (a) As used in this section, the following words shall have the following meanings unless the context clearly indicates otherwise:-

“Alteration”, work required to modify or adjust the interior space arrangement or other physical characteristics of an existing facility so that it may be more effectively utilized for its presently designated or a new functional purpose.

305 “Coefficient Factor”, the job order contractor’s competitively bid numerical adjustments
306 applied to the unit prices included in the contract specifications, which shall also include any and
307 all costs other than the unit prices including overhead and profit.

308 “Job order”, an agreed upon fixed-price order issued by an authorized awarding authority
309 to a contractor pursuant to a job order contract, for the contractor’s performance of a specific
310 maintenance, repair, alteration or demolition project consisting of tasks selected from those
311 specified and priced in the job order contract.

312 “Job order contract”, a contract for the performance of multiple maintenance, repair,
313 alteration and demolition job order projects, or a subset thereof, that: (i) is limited to a specified
314 term; (ii) includes specifications consisting of technical descriptions of the included various tasks
315 at stated unit prices determined by local, direct costs for labor, material, and equipment, but that
316 do not specify the specific projects to be performed by the contractor; (iii) contains a fixed
317 contractor’s coefficient factor adjustments to be applied to the unit prices, as described under
318 clause (ii); and (iv) authorizes awarding authorities as listed in subsection (b) to enter into fixed
319 price job orders with the contractor for the performance of specific projects, consisting of
320 combinations of tasks specified in the job order at the unit prices specified in the contract
321 multiplied by the contractor’s coefficient factor.

322 “Maintenance”, day-to-day routine, normally recurring, repairs, equipment adjustments
323 and upkeep.

324 “Repair”, work required to restore a facility or system to a condition in which it may
325 continue to be approximately and effectively used for its designated purpose and anticipated life
326 or to comply with code requirements by overhaul, reprocessing or replacement of constituent

327 parts or materials that do not meet code requirements or have deteriorated by either action of the
328 elements or wear and tear in use.

329 “Task”, includes an item of work for which a unit price is set forth in the contract
330 specifications, or for which a unit price is developed in accordance with a specified formula
331 presented in the contract.

332 (b) Notwithstanding section 44A of chapter 149, section 39M of chapter 30 or any other
333 general or special law to the contrary, the commissioner may establish a program for the use of
334 job order contracts by: (i) higher education facilities subject to the department of higher
335 education, and (ii) the division of capital asset management and maintenance with respect to
336 properties for which it is responsible. The commissioner and higher education facilities may
337 procure job order contracts under the program.

338 (c) The commissioner may procure contracts for data, software and services related to the
339 creation and use of job order contracts including, but not limited to, the creation of task
340 descriptions, specifications and unit prices for use in job order contracts, agency training, and
341 other services related to such contracts. Such procurement may be conducted in accordance with
342 the procedures specified in applicable regulations governing the procurement of commodities or
343 services.

344 (d) Job order contracts authorized under this section shall: (i) be limited to use for job
345 orders estimated to cost not more than \$150,000 each; (ii) have a maximum term of 4 years; and
346 (iii) be procured through the procedures specified in section 39M of chapter 30, except that: (A)
347 the amount of the bid deposit shall be \$5,000; (B) a contractor who is awarded a job order under
348 a job order contract shall be certified by the division for the category of work specified in the

349 contract; and (C) the amount of surety bonds shall be based upon the value of a job order and
350 shall be provided to the awarding authority as set forth in the job order contract and not later than
351 the commencement of any work under a job order. Job order contracts shall be awarded to the
352 eligible and responsible bidders who offer the lowest combination of coefficient factors over the
353 base unit prices specified in the contract specifications.

354 SECTION 4. Subsection (b) of section 35KKK of chapter 10 of the General Laws, as
355 appearing in the 2020 Official Edition, is hereby amended by inserting after the third sentence
356 the following sentence:- Amounts credited to the fund shall be expended without further
357 appropriation.

358 SECTION 5. Subsection (b) of section 7 of chapter 23H of the General Laws, as so
359 appearing, is hereby amended by inserting, in line 7, after the words “of education or a designee”
360 the following words:- ; the commissioner of the Massachusetts commission for the blind or the
361 Massachusetts rehabilitation commission or a designee thereof.

362 SECTION 6. Said subsection (b) of said section 7 of said chapter 23H, as so appearing,
363 is hereby further amended by striking out, in line 11, the figure “17” and inserting in place
364 thereof the following figure:- 18.

365 SECTION 7. Said Section 7 of said chapter 23H, as so appearing, is hereby further
366 amended by striking out subsection (g) and inserting in place thereof the following subsection:-

367 (g) The members of the board shall serve at the pleasure of the governor and shall serve
368 without compensation. The terms of the appointed members shall expire as designated by the
369 governor at the time of appointment, but shall not exceed 2 years.

370 SECTION 8. Chapter 29 of the General Laws is hereby amended by inserting after
371 2QQQQQ, as inserted by section 17 of chapter 24 of the acts of 2021, the following 2 sections:-

372 Section 2RRRRR. There is hereby established and set up on the books of the
373 commonwealth a separate, non-budgeted special revenue fund to be known as the MRC
374 Vocational Rehabilitation Reimbursement Fund. The commissioner of the Massachusetts
375 rehabilitation commission shall be the administrator of the fund.

376 The fund shall be credited with: (i) all payments received from the federal government
377 under the Social Security Administration Vocational Rehabilitation Cost Reimbursement
378 Program, 29 United States Code 728; (ii) reimbursement received by the commission for
379 successful employment outcomes of participants in the program; and (iii) any interest received
380 thereon. Amounts credited to the fund shall be spent, without further appropriation, for the
381 vocational rehabilitation program administered by the commission as described in sections 74
382 through 80 of chapter 6. Expenditures from the fund shall be made consistent with federal
383 requirements for administering the vocational rehabilitation program, provided that no funds
384 shall be deducted for pensions, group health or life insurance or any other indirect costs of
385 federally reimbursed state employees.

386 Monies remaining in the fund at the end of a fiscal year shall remain available for
387 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund
388 to be in deficit at any point. The commission shall report the amount remaining in the fund at the
389 end of each fiscal year to the house and senate committees on ways and means.

390 Section 2SSSSS. There is hereby established and set up on the books of the
391 commonwealth a separate, non-budgeted special revenue fund to be known as the MCB

392 Vocational Rehabilitation Reimbursement Fund. The commissioner of the Massachusetts
393 commission for the blind shall be the administrator of the fund.

394 The fund shall be credited with: (i) all payments received from the federal government
395 under the Social Security Administration Vocational Rehabilitation Cost Reimbursement
396 Program, 29 United States Code 728; (ii) reimbursement received by the commission for
397 successful employment outcomes of participants in the program; and (iii) any interest received
398 thereon. Amounts credited to the fund shall be spent, without further appropriation, for the
399 vocational rehabilitation program administered by the commission as described in section 129 of
400 chapter 6. Expenditures from the fund shall be made consistent with federal requirements for
401 administering the vocational rehabilitation program, provided that no funds shall be deducted for
402 pensions, group health or life insurance or any other indirect costs of federally reimbursed state
403 employees.

404 Monies remaining in the fund at the end of a fiscal year shall remain available for
405 expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund
406 to be in deficit at any point. The commission shall report the amount remaining in the fund at the
407 end of each fiscal year to the house and senate committees on ways and means.

408 SECTION 9. Chapter 69 of the General Laws is hereby amended by striking out section
409 30 and inserting in place thereof the following section:-

410 Section 30. (a) Any person or entity, regardless of its anticipated corporate form, which
411 seeks to incorporate, register, or operate as a college, junior college, university, or other post-
412 secondary educational institution with the power to grant degrees, and any person or entity,
413 regardless of its corporate form, which seeks to amend the charter of an existing entity which

414 will give it such power to grant degrees, or which will change its name to one including the term
415 “college”, “junior college”, or “university”, must make application to, and receive approval
416 from, the board of higher education by submitting to said board articles of incorporation, articles
417 of amendment, certificate of organization, or foreign corporation certificate of registration, in
418 draft form, along with an application and supporting materials as required by said board. Said
419 board shall immediately make an investigation as to the applicants for incorporation of such an
420 institution and as to the purposes thereof and any other material facts relative thereto. Said board
421 may approve such application for a junior college, the name of which does not include the word
422 "junior", provided the charter of such educational institution requires that such name when used
423 on its official documents and publications be accompanied by a descriptive phrase which in the
424 judgment of said board will effectively distinguish such institution from a senior college. In the
425 case of a proposed amendment to the charter of an existing educational institution which will
426 give it power to grant degrees, or change its name as aforesaid, said board shall make an
427 investigation of the institution, its faculty, equipment, courses of study, financial organization,
428 leadership, and other material facts relative thereto. The board shall establish a policy providing
429 for public notice and the opportunity for public comment on such certificates or articles
430 submitted to it under this section, where appropriate. Said board after making its investigation
431 hereunder and subject to the provisions of section thirty-one, shall make a determination
432 approving or disapproving the application submitted to it hereunder and shall forthwith report its
433 findings to the applicant. After approved by said board, the applicant must file final articles of
434 incorporation, articles of amendment, certificate of organization, or foreign corporate certificate
435 of registration with the state secretary along with the approval letter from the board. If said board

436 disapproves an application submitted to it under this section, it shall inform the applicant of the
437 reasons for its disapproval of such application.

438 (b) If such application is not approved hereunder, the applicant may appeal to the
439 superior court, which shall hear the case and determine whether the application shall be
440 approved.

441 (c) For the purpose of determining evidence of improvement and growth, the board of
442 higher education, through its agents, shall make periodic inspections of every such educational
443 institution within the twelve years next following its approval of the application of such
444 institution submitted to it under this section.

445 SECTION 10. Section 45 of chapter 75 of the General Laws, as amended by section 35
446 of chapter 102 of the acts of 2021, is hereby further amended by striking out the second through
447 fourth sentences, inclusive, and inserting in place thereof the following 2 sentences:-

448 The center shall seek to improve efficiency, effectiveness, governance, responsiveness,
449 and accountability at all levels of government, with a particular focus on local and state
450 government. The center shall do this through:

451 (1) providing high-quality, pragmatic, agile, and affordable fee-for-service technical
452 assistance and consulting on public management issues to public entities;

453 (2) offering practical, low-cost, and customized public management training, education,
454 and professional development to public officials and aspiring public officials;

455 (3) collaborating with faculty and practitioners on research and initiatives that drive
456 change in public management practices and help remove barriers for improving public
457 management;

458 (4) creating publicly-available resources to support public officials; and

459 (5) integrating public management practitioners with students and faculty at the
460 University of Massachusetts at Boston and throughout the University of Massachusetts system in
461 formal and informal ways that strengthen public entities, the center, the University, and the
462 world at large.

463 SECTION 11. The sixth paragraph of section 25A of chapter 111 of the General Laws,
464 as appearing in the 2020 Official Edition, is hereby amended by adding the following 2
465 sentences:- The department may enter into agreements with the federal Food and Drug
466 Administration pursuant to 21 C.F.R. § 20.88 for the purpose of receiving records and
467 information; provided, that any information received pursuant to such agreements shall be
468 exempt from disclosure as a public record as required under 21 C.F.R. § 20.88.

469 SECTION 12. Chapter 119 of the General Laws is hereby amended by inserting after
470 section 29 the following section:-

471 Section 291/2. (a) In any proceeding filed pursuant to clause (3) of subsection (a) of
472 section 23 or section 24 of this chapter, section 3 of chapter 210 or any other proceeding
473 determining custody of a child receiving services from the department in which it is alleged that
474 the child has been subject to abuse or neglect, the court shall appoint a qualified guardian ad
475 litem to advocate for the best interests of the child unless the court, after making written findings,
476 determines for good cause shown that the appointment is unnecessary. The guardian ad litem

477 must have professional experience in the field of child welfare or the field of child mental health
478 and must be a licensed social worker, a registered nurse or a licensed attorney. An attorney
479 serving as counsel for the child, pursuant to section 29 or otherwise, shall not serve in the same
480 proceeding as guardian ad litem.

481 (b) The guardian ad litem shall be an independent advocate for the best interests of the
482 child, considering the child's safety, well-being and permanency. In determining the best
483 interests of the child, the guardian ad litem must consider, without limitation, the following
484 factors: (i) the physical safety of a child, taking into account any medical conditions or
485 disabilities the child may have; (ii) a child's need for permanence, stability and continuity of
486 relationships; (iii) a child's age and sense of time; (iv) a child's level of maturity; (v) a child's
487 language, culture and ethnicity; (vi) the degree of a child's attachment to family members,
488 including siblings; and (vii) a child's sense of belonging and identity.

489 (c) The duties of the guardian ad litem shall include: (i) investigating and collecting
490 relevant information about the child and reporting to the court factual information regarding the
491 best interests of the child; (ii) maintaining regular in person contact with the child, and in a
492 manner appropriate to his or her developmental level, meeting with, interviewing or observing
493 the child prior to all hearings; (iii) appearing at all hearings to be heard by the court; and (iv)
494 advocating for the child's best interests with clear and specific recommendations based upon an
495 independent investigation that the court shall consider in making findings and rulings in any
496 proceeding. The guardian ad litem shall report to the court and all parties in writing prior to all
497 hearings. All reports shall be provided at least 72 hours in advance of the hearing for which the
498 report is prepared. The guardian ad litem shall appear at all hearings and be provided the

499 opportunity to be heard. Any report filed by the guardian ad litem shall be considered evidence
500 pursuant to section 21A of chapter 119.

501 (d) The department shall provide the guardian ad litem with a copy of the case file, and
502 shall provide the guardian ad litem with periodic updates. Upon presentation of the order of
503 appointment by the guardian ad litem, any state agency, school, health care provider, including
504 behavioral health provider, insurance carrier or managed care entity, police department or other
505 law enforcement agency shall permit the guardian ad litem to inspect and copy any records
506 relating to the child or children involved in the case, notwithstanding any general or special law
507 to the contrary, unless such access is otherwise specifically prohibited under federal law. The
508 guardian ad litem shall seek necessary consents where federal law prohibits disclosure of
509 relevant records without such consent.

510 (e) The rate of compensation to all guardians ad litem who are appointed pursuant to this
511 section, payable by the commonwealth, shall, subject to appropriation, be equivalent to the rate
512 of compensation payable to counsel appointed or assigned to care and protection cases pursuant
513 to section 11 of chapter 211D.

514 SECTION 13. Section 11 of chapter 131 of the General Laws, as appearing in the 2020
515 Official Edition, is hereby amended by adding the following sentence:- The George L. Darey
516 Inland Fisheries and Game Fund shall be reimbursed annually from the general fund for all lost
517 revenue attributed to the issuance of discounted or free hunting or fishing licenses, as certified by
518 the secretary of energy and environmental affairs in consultation with the secretary of
519 administration and finance.

520 SECTION 14. Section 42 of chapter 132 of the General Laws, as so appearing, is hereby
521 amended by striking out, in lines 3 and 4 and lines 8 and 9, the words “by certified mail or hand
522 deliver”, each time they appear, and inserting in place thereof, in each instance, the following
523 words:- in accordance with guidelines posted by the department.

524 SECTION 15. The fourth paragraph of subsection (g) of section 5 of chapter 161A of the
525 General Laws, as so appearing, is hereby amended by striking out, in lines 125 and 126, the
526 words “60 days prior to the start of the fiscal year” and inserting in place thereof the following
527 words:- June 15 of each year.

528 SECTION 16. The eighth paragraph of said subsection (g) of said section 5 of said
529 chapter 161A, as so appearing, is hereby amended by striking out, in line 157, the word
530 “January” and inserting in place thereof the following word:- May.

531 SECTION 17. Subsection (b) of section 7 of chapter 175M of the General Laws, as so
532 appearing, is hereby amended by striking out the first sentence and inserting in place thereof the
533 following sentence:- The costs of administering the department under this chapter shall be paid
534 from the trust fund and in each fiscal year shall not exceed 5 per cent of the amount remaining in
535 the fund at the end of the previous fiscal year; provided that, regardless of the trust fund balance
536 at the end of a fiscal year, in no fiscal year shall the amount available to the director for
537 administering the department decrease by more than 5 per cent from the previous year.

538 SECTION 18. Section 181 of chapter 25 of the acts of 2009 is hereby amended by
539 striking out the words “1 year” and inserting in place thereof the following words:- 6 months.

540 SECTION 19. Item 2000-7081 of section 2A of chapter 209 of the acts of 2018 is hereby
541 amended by striking out the words "cities and towns" and inserting in place thereof the following

542 words:- the commonwealth's political subdivisions, including but not limited to, cities, towns,
543 counties and districts, and federal and state recognized tribes, or any authority, commission,
544 board or instrumentality of the foregoing,.

545 SECTION 20. Said item 2000-7081 of said section 2A of said chapter 209 is hereby
546 further amended by striking out the words "all the members of the city council in a city having a
547 Plan D or Plan E charter, the vote of the city council in a city not having such a charter, subject
548 to the charter of such a city, and the majority vote of the selectboard in a town" and inserting in
549 place thereof the following words:- the grantee's legislative body or board of directors or
550 equivalent.

551 SECTION 21. Section 14 of chapter 92 of the acts of 2020 is hereby amended by striking
552 out subsection (b) and inserting in place thereof the following subsection:-

553 (b) Notwithstanding section 38G of chapter 71 of the General Laws or any other general
554 or special law to the contrary, in order to address disruptions caused by the outbreak of the 2019
555 novel coronavirus, also known as COVID-19, the commissioner of elementary and secondary
556 education may issue emergency educator licenses to individuals upon application to the
557 commissioner. The commissioner may issue emergency educator licenses for a period of 180
558 days after the termination of the May 28, 2021 declaration of a state of emergency pursuant to
559 section 2A of chapter 17 of the General Laws. An emergency educator license shall be valid for
560 1 year and may be extended by the commissioner for up to 2 additional years if an individual is
561 participating in a formal educator mentoring program and progressing towards completing a
562 standard educator license, including by enrolling in an approved licensure program or
563 coursework related to education, or such other actions as identified by the commissioner. The

564 commissioner may suspend or revoke an emergency license for cause, pursuant to standards and
565 procedures established by the board of elementary and secondary education.

566 SECTION 22. Subsection (c) of said section 14 of said chapter 92 is hereby amended by
567 striking out the first sentence and inserting in place thereof the following sentence:- To be
568 eligible to receive an emergency educator license, an individual must meet the education
569 requirements for an entry level license in the field sought and any additional requirements
570 identified by the commissioner for specific licenses.

571 SECTION 23. The first sentence of subsection (d) of said section 14 of said chapter 92 is
572 hereby amended by striking out the words “by June 30, 2021”, and inserting in place thereof the
573 following words:- within 2 years of receiving an emergency license.

574 SECTION 24. Section 93 of chapter 124 of the acts of 2020 is hereby amended by
575 striking out the words “in direct response to the state of emergency declared by the governor on
576 March 10, 2020” and inserting in place thereof the following words:- from the start of the state of
577 emergency declared by the governor on March 10, 2020, and thereafter to support the
578 commonwealth’s ongoing response to the 2019 novel coronavirus, also known as COVID-19.

579 SECTION 25. Subsection (b) of section 2 of chapter 257 of the acts of 2020, as amended
580 by section 16 of chapter 20 of the acts of 2021, is hereby further amended by striking out the
581 words “during the COVID-19 emergency or until April 1, 2022, whichever is later” and inserting
582 in place thereof the following words:- until January 1, 2023.

583 SECTION 26. Subsection (b) of section 2 of chapter 355 of the acts of 2020 is hereby
584 amended by striking out the words "1 year" and inserting in place thereof the following words:- 2
585 years.

586 SECTION 27. Subsection (c) of said section 2 of said chapter 355 is hereby amended by
587 striking out the second sentence and inserting in place thereof the following sentence:- The
588 survey plan shall be subject to the approval of the division and recorded in the Hampshire district
589 registry of deeds within 2 years of the acceptance by the board and approval by the division.

590 SECTION 28. Section 3 of said chapter 355 is hereby amended by striking out the first 2
591 sentences and inserting in place thereof the following 2 sentences:- There shall be established
592 and set up on the books of the commonwealth a non-budgeted special revenue fund called the
593 Lampson Brook Farm Fund. Expenditures from the fund shall not be subject to appropriation and
594 shall be administered by the board consistent with the management plan.

595 SECTION 29. Said section 3 of said chapter 355 is hereby further amended by striking
596 out, in line 4 the words "bond revenues or".

597 SECTION 30. Said section 3 of said chapter 355 is hereby further amended by striking
598 out, in lines 7 and 8, the words "including, but not limited to, any ground lease payments from
599 the enterprise zone parcel or" and inserting in place thereof the following word:- and.

600 SECTION 31. Said section 3 of said chapter 355 is hereby further amended by striking
601 out, in line 14, the words "shall be held in an expendable trust and".

602 SECTION 32. Said section 3 of said chapter 355 is hereby further amended by striking
603 out the fifth sentence.

604 SECTION 33. Section 4 of said chapter 355 is hereby amended by striking out, in lines 4
605 to 8, inclusive, the words ". The division shall certify that the plans are sufficient to ensure the
606 permanent protection and ownership of all parcels comprising the Lampson Brook Farm. The

607 division shall notify the house and senate committees on ways and means of its certification of
608 the plans. Parcels not transferred by the board pursuant to this act on or before the division
609 notifies the house and senate committees on ways and means of its certification of the survey and
610 management plans" and inserting in place thereof the following words:- and the house and senate
611 committees on ways and means. The parcels comprising Lampson Brook Farm.

612 SECTION 34. Said section 4 of said chapter 355 is hereby further amended by inserting
613 after the word "board", in line 10, the following words:-, unless and until conveyed as provided
614 for in this Act.

615 SECTION 35. Subsection (a) of section 5 of said chapter 355 is hereby amended by
616 striking out the first 3 sentences and inserting in place thereof the following 3 sentences:-
617 Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any general
618 or special law to the contrary, the division, with the approval of the board and consistent with the
619 recommendations of the management plan, shall seek proposals and select nonprofit
620 organizations to receive the fee interest in the community farm parcel and the forest parcel and a
621 conservation and preservation restriction upon the community farm parcel through a competitive
622 process. Preference shall be given to those qualified applicants that propose to own both the
623 community farm and forest parcels and provide farm management services that most closely
624 meets the recommendations of the management plan, and that offer the most experience in
625 resource stewardship. The value of the community farm parcel and the forest parcel shall be
626 determined as restricted by the associated conservation and preservation restrictions and
627 applicants may utilize appropriate private, state or federal grants to pay for the restricted value as
628 determined by an independent appraisal, prepared in accordance with the usual and customary
629 professional appraisal practices, by a qualified appraiser commissioned by the division.

630 SECTION 36. Subsection (b) of said section 5 of said chapter 355 is hereby amended by
631 striking out the first 2 sentences and inserting in place thereof the following 2 sentences:-
632 Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any general
633 or special law to the contrary, the division may convey the fee interest in the community farm
634 parcel to the nonprofit organization selected pursuant to subsection (a); provided, however, that
635 such nonprofit corporation shall have at least the following purposes: (i) historic preservation;
636 (ii) passive recreation; (iii) promotion of small-scale farming, local food production and food
637 system development; and (iv) farm management services. Notwithstanding sections 32 to 37,
638 inclusive, of said chapter 7C or any general or special law to the contrary, the division may
639 convey a conservation and preservation restriction, within the meaning of section 31 of chapter
640 184 of the General Laws and subject to section 32 of said chapter 184, on the community farm
641 parcel to a qualified organization selected under said subsection (a) that is organized for purposes
642 that include farmland conservation and historic preservation.

643 SECTION 37. Said section 5 of said chapter 355 is hereby further amended by striking
644 out subsection (c) and inserting in place thereof the following subsection:-

645 (c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or
646 any general or special law to the contrary, the division may convey the forest parcel to the
647 nonprofit organization selected pursuant to subsection (a); provided, however, that such
648 organization shall be organized for at least forest conservation and management purposes. The
649 division shall retain or convey, as applicable, a conservation restriction upon the forest parcel,
650 within the meaning of section 31 of chapter 184 of the General Laws and subject to section 32 of
651 said chapter 184, which shall be under the joint care and control of the department of

652 conservation and recreation and the conservation commission of the town of Belchertown
653 created pursuant to section 8C of chapter 40 of the General Laws.

654 SECTION 38. Section 6 of said chapter 355 is hereby amended by striking out the first 2
655 sentences and inserting in place thereof the following 2 sentences:- Notwithstanding sections 32
656 to 37, inclusive, of chapter 7C of the General Laws or any general or special law to the contrary,
657 the division, with the approval of the board, shall convey the Jepson farmstead parcel, for no
658 consideration other than the performance of the obligations under this act, to the New England
659 Small Farm Institute, Inc. or its successor organization; provided, however, that any transfer to a
660 successor organization shall be approved by the board. Notwithstanding sections 32 to 37,
661 inclusive, of said chapter 7C or any general or special law to the contrary, the division may
662 convey a preservation restriction, within the meaning of section 31 of chapter 184 of the General
663 Laws and subject to section 32 of said chapter 184, on the Jepson farmstead parcel to a qualified
664 entity selected under subsection (a) of section 5.

665 SECTION 39. Said chapter 355 is hereby further amended by striking out section 7 and
666 inserting in place thereof the following section:-

667 Section 7. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
668 Laws or any general or special law to the contrary, the division, with the approval of the board
669 and consistent with the recommendations of the management plan, is authorized to sell the
670 enterprise zone parcel to a nonprofit organization or a private entity through a competitive
671 process. The selection shall be based on: (i) the total amount of the proposed purchase payment;
672 (ii) the compatibility of the proposal with the management plan; (iii) the applicant's ability to
673 steward the parcel; and (iv) any other criteria as determined by the board. The board may utilize

674 the fund to restore or partially restore the enterprise zone parcel in order to successfully complete
675 the transition from the former dairy farm into sustainable natural resource-based enterprises
676 compatible with the management plan with provision for public access, tourism and public
677 education value and public benefits. Sale proceeds shall be deposited into the fund. The owner of
678 the enterprise zone parcel shall manage the parcel in compliance with the management plan and
679 the deed shall include a provision requiring compliance with the management plan.

680 SECTION 40. Section 8 of said chapter 355 is hereby amended by inserting after the
681 word "complete" in line 4 the following words:- and implement.

682 SECTION 41. Said section 8 of said chapter 355 is hereby amended by striking out, in
683 line 12, the word "historic".

684 SECTION 42. Said chapter 355 is hereby further amended by striking out section 9 and
685 inserting in place thereof the following section:-

686 Section 9. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
687 Laws or any general or special law to the contrary, the division may grant a permanent access
688 easement to or enter into an agreement with the Snowmobile Association of Massachusetts, in
689 consultation with the Mill Valley Snowmobile Club, Inc., for the snowmobile trail that crosses
690 the Lampson Brook Farm as described in the management plan and subject to the conservation
691 restriction.

692 SECTION 43. Section 10 of said chapter 355 is hereby amended by striking out the
693 second sentence and inserting in place thereof the following sentence:- The division may sell or
694 lease that parcel to a purchaser or lessee selected through a competitive process as determined by

695 the division, which shall include consideration of the impact any such sale or lease may have on
696 adjacent property.

697 SECTION 44. Section 12 of said chapter 355 is hereby amended by striking out, in line
698 3, the word "state" and inserting in place thereof the following word:- central.

699 SECTION 45. Said chapter 355 is hereby further amended by adding the following
700 section:-

701 Section 13. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
702 Laws, the division of capital asset management and maintenance may transfer care and control of
703 the commercial agricultural parcel to the department of agricultural resources.

704 SECTION 46. Item 1599-9817 of section 2 of chapter 24 of the acts of 2021, as inserted
705 by section 61 of chapter 102 of the acts of 2021, is hereby amended by striking out the words
706 “Home and Community-Based Services Federal Investment Fund100%”.

707 SECTION 47. Item 1775-0700 of said section 2 of said chapter 24 of the acts of 2021 is
708 hereby amended by striking out the figure “\$60,000”, each time it appears, and inserting in place
709 thereof, in each instance, the following figure:- \$150,000.

710 SECTION 48. Item 3000-3060 of section 2 of said chapter 24 is hereby amended by
711 inserting after the words “currently involved with, or transitioning from, transitional aid to
712 families with dependent children” the following words:- and, in fiscal years 2022 and 2023, in
713 light of the economic impact of COVID-19, for families participating in education and training
714 services funded by the Supplemental Nutrition Assistance Program.

715 SECTION 49. Item 1595-1068 of section 2E of said chapter 24 is hereby amended by
716 striking out the figure “\$437,750,000” and inserting in place thereof the following figure:-
717 \$577,145,000.

718 SECTION 50. Said item 1595-1068 of said section 2E of said chapter 24 is hereby
719 further amended by striking out the figure “\$471,357,839” and inserting in place thereof the
720 following figure:- \$719,521,170.

721 SECTION 51. Item 1599-0026 of section 2A of chapter 102 of the acts of 2021 is hereby
722 amended by striking out the figure “\$15,000,0000” and inserting in place thereof the following
723 figure:- \$15,000,000.

724 SECTION 52. Item 1599-2049 of said section 2A of said chapter 102 is hereby amended
725 by striking out the words “that the secretary of administration and finance shall transfer
726 \$25,000,000 from this item to item 7002-0012” and inserting in place thereof the following
727 words:- that not less than \$25,000,000 shall be expended.

728 SECTION 53. Said item 1599-2049 of said section 2A of said chapter 102 is hereby
729 further amended by striking out the words “transferred from this item to item 4000-0005” and
730 inserting in place thereof the following word:- expended.

731 SECTION 54. Item 1599-2056 of said section 2A of said chapter 102 is hereby amended
732 by striking out the words “transferred from this item to item 7061-0012 for compensatory
733 services for adults that reached age 22 during the 2019 novel coronavirus pandemic”, and
734 inserting in place thereof the following words:- expended by the department of elementary and
735 secondary education for services for individuals with disabilities that reached age 22 between

736 March 10, 2020 and September 1, 2023 and were entitled to special education services up to age
737 22.

738 SECTION 55. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
739 further amended by striking out the words “transferred to item 7066-1400 for the mitigation of
740 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
741 universities” and inserting in place thereof the following words:- expended for the mitigation of
742 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
743 universities and that no funds shall be deducted for pensions, group health or life insurance, or
744 any other indirect costs of state employees.

745 SECTION 56. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
746 further amended by striking out the words “transferred to item 7100-0200 for the mitigation of
747 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for the
748 University of Massachusetts” and inserting in place thereof the following words:- expended for
749 the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance
750 projects for the University of Massachusetts and that no funds shall be deducted for pensions,
751 group health or life insurance, or any other indirect costs of state employees.

752 SECTION 57. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
753 further amended by striking out the words “transferred to item 7100-4000 for the mitigation of
754 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for
755 community colleges” and inserting in place thereof the following words:- expended for the
756 mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance

757 projects for community colleges and that no funds shall be deducted for pensions, group health
758 or life insurance, or any other indirect costs of state employees .

759 SECTION 58. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
760 further amended by striking out the words “transferred from this item to item 7010-0005” and
761 inserting in place thereof the following word:- expended.

762 SECTION 59. Section 70 of said chapter 102 is hereby repealed.

763 SECTION 60. The first sentence of section 1 of chapter 22 of the acts of 2022 is hereby
764 amended by striking out the word “sum” and inserting in place thereof the word:- sums.

765 SECTION 61. The second sentence of said section 1 of said chapter 22 is hereby
766 amended by striking out the words “This sum” and inserting in place thereof the following
767 words:- These sums.

768 SECTION 62. Notwithstanding any general or special law to the contrary, for fiscal year
769 2022, the secretary of health and human services, with the written approval of the secretary of
770 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-
771 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-
772 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.

773 SECTION 63. Notwithstanding any general or special law to the contrary, any
774 unexpended balances, not exceeding a total of \$40,000,000, in items 4000-0700 and 4000-1426
775 of section 2 of chapter 24 of the acts of 2021 shall not revert to the General Fund until September
776 1, 2022 and may be expended by the executive office of health and human services to pay for
777 services enumerated in said items 4000-0700 and 4000-1426 provided during fiscal year 2022.

778 SECTION 64. Notwithstanding any general or special law to the contrary, for any
779 taxable year beginning on or after January 1, 2022, any amount received from the COVID-19
780 Essential Employee Premium Pay program established by sections 73 and 82 of chapter 102 of
781 the acts of 2021 for purposes of providing direct financial support to an essential worker shall be
782 deducted from federal gross income for the purpose of determining Massachusetts gross income
783 under section 2 of chapter 62 of the General Laws; provided, however, that 1-time payments to
784 front-line state employees required to work in-person during the winter of 2020 to 2021 made
785 pursuant to section 82 of said chapter 102 shall not be subject to this section.

786 SECTION 65. Notwithstanding any general or special law to the contrary, including
787 without limitation sections 14 and 34 of chapter 91 of the General Laws, the department of
788 environmental protection may issue a license under said chapter and regulations promulgated
789 thereunder to the department of conservation and recreation to authorize a bicycle and pedestrian
790 bridge that would span the Mystic river seaward of the Amelia Earhart dam, running
791 approximately from the south side of the department of conservation and recreation's Draw 7
792 park in the city of Somerville to land adjacent to Encore Boston Harbor in the city of Everett.

793 SECTION 66. (a) Notwithstanding sections 32 to 37 of chapter 7C and sections 52 to 55
794 of chapter 7 of the General Laws or any other general or special law to the contrary, the division
795 of capital asset management and maintenance, using those competitive proposal processes as the
796 division considers necessary or appropriate, in consultation with the department of conservation
797 and recreation, may lease and enter into other agreements with 1 or more bidders, for 1 or more
798 ice-skating rinks and facilities, for terms not to exceed 30 years, for the continued use, operation,
799 maintenance, repair and improvement of the state-owned buildings and facilities, together with

800 the land and appurtenances associated therewith, comprising the following ice skating rinks and
801 facilities under the care and control of the department of conservation and recreation:

802 Veterans Memorial Skating Rink, Arlington; Porazzo Memorial Rink, East Boston
803 district, Boston; Roche Memorial Rink, West Roxbury district, Boston; Simoni Memorial Rink,
804 Cambridge; Allied Veterans Memorial Rink, Everett; Connery Memorial Rink, Lynn; Flynn
805 Memorial Rink, Medford; LoConte Memorial Rink, Medford; Daly Memorial Rink, Newton;
806 Cronin Memorial Rink, Revere; Max Ulin Skating Rink, Milton; Kasabuski Arena, Saugus;
807 Veterans Memorial Rink, Somerville; Shea Memorial Rink, Quincy; Veterans Memorial Rink,
808 Waltham; Connell Memorial Rink and Pool, Weymouth; Representative John G. Asiaf Skating
809 Rink, Brockton; Arthur R. Driscoll Memorial Skating Rink, Fall River; Staff Sergeant Robert
810 Pirelli Veterans Memorial Rink, Franklin; Stephen Hetland Memorial Skating Rink, New
811 Bedford; John A. Armstrong Memorial Skating Rink, Plymouth; Theodore J. Aleixo, Jr. Skating
812 Rink, Taunton; Veterans Memorial Skating Arena, Haverhill; John J. Janas Memorial Skating
813 Rink, Lowell; Henry Graf, Jr., Skating Rink, Newburyport; James E. McVann and Louis F.
814 O'Keefe Memorial Skating Rink, Peabody; Daniel S. Horgan Memorial Skating Rink, Auburn;
815 Gardner Veterans Skating Rink, Gardner; John J. Navin Skating Rink, Marlboro; Honorable
816 Charles J. Buffone Skating Rink, Worcester; Greenfield Area Skating Rink, Greenfield; Henry J.
817 Fitzpatrick Skating Rink, Holyoke; Ray Smead Memorial Skating Rink, Springfield; and
818 Vietnam Veterans Memorial Skating Rink, North Adams.

819 (b) The lease and other agreements shall be on terms acceptable to the commissioner of
820 capital asset management and maintenance, after consultation with the commissioner of
821 conservation and recreation and, notwithstanding any general or special law to the contrary, shall
822 provide for the lessees to operate, manage, improve, repair and maintain the ice-skating rinks and

823 facilities. Any such lease or other arrangement shall include a description of the required capital
824 improvements and, at a minimum, performance specifications. Any consideration received from
825 the leases or other agreements shall be payable to the department for deposit in the Conservation
826 Trust, established under section 1 of chapter 132A of the General Laws.

827 There shall be an option for renewal or extension of the leases and other agreements not
828 exceeding an additional 5 years. Such renewal or extension shall be at the discretion of the
829 division of capital asset management and maintenance, in consultation with the department of
830 conservation and recreation, in accordance with the original lease terms and conditions or
831 agreement terms and conditions more favorable to the commonwealth. All leases must contain a
832 provision that requires the lessee to carry comprehensive general liability insurance with the
833 commonwealth named as a co-insured, protecting the commonwealth against all personal injury
834 or property damage within the rink or on the land during the term of the lease.

835 (c) The division of capital asset management and maintenance, in consultation with and
836 on behalf of the department of conservation and recreation, shall solicit proposals through a
837 request for proposals which shall include key contractual terms and conditions to be incorporated
838 into the lease, including but not limited to (1) a comprehensive list of all rinks operated by the
839 responsive bidder in the last four years, (2) prior or current facilities management or experience
840 of the responsive bidder, (3) prior or current skating or hockey management experience of the
841 responsive bidder, (4) reservation policies, (5) proposed reasonable rates that will ensure
842 continued public access, (6) required financial audits, (7) policies to encourage use of the rink by
843 persons of all races and nationalities, (8) safety and security plans, (9) seasonal opening and
844 closing dates, (10) hours of operation, and (11) how the operator will ensure that ice time at the
845 rink shall be allocated to user groups in the following order of priority: general public skating;

846 nonprofit youth groups; school hockey, for-profit youth groups other than non-profit youth
847 groups; and adult organizations or informal groups. Ice time may be allocated at the discretion of
848 the operator, but general public skating shall be booked, in 2-hour contiguous blocks at a
849 minimum of 12 hours per week, with a range of times and days which reasonably allow for
850 public skaters of all ages to participate in some public skating sessions. Every effort shall be
851 made to balance the ice allocation needs of long-established youth organizations and newly
852 formed youth organizations in a manner that provides equal opportunity and equal access for
853 youths of each gender.

854 The inspector general shall review and approve any request for proposals issued by the
855 division before issuance.

856 (d) The leases and other agreements authorized in this section shall provide that any
857 benefits to the community and the costs of improvements and repairs made to the property
858 provided by the lessees shall be taken into account as part of the consideration for the lease or
859 other agreements. The lessees or the recipients of the property shall bear the costs considered
860 necessary or appropriate by the commissioner of capital asset management and maintenance for
861 the transactions including, without limitation, costs for legal work, survey, title and the
862 preparation of plans and specifications.

863 (e) The provisions of any general or special law or rule or regulation relating to the
864 advertising, bidding or award of contracts, to the procurement of services or to the construction
865 and design of improvements shall not be applicable to any selected bidder which is awarded a
866 lease pursuant to this section, except as provided in this section.

867 SECTION 67. The salary adjustments and other economic benefits authorized by the
868 following collective bargaining agreements shall be effective for the purposes of section 7 of
869 chapter 150E of the General Laws:

870 (1) between the Commonwealth of Massachusetts and the New England Police
871 Benevolent Association, Unit 4A;

872 (2) between the Commonwealth of Massachusetts and the Massachusetts
873 Organization of State Engineers and Scientists, Unit 9;

874 (3) between the Commonwealth of Massachusetts and the Massachusetts Correction
875 Officers Federated Union, Unit 4;

876 (4) between the Commonwealth of Massachusetts and the International Association
877 of Fire Fighters, Locals S-28 and S-29, Unit 11;

878 (5) between the Sheriff of Berkshire County and the Brotherhood of Correctional
879 Officers Local I-297, Unit SB1;

880 (6) between the Sheriff of Bristol County and the National Correctional Employees
881 Union, Ad-Tech Unit, L 135, Unit SA1;

882 (7) between the Sheriff of Bristol County and the National Association of
883 Government Employees C, R1-1476, Unit SA2;

884 (8) between the Sheriff of Bristol County and the National Correctional Employees
885 Union, Captains and Majors Unit, Unit SA3;

886 (9) between the Sheriff of Bristol County and the Massachusetts Correctional
887 Officers Federated Union, Unit SA4;

888 (10) between the Sheriff of Bristol Country and the National Correctional Employees
889 Union, K-9 Unit, Unit SA7;

890 (11) between the Sheriff of Essex County and the National Correctional Employees
891 Union, Unit SE7;

892 (12) between the Sheriff of Hampden County and the National Correctional
893 Employees Union, Local 131, SH1;

894 (13) between the Sheriff of Hampden County and the Hampden Correction Officers
895 National Correctional Employees Union, L105, SH4;

896 (14) between the Sheriff of Middlesex County and the New England Benevolent
897 Association, Local 525, Unit SM1;

898 (15) between the Sheriff of Middlesex County and the Teamsters Local Union No.
899 122, Unit SM2;

900 (16) between the Sheriff of Middlesex County and the New England Benevolent
901 Association, Local 500, Unit SM5;

902 (17) between the Sheriff of Middlesex County and the National Correctional
903 Employees Union, Local 116, Unit SM6;

904 (18) between the Sheriff of Worcester County and the National Association of
905 Government Employees, Local R1-255, Unit SW4;

906 (19) between the Sheriff of Worcester County and the New England Police Benevolent
907 Association, Local 515, Unit SW5;

908 (20) between the Sheriff of Worcester County and the New England Police Benevolent
909 Association, Local 550, Unit SW6;

910 (21) between the University of Massachusetts and the Massachusetts Society of
911 Professors, Lowell Campus, Unit L90;

912 (22) between the University of Massachusetts and the Clerical and Technical Unit,
913 Lowell Campus, Unit L92;

914 (23) between the University of Massachusetts and the Maintenance and Trades Unit,
915 Lowell Campus, Unit L93;

916 (24) between the University of Massachusetts and the Faculty federation Local 1895,
917 Dartmouth Campus, Units D80 & D81;

918 (25) between the University of Massachusetts and the AFSCME Local 507, Dartmouth
919 Campus, Unit D83;

920 (26) between the University of Massachusetts and the ESU Professional Local 1895,
921 Dartmouth Campus, Unit D85;

922 (27) between the University of Massachusetts and the Professional Staff Union (PSU)
923 Unit A; Amherst Campus, Unit A52 and Boston Campus, Unit B42;

924 (28) between the University of Massachusetts and the Faculty Staff Union, Boston
925 Campus, Unit B40;

926 (29) between the University of Massachusetts and the Teamsters Local 25, Boston
927 Campus, Unit B3L & Unit B3S;

928 (30) between the University of Massachusetts and the Department Chairs Union,
929 Boston Campus, Unit B50;

930 (31) between the Massachusetts Department of Transportation and the Coalition of
931 MassDOT Unions, Unit B;

932 (32) between the Massachusetts Department of Transportation and the Coalition of
933 MassDOT Unions, Unit C;

934 (33) between the Massachusetts Department of Transportation and the Coalition of
935 MassDOT Unions, Unit E;

936 (34) between the Massachusetts Board of Higher Education and the Association of
937 Professional Administrators;

938 (35) between the Massachusetts Board of Higher Education and the Massachusetts
939 State College Association/MTA/NEA;

940 (36) between the Massachusetts Board of Higher Education and the American
941 Federation of State and County and Municipal Employees, Council 93, Local 1067, AFL-CIO

942 (37) between the Commonwealth of Massachusetts, Middlesex South Registry of
943 Deeds and the American Federation of State, County, and Municipal Employees, Council 93,
944 Local 414;

945 (38) between the Commonwealth of Massachusetts, Middlesex North Registry of
946 Deeds and the International Union of Public Employees, Local 1000;

947 (39) between the Commonwealth of Massachusetts, Hampden Registry of Deeds and
948 the Office and Professional Employees International Union, AFL-CIO, Local 6;

949 (40) between the Commonwealth of Massachusetts, Worcester Registry of Deeds and
950 the Office and Professional Employees International Union, AFL-CIO, Local 6;

951 (41) between the Commonwealth of Massachusetts, Middlesex South Registry of
952 Deeds and the Office and Professional Employees International Union, AFL-CIO, Local 6; and

953 (42) between the Commonwealth of Massachusetts, Fitchburg Registry of Deeds and
954 the Service Employees International Union, Local 888.