HOUSE . . . . . No. 4532

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 8, 2022.

The committee on Ways and Means, to whom was referred the message from His Excellency the Governor submitting requests for making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4479), reports, in part, that the accompanying bill (House, No. 4532) ought to pass [Total Appropriation: $1,631,618,522.00].

For the committee,

AARON MICHLEWITZ.

FILED ON: 3/8/2022

HOUSE . . . . . No. 4532

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2022 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2022, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2022. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available until June 30, 2023.

SECTION 2.

COMMISSION ON THE STATUS OF WOMEN

Commission on the Status of Women

0950-0000…….. $500,000

MASSACHUSETTS GAMING COMMISSION

Massachusetts Gaming Commission

1050-0140…….. …….. $391,240

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-6903…….. $55,000,000

1599-9817……...$346,056,813

Human Resources Division

1750-0100…….. $1,908,823

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary of Energy and Environmental Affairs

2000-0100……. $250,000

2000-0101 …… $359,154

Department of Conservation and Recreation

2810-0100 …… $1,660,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of Immigrants and Refugees

4003-0100……...……$10,000,000

Department of Transitional Assistance

4408-1000 ……. $10,000,000

Department of Children and Families

4800-0038 ……..$8,400,000

Department of Public Health

4513-1020 ……...$8,000,000

4513-1026 ……..…… $5,000,000

4516-1000 ……..$1,780,754

Department of Mental Health

5046-0000 ……..……..$5,000,000

Department of Elder Affairs

9110-0100 ……...$435,400

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary of Housing and Economic Development

7002-0010 ……$190,000

Department of Housing and Community Development

7004-0102 ……$2,800,000

7004-9316……$100,000,000

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Executive Office of Labor and Workforce Development

7003-0101 …… $1,500,000

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

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0766 For grants to Massachusetts approved special education schools to address the impacts of COVID-19 and subsequent variants …… $140,000,000

1599-0793 For a reserve to support the commonwealth's continuing testing, treatment, vaccination, public awareness, prevention and public health response efforts for COVID-19 and subsequent variants; provided, that the secretary of administration and finance may transfer from this item to state agencies as defined in section 1 of chapter 29 of the General Laws; provided further, that not less than $433,000,000 shall be expended for testing including, but not limited to, rapid tests, tests for schools and school-aged children, surveillance testing in congregate care settings and public testing efforts; provided further, that not less than $72,000,000 shall be expended for treatment including, but not limited to, monoclonal antibodies; provided further, that not less than $45,500,000 shall be expended for vaccination efforts including, but not limited to, vaccination sites, clinics and testing infrastructure; provided further, that not less than $125,000,000 shall be expended to support the workforce involved in the vaccination efforts including, but not limited to, temporary staffing and nursing rapid response teams; provided further, that in the event that a direct funding source is more appropriate for spending authorized in this item, the secretary of administration and finance may spend from the other direct funding source and reduce spending from this item accordingly; provided further, that if the secretary of administration and finance, in consultation with the secretary of health and human services, determines that the actual need for a particular purpose is less than is authorized to be spent in this item for that purpose, the secretary of administration and finance may reduce spending accordingly; provided further, that the secretary of administration and finance shall notify the house and senate committees on ways and means not less than 7 days prior to reducing or increasing spending for a particular purpose authorized in this item; provided further, that the administration shall pursue the highest allowable rate of federal reimbursement for all eligible expenditures from this item; provided further, that the

executive office for administration and finance, in consultation with the department of elementary and secondary education, the department of early education and care and the executive office of health and human services, shall make available on a public website: (i) the total number of tests purchased and distributed; (ii) the total number of tests in reserve; (iii) the number of vaccinations and the location of vaccination sites funded through this item; (iv) the number of support staff funded through this item, locations to which support staff were deployed, and the purpose for their deployment; and (v) any additional expenditures made from this item; provided further, that said website shall be updated quarterly; and provided further, that funds shall be prioritized for communities disproportionally impacted by the 2019 novel coronavirus pandemic …….. $700,000,000

1599-4448 For a reserve for collective bargaining and related labor costs; provided, that funds shall be used for fiscal years 2020, 2021 and 2022 costs of contracts once validated pursuant to section 7 of chapter 150 of the General Laws; provided further, that funds may be used for non-union pay increases; and provided further, that the secretary of administration and finance may authorize the transfer of funds from this account to other accounts to meet the projected costs…….$108,386,338

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

TRANSPORTATION

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: (1) the rehabilitation, reconstruction, resurfacing or preservation of roadways and appurtenances; (2) the repair or replacement of traffic control devices, signage, guardrails and storm grates; or (3) road striping or painting; provided further, that funds shall be distributed using a formula based on each municipality's share of road mileage; and provided further, that not later than December 30, 2022, the Massachusetts Department of Transportation shall submit a report to the house and senate committees on ways and means and the joint committee on transportation that shall include, but not be limited to: (i) a list of all municipalities that received funding for projects through these grants; (ii) the amount of grant funds awarded to each municipality; and (iii) a description of the projects implemented in each municipality $100,000,000

Commonwealth Transportation Fund.....100%

SECTION 3. Subsection (b) of section 7 of chapter 23H of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the word "designee", in line 7, the following words:- ; the commissioner of the Massachusetts commission for the blind or the Massachusetts rehabilitation commission or a designee.

SECTION 4. Said subsection (b) of said section 7 of said chapter 23H, as so appearing, is hereby further amended by striking out, in line 11, the figure “17” and inserting in place thereof the following figure:- 18.

SECTION 5. Said section 7 of said chapter 23H, as so appearing, is hereby further amended by striking out subsection (g) and inserting in place thereof the following subsection:-

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

SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after 2QQQQQ, as inserted by section 17 of chapter 24 of the acts of 2021, the following 2 sections:-

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

The fund shall be credited with: (i) all payments received from the federal government under the Social Security Administration Vocational Rehabilitation Cost Reimbursement Program, 29 U.S.C. 728; (ii) reimbursement received by the commission for successful employment outcomes of participants in the program; and (iii) any interest received thereon. Amounts credited to the fund shall be spent, without further appropriation, for the vocational rehabilitation program administered by the commission as described in sections 74 through 80, inclusive, of chapter 6. Expenditures from the fund shall be made consistent with federal requirements for administering the vocational rehabilitation program; provided, that no funds

shall be deducted for pensions, group health or life insurance or any other indirect costs of federally-reimbursed state employees.

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

Section 2SSSSS. There is hereby established and set up on the books of the commonwealth a separate, non-budgeted special revenue fund to be known as the Massachusetts Commission for the Blind Vocational Rehabilitation Reimbursement Fund. The commissioner of the Massachusetts commission for the blind shall be the administrator of the fund.

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

Monies remaining in the fund at the end of a fiscal year shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund

to be in deficit at any point. The commission shall report the amount remaining in the fund at the end of each fiscal year to the house and senate committees on ways and means.

SECTION 7. Chapter 69 of the General Laws is hereby amended by striking out section 30 and inserting in place thereof the following section:-

Section 30. (a) Any person or entity, regardless of its anticipated corporate form, which seeks to incorporate, register or operate as a college, junior college, university or other post-secondary educational institution with the power to grant degrees, and any person or entity, regardless of its corporate form, that seeks to amend the charter of an existing entity, which will give it such power to grant degrees, or which will change its name to include the term “college”, “junior college” or “university” shall make application to, and receive approval from, the board of higher education by submitting to the board articles of incorporation, articles of amendment, certificate of organization or foreign corporation certificate of registration, in draft form, along with an application and supporting materials as required by the board. The board shall immediately make an investigation as to the applicants for incorporation of such an institution and as to the purposes thereof and any other material facts relative thereto. The board may approve such application for a junior college, the name of which does not include the word “junior”; provided, that the charter of such educational institution shall require that such name when used on its official documents and publications be accompanied by a descriptive phrase which in the judgment of the board shall effectively distinguish the institution from a senior college. In the case of a proposed amendment to the charter of an existing educational institution which shall give it power to grant degrees, or change its name as aforesaid, the board shall make an investigation of the institution, its faculty, equipment, courses of study, financial organization, leadership and other material facts relative thereto. The board shall establish a policy providing

for public notice and the opportunity for public comment on such certificates or articles submitted to it pursuant to this section, where appropriate. The board, after making its investigation and subject to the provisions of section 31, shall make a determination approving or disapproving the application submitted to it and shall report its findings to the applicant. After approval by the board, the applicant shall file final articles of incorporation, articles of amendment, certificate of organization or foreign corporate certificate of registration with the state secretary along with the approval letter from the board. The board shall inform the applicant of the reasons for its disapproval of any application it disapproves pursuant to this section.

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

(c) For the purpose of determining evidence of improvement and growth, the board of higher education, through its agents, shall make periodic inspections of every such educational institution within the 12 years following the board's approval of an institution's application submitted pursuant to this section.

SECTION 8. Chapter 75 of the General Laws, is hereby amended by striking out section 45, as appearing in section 35 of chapter 102 of the acts of 2021, and inserting in place thereof the following section:-

Section 45. There shall be within the McCormack graduate school of policy and global studies at the University of Massachusetts, the Edward J. Collins, Jr. center for public management. The center shall seek to improve efficiency, effectiveness, governance, responsiveness and accountability at all levels of government, with a particular focus on local and state government. The center shall do this by:

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

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

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

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

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

SECTION 9. The sixth paragraph of section 25A of chapter 111 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following 2 sentences:- The department may enter into agreements with the federal Food and Drug Administration pursuant to 21 C.F.R. 20.88 for the purpose of receiving records and information; provided, that any information received pursuant to such agreements shall be exempt from disclosure as a public record as required pursuant to 21 C.F.R. 20.88.

SECTION 10. Section 42 of chapter 132 of the General Laws, as so appearing, is hereby amended by striking out, in lines 3 and 4 and lines 8 and 9, the words “by certified mail or hand

deliver", and inserting in place thereof, in each instance, the following words:- in accordance with guidelines posted by the department.

SECTION 11. Section 181 of chapter 25 of the acts of 2009 is hereby amended by striking out the words "1 year" and inserting in place thereof the following words:- 6 months.

SECTION 12. Item 2000-7081 of section 2A of chapter 209 of the acts of 2018 is hereby amended by striking out the words "cities and towns" and inserting in place thereof the following words:- the commonwealth's political subdivisions, including, but not limited to, cities, towns, counties and districts, and federal and state recognized tribes, or any authority, commission, board or instrumentality of the foregoing,.

SECTION 13. Said item 2000-7081 of said section 2A of said chapter 209 is hereby further amended by striking out the words "all the members of the city council in a city having a Plan D or Plan E charter, the vote of the city council in a city not having such a charter, subject to the charter of such a city, and the majority vote of the selectboard in a town" and inserting in place thereof the following words:- the grantee's legislative body or board of directors or equivalent.

SECTION 14. Section 13 of chapter 53 of the acts of 2020, as amended by sections 1 and 2 of chapter 20 of the acts of 2021, is hereby further amended by striking out the words "May 1, 2022" and inserting in place thereof the following words:- April 1, 2023.

SECTION 15. Section 14 of chapter 92 of the acts of 2020 is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

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

SECTION 16. Subsection (c) of said section 14 of said chapter 92 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- To be eligible to receive an emergency educator license, an individual shall meet the education requirements for an entry level license in the field sought and any additional requirements identified by the commissioner for specific licenses.

SECTION 17. The first sentence of subsection (d) of said section 14 of said chapter 92 is hereby amended by striking out the words “by June 30, 2021”, and inserting in place thereof the following words:- within 2 years of receiving an emergency license.

SECTION 18. Subsection (b) of section 2 of chapter 118 of the acts of 2020, as amended by sections 10 and 11 of chapter 20 of the acts of 2021, is hereby further amended by striking out the words “May 1, 2022” and inserting in place thereof the following words:- April 1, 2023.

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

SECTION 20. Subsection (b) of section 2 of chapter 257 of the acts of 2020, as amended by section 16 of chapter 20 of the acts of 2021, is hereby further amended by striking out the words “during the COVID-19 emergency or until April 1, 2022, whichever is later” and inserting in place thereof the following words:- until March 31, 2023.

SECTION 21. Said subsection (b) of said section 2 of said chapter 257, as so amended, is hereby further amended by adding the following sentence:- A court having jurisdiction over an action for summary process under said chapter 239, including the Boston municipal court, shall inform the parties of their protections and resources pursuant to this section.

SECTION 22. Subsection (c) of said section 2 of said chapter 257, as so amended, is hereby further amended by striking out the words “during the COVID-19 emergency or until April 1, 2022, whichever is later” and inserting in place thereof the following words:- until March 31, 2023.

SECTION 23. Section 3 of said chapter 257, as amended by section 17 of said chapter 20, is hereby further amended by striking out the words “during the COVID-19 emergency or until January 1, 2023, whichever is later” and inserting in place thereof the following words:- until March 31, 2023.

SECTION 24. Section 19 of chapter 20 of the acts of 2021 is hereby amended by striking out the words “April 1, 2022”, each time they appear, and inserting in place thereof, in each instance, the following words:- April 1, 2023.

SECTION 25. Section 30 of said chapter 20 is hereby amended by striking out the words “January 1, 2023” and inserting in place thereof the following words:- March 31, 2023.

SECTION 26. Item 1599-9817 of section 2 of chapter 24 of the acts of 2021, inserted by section 61 of chapter 102 of the acts of 2021, is hereby amended by striking out the words “Home and Community-Based Services Federal Investment Fund .....100%”.

SECTION 27. Item 1775-0700 of said section 2 of said chapter 24 is hereby amended by striking out the figure “$60,000”, both times it appears, and inserting in place thereof, in each instance, the following figure:- $150,000.

SECTION 28. Item 3000-3060 of said section 2 of said chapter 24 is hereby amended by inserting after the word “children”, the third time it appears, the following words:- and, in fiscal years 2022 and 2023, in light of the economic impact of COVID-19, for families participating in education and training services funded by the Supplemental Nutrition Assistance Program.

SECTION 29. Item 4003-0122 of said section 2 of said chapter 24, as amended by section 65 of chapter 102 of the acts of 2021, is hereby further amended by inserting after the

word “adults”, the second time it appears, the following words:- ; provided further, that not less than $10,000,000 shall be expended for resettlement agencies in the commonwealth for services for refugees and immigrants including, but not limited to Ukrainian refugees and immigrants, to obtain a secure immigration status in the United States;.

SECTION 30. Item 1595-1068 of section 2E of said chapter 24 is hereby amended by striking out the figure “$437,750,000” and inserting in place thereof the following figure:- $577,145,000.

SECTION 31. Said item 1595-1068 of said section 2E of said chapter 24 is hereby further amended by striking out the figure “$471,357,839” and inserting in place thereof the following figure:- $719,521,170.

SECTION 32. Item 1599-2026 of section 2A of chapter 102 of the acts of 2021 is hereby amended by striking out the words “provided further, that a portion of said funds shall be used to reimburse providers for 1-time costs associated with opening new behavioral health and substance use disorder treatment beds in calendar year 2022 or 2023, which are not covered by other reimbursement or grant sources including the MassHealth behavioral health incentive grants for fiscal year 2021 and fiscal year 2022” and inserting in place thereof the following words:- provided further, that not less than $12,000,000 shall be expended to the non-profit medical center established pursuant to chapter 147 of the acts of 1995 for 1-time costs associated with opening new behavioral health and substance use disorder treatment beds; provided further, that not less than $12,000,000 shall be expended to the non-state, government public hospital system established pursuant to said chapter 147 for 1-time costs associated with opening new behavioral health beds.

SECTION 33. Said item 1599-2026 of said section 2A of said chapter 102 is hereby further amended by striking out the figure “$15,000,0000” and inserting in place thereof the following figure:- $15,000,000.

SECTION 34. Said item 1599-2026 of said section 2A of said chapter 102 is hereby further amended by striking out the figure “$400,000,000” and inserting in place thereof the following figure:- $424,000,000.

SECTION 35. Item 1599-2049 of said section 2A of said chapter 102 is hereby amended by striking out the words “that the secretary of administration and finance shall transfer $25,000,000 from this item to item 7002-0012” and inserting in place thereof the following words:- that not less than $25,000,000 shall be expended.

SECTION 36. Said item 1599-2049 of said section 2A of said chapter 102 is hereby further amended by striking out the words “transferred from this item to item 4000-0005” and inserting in place thereof the following words:- expended, in consultation with the secretary of health and human services and the safe and successful youth initiative,.

SECTION 37. Said item 1599-2056 of said section 2A of said chapter 102 is hereby further amended by striking out the words “transferred from this item to item 7061-0012 for compensatory services for adults that reached age 22 during the 2019 novel coronavirus pandemic” and inserting in place thereof the following words:- expended by the department of elementary and secondary education for services for individuals with disabilities that reached age 22 between March 10, 2020 and September 1, 2023 and were entitled to special education services up to age 22.

SECTION 38. Said item 1599-2056 of said section 2A of said chapter 102 is hereby further amended by striking out the words “transferred to item 7066-1400 for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state universities” and inserting in place thereof the following words:- expended for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state universities and that no funds shall be deducted for pensions, group health or life insurance, or any other indirect costs of state employees.

SECTION 39. Said item 1599-2056 of said section 2A of said chapter 102 is hereby further amended by striking out the words “transferred to item 7100-0200 for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for the University of Massachusetts” and inserting in place thereof the following words:- expended for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for the University of Massachusetts and that no funds shall be deducted for pensions, group health or life insurance or any other indirect costs of state employees.

SECTION 40. Said item 1599-2056 of said section 2A of said chapter 102 is hereby further amended by striking out the words “transferred to item 7100-4000 for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for community colleges” and inserting in place thereof the following words:- expended for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for community colleges and that no funds shall be deducted for pensions, group health or life insurance or any other indirect costs of state employees.

SECTION 41. Said item 1599-2056 of said section 2A of said chapter 102 is hereby further amended by striking out the words “transferred from this item to item 7010-0005” and inserting in place thereof the following word:- expended.

SECTION 42. Section 70 of said chapter 102 is hereby repealed.

SECTION 43. The first sentence of section 1 of chapter 22 of the acts of 2022 is hereby amended by striking out the word “sum” and inserting in place thereof the word:- sums.

SECTION 44. The second sentence of said section 1 of said chapter 22 is hereby amended by striking out the words “This sum” and inserting in place thereof the following words:- These sums.

SECTION 45. (a) As used in this section, the following words shall have the following meanings:-

“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 functional purpose.

“Commissioner”, the commissioner of capital asset management and maintenance.

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

“Job order”, an agreed upon fixed-price order issued by a public agency to a contractor pursuant to a job order contract, for the contractor's performance of a specific maintenance,

repair, alteration, or conversion project consisting solely of tasks, materials and equipment selected from those specified and priced in that job order contract.

"Job order contract", a contract for the performance of maintenance, repair, alteration and conversion projects, or a subset thereof: (1) that is limited to a specified term; (2) in which the contract specifications consist of technical descriptions of various tasks, materials and equipment at stated unit prices but do not specify the specific projects to be performed by the contractor; (3) which contains a fixed contractor's mark up over the unit prices stated in the specifications; and (4) in accordance with which 1 or more specified state agencies may enter into fixed price job orders with the contractor for the performance of specific projects, consisting solely of combinations of the tasks, materials and equipment specified in the contract, at the unit prices specified therein plus the contractor's mark-up.

"Maintenance", day-to-day routine, normally recurring, repairs, equipment adjustments and upkeep.

"Repair", work required to restore a facility or system to a condition in which it may continue to be approximately and effectively used for its designated purpose and anticipated life, or to comply with code requirements, by overhaul, reprocessing, or replacement of constituent parts or materials which have deteriorated by action of the elements or wear and tear in use, or which do not meet code requirements.

(b) Notwithstanding section 46 of chapter 7C of the General Laws, section 44A of chapter 149 of the General Laws, section 39M of chapter 30 of the General Laws or any other general or special law to the contrary, the commissioner may establish a pilot program for the use of job order contracts by: (i) higher education facilities subject to control of the department

of higher education; (ii) an agency within the department of correction; and (iii) the division of capital asset management and maintenance with respect to properties for which it is responsible.

(c) As part of the pilot program, the commissioner may procure contracts for services related to the creation and use of job order contracts including, without limitation the creation of task descriptions, specifications and unit prices for use in job order contracts, and agency training and other services related to such contracts. Such procurement may be conducted in accordance with the procedures specified in 801 CMR 21.00.

(d) As part of the pilot program, the commissioner may procure job order contracts for use by: (i) the division of capital asset management and maintenance; (ii) the department of correction; and (iii) any higher education facilities subject to control of the department of higher education. These contracts shall be limited to job orders estimated to cost not more than $100,000 each and shall be procured through the procedures specified in section 39M of chapter 30 of the General Laws except that: (i) the amount of the bid deposit shall be $5,000; (ii) contractors who are awarded job orders under any job order contract shall be certified by the division of capital asset management and maintenance for the category of work specified in the contract; and (iii) the amounts of surety bonds required by the contract may be satisfied with respect to each particular job order before the commencement of any work under that job order. The commissioner shall award a job order contract to the eligible and responsible bidder who offers the lowest mark-up over the base unit prices specified in the contract specifications. Such job order contracts shall have a maximum term of 2 years.

(e) The authority granted to the commissioner in this section shall expire on January 1, 2027, but any job order contract awarded before that date may be executed and continue in effect

for a maximum term, including any extensions or renewals, of 2 years from the date of its execution and delivery.

(f) Annually, not later than June 30, the commissioner shall prepare a report on the projects utilizing job order contracts through the pilot program and submit the report to the chairs of the joint committee on state administration and regulatory oversight. The report shall include an analysis of the cost effectiveness of job order contracting and any other public benefits resulting from job order contracts through the pilot program.

SECTION 46. Notwithstanding any general or special law to the contrary, for fiscal year 2022, the secretary of health and human services, with the written approval of the secretary of administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.

SECTION 47. Notwithstanding any general or special law to the contrary, any unexpended balances, not exceeding a total of $40,000,000, in items 4000-0700 and 4000-1426 of section 2 of chapter 24 of the acts of 2021 shall not revert to the General Fund until September 1, 2022 and may be expended by the executive office of health and human services to pay for services enumerated in said items 4000-0700 and 4000-1426 provided during fiscal year 2022.

SECTION 48. Notwithstanding any general or special law to the contrary, for any taxable year beginning on or after January 1, 2022, any amount received from the COVID-19 Essential Employee Premium Pay program established by sections 73 and 82 of chapter 102 of the acts of 2021 for purposes of providing direct financial support to an essential worker shall be deducted from federal gross income for the purpose of determining Massachusetts gross income pursuant

to section 2 of chapter 62 of the General Laws; provided, however, that 1-time payments to front-line state employees required to work in-person during the winter of 2020 to 2021 made pursuant to section 82 of said chapter 102 shall not be subject to this section.

SECTION 49. Notwithstanding sections 14 and 34 of chapter 91 of the General Laws and any other general or special law to the contrary, the department of environmental protection may issue a license pursuant to chapter 91 and regulations promulgated thereunder to the department of conservation and recreation to authorize a bicycle and pedestrian bridge that would span the Mystic river seaward of the Amelia Earhart Mystic River Dam and Basin, running approximately from the south side of the department of conservation and recreation's Draw Seven park in the city of Somerville to land adjacent to Encore Boston Harbor in the city of Everett.

SECTION 50. Notwithstanding any special or general law to the contrary, there shall be a moratorium on procurement of early education and care services funded under items 3000-3060 and 3000-4060 of section 2 of chapter 24 of the acts of 2021, from March 1, 2022 through June 30, 2023.

SECTION 51. Notwithstanding any general or special law to the contrary, the housing court rules for the two-tier process for all summary process cases established in subsection (b) of section (3) of the Housing Court Third Amended Standing Order 6-20 shall remain in effect until March 31, 2023.

SECTION 52. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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