

# **HOUSE . . . . . No. 4790**

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, June 25, 2024.

The committee on Ways and Means, to whom was referred the message from Her Excellency the Governor recommending legislation making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4496), reports, in part, recommending that the accompanying bill ought to pass (House, No. 4790) [Total Appropriation: \$558,065,809.00].

For the committee,

AARON MICHLEWITZ.

**HOUSE . . . . . No. 4790**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act making appropriations for the fiscal year 2024 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 to make supplemental appropriations for fiscal year 2024 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1           SECTION 1. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2024, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund, the Transitional Escrow Fund established in section 16 of  
4 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, or the  
5 federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General Laws  
6 unless specifically designated otherwise in this act or in those appropriation acts, for the several  
7 purposes and subject to the conditions specified in this act or in those appropriation acts, and  
8 subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30,  
9 2024. These sums shall be in addition to any amounts previously appropriated and made

10 available for the purposes of those items. These sums shall be made available through the fiscal  
11 year ending June 30, 2025.

12 SECTION 2.

13 SECRETARY OF THE COMMONWEALTH

14 0521-0000 Elections Division.....\$2,834,250

15 TREASURER AND RECEIVER-GENERAL

16 *Alcoholic Beverages Control Commission*

17 0610-0050 Alcoholic Beverages Control Commission ..... \$232,499

18 OFFICE OF THE COMPTROLLER

19 1595-1068 Medical Assistance Trust Fund..... \$175,548,050

20 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

21 *Department of Revenue*

22 1233-2000 Tax Abatements for Veterans, Widows, Blind Persons, and the  
23 Elderly.....\$5,570,381

24 *Reserves*

25 1599-0793 Critical Health and Human Services Workforce Reserve.....\$61,077,257

26 1599-6073 VOCA Bridge..... \$20,000,000

27 1599-9817 ARPA HCBS Reserve..... \$228,000,000

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*Operational Services Division*

1775-0700 Reprographic Services Retained Revenue..... \$400,000

EXECUTIVE OFFICE OF EDUCATION

*Department of Early Education and Care*

3000-4060 Income-Eligible Child Care..... \$29,672,801

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Department of Transitional Assistance*

4400-1004 Healthy Incentives Program..... \$5,100,000

*Department of Public Health*

4513-1002 Women, Infants and Children Nutrition Services..... \$2,130,571

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

*State Police*

8100-0102 Troop F Retained Revenue..... \$7,000,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, 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 or the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, 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

47 regulating the disbursement of public funds for the fiscal year ending June 30, 2024. Except as  
48 otherwise stated, these sums shall be made available through the fiscal year ending June 30,  
49 2025.

50 EXECUTIVE OFFICE OF ECONOMIC DEVELOPMENT

51 *Office of Travel and Tourism*

52 7008-1776 For the costs associated with celebrations of the United States’  
53 semiquincentennial; provided, that funds shall be made available as grants to municipalities for  
54 public safety, transportation and logistical costs associated with the celebration of the  
55 anniversary; provided further, that not less than \$250,000 shall be expended for First Night  
56 Boston, Inc. in the city of Boston; provided further, that not less than \$6,000,000 shall be  
57 expended for capital improvements to the Edward A. LeLacheur Park at the University of  
58 Massachusetts Lowell; and provided further, that not less than \$250,000 shall be expended for  
59 Sail Boston, Inc. for the Tall Ships 2026 celebrations.....\$26,500,000

60 SECTION 3. Chapter 6 of the General Laws is hereby amended by striking out section  
61 39B, as appearing in the 2022 Official Edition, and inserting in place thereof the following  
62 section:-

63 Section 39B. Each state agency shall furnish the state library 1 copy of its publications,  
64 provided in the format in which it was created, such as print or electronic, not later than 5  
65 working days after creation. The state library shall make copies available for public consultation  
66 and for permanent historic preservation. Digitized publications shall be made available to the  
67 Library of Congress and to each of the state’s regional public libraries through the state library’s  
68 digital collections.

69 SECTION 4. Chapter 7 of the General Laws is hereby amended by inserting after section  
70 22O the following section:-

71 Section 22P. (a) Notwithstanding section 39M of chapter 30 or any general or special law  
72 to the contrary, governmental bodies may procure electric vehicles and the installation of  
73 charging stations for said electric vehicles, under this chapter. The electric vehicles and the  
74 installation of charging stations may be procured separately or in 1 procurement. For the  
75 purposes of this section, electric vehicles shall be considered supplies and charging stations and  
76 their installation shall be considered services.

77 (b) A contract under this section shall only be awarded to a bidder: (i) possessing the  
78 skill, ability and integrity necessary for the faithful performance of the work; (ii) who shall  
79 certify that it is able to furnish labor that can work in harmony with all other elements of labor  
80 employed or to be employed in the work; (iii) who shall certify that all employees to be  
81 employed at the worksite will have successfully completed a course in construction safety and  
82 health approved by the United States Occupational Safety and Health Administration that is at  
83 least 10 hours in duration at the time the employee begins work and shall furnish documentation  
84 of successful completion of said course with the first certified payroll report for each employee;  
85 and (iv) who obtains within 10 days of the notification of contract award the security by bond  
86 required under section 29 of chapter 149; provided, that for the purposes of this section, the term  
87 “security by bond” shall mean the bond of a surety company qualified to do business under the  
88 laws of the commonwealth and satisfactory to the awarding authority; and provided further, that  
89 if there is more than 1 surety company, the surety companies shall be jointly and severally liable.  
90 Section 26 to 27D, inclusive, of chapter 149 shall apply to any contract entered into under this  
91 section.

92 SECTION 5. Section 1 of chapter 7C of the General Laws, as appearing in the 2022  
93 Official Edition, is hereby amended by striking out the definition of “Capital Facility” and  
94 inserting in place thereof the following definition:-

95 “Capital facility”, a public improvement such as a building or other structure; a utility,  
96 fire protection, and other major system and facility; a power plant facility and appurtenances; a  
97 heating, ventilating, air conditioning or other system; initial equipment and furnishings for a new  
98 building or building added to or remodeled for some other use; a public parking facility; an  
99 airport or port facility; a recreational improvement such as a facility or development in a park or  
100 other recreational facility; or any other facility which, by statute or under standards as may be  
101 prescribed from time to time by the commissioner of capital asset management and maintenance,  
102 according to this section, may be defined as such; provided, however, that a highway  
103 improvement such as a highway, bridge or tunnel or other structure or building integral to the  
104 operation of the state highway system, a transportation improvement such as a mass  
105 transportation or other public transit facility shall not be considered a capital facility as defined  
106 herein; and provided further, that an improvement in information technology shall not be a  
107 capital facility to the extent it does not result in the creation or expansion of tangible property.

108 SECTION 6. Section 6 of chapter 21J of the General Laws, as so appearing, is hereby  
109 amended by striking out, in line 4, the words “state fire marshal” and inserting in place thereof  
110 the following words:- commissioner of revenue.

111 SECTION 7. Section 2 of chapter 22D of the General Laws, as so appearing, is hereby  
112 amended by striking out, in lines 6 to 9, inclusive, the words “; a division of underground storage

113 tanks, including the Underground Storage Tank Petroleum Product Cleanup Fund Administrative  
114 Review Board as established by chapter twenty-one J”.

115 SECTION 8. Section 14 of chapter 23N of the General Laws, as so appearing, is hereby  
116 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

117 (a) An excise is hereby imposed upon a sports wagering operator or a person or entity  
118 that offers fantasy contests, as defined in section 11M½ of chapter 12, in the commonwealth at  
119 the rate of: (i) 15 per cent of the sports wagering operator’s adjusted gross sports wagering  
120 receipts from the operation of in-person sports wagering; (ii) 20 per cent of the sports wagering  
121 operator’s adjusted gross sports wagering receipts from the operation of sports wagering through  
122 mobile applications and other digital platforms approved by the commission; and (iii) 15 per cent  
123 of the adjusted gross fantasy wagering receipts of the person or entity that offers such fantasy  
124 contests. The accrual method of accounting shall be used for the purposes of calculating the  
125 amount of the tax owed under this section. The excise shall be paid to the commission at the time  
126 provided for filing the return pursuant to subsection (b).

127 SECTION 9. Said section 14 of said chapter 23N, as so appearing, is hereby further  
128 amended by striking out subsection (c) and inserting in place thereof the following subsection:-

129 (c) The excise on adjusted gross sports wagering receipts and adjusted gross fantasy  
130 wagering receipts imposed by this section shall be in lieu of all other state and local taxes and  
131 fees imposed on the operation of, or the proceeds from operation of, sports wagering or fantasy  
132 contests.

133 SECTION 10. Clause (ii) of the third sentence of subsection (x) of section 6 of chapter 62  
134 of the General Laws, as appearing in section 21 of chapter 50 of the acts of 2023, is hereby



135 further amended by inserting after the words “section 21 of the Code,” the following words:-  
136 without regard to subsection (e)(5) of said section 21 of the Code.

137 SECTION 11. Subsection (a) of section 2A of chapter 65C of the General Laws, as  
138 appearing in section 36 of said chapter 50, is hereby amended by striking out the words “tax shall  
139 be reduced by an amount equal to the proportion of such allowable credit as the value of such  
140 real or tangible personal property located outside of the commonwealth bears to the value of the  
141 entire federal gross estate wherever situated, as determined under section 2011 of the Code, as in  
142 effect on December 31, 2000” and inserting in place thereof the following words:- credit shall be  
143 determined based on the value of the federal taxable estate after such estate is reduced by the  
144 value of such real or tangible personal property located outside of the commonwealth.

145 SECTION 12. Chapter 159A ½ of the General Laws is hereby amended by striking out  
146 section 12 and inserting in place thereof the following 2 sections:-

147 Section 12. (a) On the first day of each month, each transportation network company  
148 shall submit to the division, in a format approved by the division, data related to each pre-  
149 arranged ride provided in the month prior to the previous month and shall include for each pre-  
150 arranged ride: (i) the latitude and longitude for the points of the origination and termination,  
151 calculated to 0.001 decimal degrees; (ii) the date and time of the origination and termination,  
152 calculated to the nearest minute; (iii) the total cost paid by the rider for the ride; (iv) the  
153 universally-unique identifier associated with the transportation network driver; (v) the  
154 transportation network driver’s city or town of residence as appearing on the driver’s license; (vi)  
155 whether the rider requested a shared ride but was not successfully matched with another rider;  
156 (vii) whether the rider requested accommodation for special needs; (viii) whether the ride was

157 provided by a wheelchair accessible vehicle; (ix) whether there were any driver or rider-initiated  
158 cancellations; (x) the total time that the transportation network driver spent on the way to pick up  
159 the rider; (xi) the total time that the transportation network driver spent providing the pre-  
160 arranged ride; (xii) the geographic position of the vehicle during the entire duration of the pre-  
161 arranged ride, provided at intervals of not less than every 60 seconds of the pre-arranged ride;  
162 (xiii) the total mileage driven by the transportation network driver while on the way to pick up  
163 the rider; (xiv) the total mileage driven by the transportation network driver while providing the  
164 pre-arranged ride; (xv) the transportation network vehicle license plate; (xvi) whether the  
165 transportation network driver is a professional driver, as advertised by the transportation network  
166 company; and (xvii) whether the pre-arranged ride was advertised by the transportation network  
167 company as a luxury or premium ride, regardless of whether the transportation network vehicle  
168 was registered as a livery vehicle; provided, however, that if the pre-arranged ride was advertised  
169 by the transportation network company as a luxury or premium ride, the data shall include the  
170 factors that were considered in that designation, including, but not limited to, vehicle make,  
171 model, year and, if available, trim, whether the transportation network driver was a professional  
172 driver, as advertised by the transportation network company and whether the ride was available  
173 by an exclusive membership option.

174 (b) The division may obtain additional ride data from a transportation network company  
175 for the purposes of congestion management, which may include, but shall not be limited to: (i)  
176 the total number of transportation network drivers that utilized the transportation network  
177 vehicle's digital network within specified geographic areas and time periods as determined by  
178 the division; and (ii) the total time spent and total miles driven by transportation network drivers  
179 in such geographic areas or time periods as determined by the division while: (A) on the way to

180 pick up a rider; or (B) engaged in a pre-arranged ride. The division shall promulgate regulations  
181 relative to data collection pursuant to this subsection prior to obtaining the data.

182 (c) Annually, not later than June 30, the division shall post on its website, in aggregate  
183 form, the total number of rides provided by all transportation network companies that originated  
184 in each city or town, each city or town where the rides originating in each city or town  
185 terminated and the average miles and minutes of the rides that originated in each city or town  
186 and terminated in each other respective city or town.

187 (d) For the purposes of congestion management, transportation planning or emissions  
188 tracking, the division may enter into confidential data-sharing agreements to share de-identified  
189 trip-level data received by the division pursuant to this section with the executive office of  
190 technology services and security, the executive office of energy and environmental affairs, the  
191 Massachusetts Department of Transportation, the Massachusetts Port Authority, the  
192 Massachusetts Bay Transportation Authority, the department of environmental protection, a  
193 regional transit authority established under section 3 of chapter 161B, a regional planning agency  
194 in the commonwealth and a metropolitan planning organization in the commonwealth. The  
195 division shall prescribe the form and content of a confidential data-sharing agreement pursuant to  
196 this subsection, the manner of transmitting the information and the information security  
197 measures that shall be employed by an entity receiving the data under any such data-sharing  
198 agreement. A confidential data-sharing agreement shall specify that the information provided by  
199 the division shall be aggregated and de-identified and may be used only for the purposes set forth  
200 in the agreement. Any data received by an entity from the division through a confidential data-  
201 sharing agreement under this subsection shall not be considered a public record under clause  
202 Twenty-sixth of section 7 of chapter 4 or chapter 66 and shall not be disclosed to any person or

203 entity other than those listed or described in the confidential data-sharing agreement; provided,  
204 however, that a state or municipal government agency or transportation planning entity may  
205 disclose conclusions and analyses derived from the information and from the data received  
206 pursuant to a confidential data-sharing agreement.

207 (e) A violation of the terms of a confidential data-sharing agreement by an entity listed in  
208 subsection (d) may result in the division declining to enter into future confidential data-sharing  
209 agreements with the violating entity and in the termination of any existing data-sharing  
210 agreement with the entity. The division shall notify each transportation network company whose  
211 data was shared in violation of the terms of a confidential data-sharing agreement of the  
212 violation, the violating entity and what data was shared. An entity listed in subsection (d) that  
213 violates the terms of a confidential data-sharing agreement shall destroy all data received as a  
214 result of the confidential data-sharing agreement.

215 Section 13. (a) The division shall establish a program to reduce greenhouse gas emissions  
216 from transportation network vehicles. To the extent permitted under federal law, the program  
217 shall establish requirements for transportation network companies, including, but not limited to,  
218 vehicle electrification and greenhouse gas emissions requirements. Such requirements shall  
219 include, but shall not be limited to, a requirement for said companies to submit biennial plans to  
220 gradually increase zero-emission transportation network vehicles and reduce greenhouse gas  
221 emissions to meet goals set by the executive office of energy and environmental affairs. If the  
222 division determines that vehicle electrification requirements alone would be sufficient to achieve  
223 the greenhouse gas emissions goals set by the executive office of energy and environmental  
224 affairs, then it may establish requirements for vehicle electrification without establishing separate  
225 requirements for greenhouse gas emissions. The division shall, to the extent practicable,

226 minimize any negative impacts of the program on drivers from neighborhoods and municipalities  
227 that have an annual median household income of not more than 65 per cent of the statewide  
228 annual median household income.

229 (b) The division shall establish regulations to implement the program established in  
230 subsection (a).

231 SECTION 13. Section 1 of chapter 258 of the General Laws, as appearing in the 2022  
232 Official Edition, is hereby amended by striking out the words “and rail and transit  
233 administrator,”, in line 15.

234 SECTION 14. Section 4 of chapter 841 of the acts of 1975 is hereby amended by striking  
235 out the words “comprised of the secretary of communities and development or his designee” and  
236 inserting in place thereof the following words:- comprised of the secretary of economic  
237 development or their designee.

238 SECTION 15. Item 1599-1952 of section 2B of chapter 151 of the acts of 2020 is hereby  
239 amended by inserting, after the words “assist municipalities”, the following words:- and tribal  
240 governments.

241 SECTION 16. Said item 1599-1952 of said section 2B of said chapter 151 is hereby  
242 further amended by striking out the words “located in a municipality”.

243 SECTION 17. Item 1599-2025 of section 2 of chapter 102 of the acts of 2021 is hereby  
244 amended by striking out the words “and provided further, that the department shall ensure  
245 geographic equity when distributing funds” and inserting in place thereof the following words:-  
246 provided further, that the department shall ensure geographic equity when distributing funds;

247 provided further, that if the commissioner of public health, in consultation with the secretary of  
248 health and human services, determines that anticipated spending prior to the American Rescue  
249 Plan Act applicable funds obligation and expiration deadlines for a purpose is less than it is  
250 authorized to be spent in this item for that purpose, the commissioner of public health may  
251 reduce spending accordingly and transfer the anticipated unspent funds for that purpose to other  
252 purposes to support and enhance the commonwealth’s local and regional public health system;  
253 and provided further, that the commissioner of public health shall notify the house and senate  
254 committees on ways and means not less than 7 days prior to reducing or increasing spending for  
255 a particular purpose authorized in this item.

256 SECTION 18. Section 82 of said chapter 102 is hereby amended by striking out the  
257 words “and provided further, that the secretary of administration and finance may authorize the  
258 transfer of funds for the 1-time payments to the items necessary to meet the necessary costs of  
259 those payments” and inserting in place thereof the following words:- provided further, that the  
260 secretary of administration and finance may authorize the transfer of funds for the 1-time  
261 payments to the items necessary to meet the necessary costs of those payments; and provided  
262 further, that the secretary of administration and finance may direct the comptroller to transfer the  
263 unobligated balance of the fund to the Transitional Escrow Fund established in section 16 of  
264 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, or the  
265 federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General  
266 Laws.

267 SECTION 19. Section 92 of chapter 179 of the acts of 2022 is hereby amended by  
268 striking out the figure “12”, each time it appears, and inserting in place thereof, in each instance,  
269 the following figure:- 13.

270 SECTION 20. Item 1599-6077 of section 2A of chapter 268 of the acts of 2022 is hereby  
271 amended by inserting, after the words “Bliss Corner in the town of Dartmouth”, the following  
272 words:- ; provided further, that such funds may be transferred by the executive office for  
273 administration and finance to the department of environmental protection to fund assessment and  
274 other appropriate work by the department related to such residential homes.

275 SECTION 21. Said item 1599-6077 of said section 2A of said chapter 268 is hereby  
276 further amended by striking out the words “for the installation and operation of no less than 2 air  
277 quality monitoring stations in the East Boston section of Boston in cooperation with the  
278 department of environmental protection, the data from which shall be made available online to  
279 the public at regular intervals” and inserting in place thereof the following words:- by the  
280 department of environmental protection to conduct air monitoring in not less than 2 locations in  
281 the East Boston section of the city of Boston for a period of not less than 2 years.

282 SECTION 22. Said item 1599-6077 of said section 2A of said chapter 268 is hereby  
283 further amended by inserting, after the words “Countryside Auto Salvage”, the following words:-  
284 ; provided further, that such funds may be transferred by the executive office for administration  
285 and finance to the department of environmental protection to fund such studies by the  
286 department.

287 SECTION 23. Item 1599-6084 of said section 2A of said chapter 268 is hereby amended  
288 by inserting, after the words “120 per cent of the area median income”, the second time they  
289 appear, the following the words:- ; provided further, that funds expended for said workforce  
290 housing program may be expended for grants, loans and other financial assistance for related  
291 construction costs incurred on or after March 3, 2021.

292 SECTION 24. Section 230 of said chapter 268 is hereby amended by inserting, after the  
293 word “Laws”, the following words:- ; and provided further, that funds appropriated in this item  
294 shall be made available until June 30, 2025.

295 SECTION 25. Item 1775-0700 of section 2 of chapter 28 of the acts of 2023 is hereby  
296 amended by striking out the figure “\$200,000”, both times it appears, and inserting in place  
297 thereof, in each instance, the following figure:- \$600,000.

298 SECTION 26. Item 3000-1042 of said section 2 of said chapter 28 is hereby amended by  
299 striking out the words “funds between” and inserting in place thereof the following words:- funds  
300 from this item to.

301 SECTION 27. Item 7003-0150 of said section 2 of said chapter 28, as most recently  
302 amended by section 2CI of chapter 77 of the acts of 2023, is hereby further amended by  
303 inserting, after the words “citizens programming”, the following words:- ; provided further, that  
304 the executive office may expend available funds in this item for costs incurred for fiscal year  
305 2022 grants.

306 SECTION 28. Item 8100-0102 of said section 2 of said chapter 28 is hereby amended by  
307 striking out the figure “\$45,000,000”, both times it appears, and inserting in place thereof, in  
308 each instance, the following figure:- \$52,000,000.

309 SECTION 29. Item 1595-1068 of section 2E of said chapter 28 is hereby amended by  
310 striking out the figure “\$441,300,000” and inserting in place thereof the following figure:-  
311 \$638,409,000.



312 SECTION 30. Said item 1595-1068 of said section 2E of said chapter 28 is hereby further  
313 amended by striking out the figure “\$505,000,000” and inserting in place thereof the following  
314 figure:- \$681,000,000.

315 SECTION 31. Item 1596-2406 of section 2F of said chapter 28 is hereby amended by  
316 adding the following words:- ; and provided further, that funds appropriated in this item shall be  
317 made available until June 30, 2025.

318 SECTION 32. Item 4003-0123 of section 2A of chapter 77 of the acts of 2023 is hereby  
319 amended by adding the following words:- ; and provided further, that funds appropriated in this  
320 item shall be made available until June 30, 2025.

321 SECTION 33. Section 218 of said chapter 77 is hereby amended by striking out the first  
322 sentence and inserting in place thereof the following sentence:- Notwithstanding any general or  
323 special law to the contrary, for fiscal year 2024, the registrar of motor vehicles shall provide  
324 quarterly reports to the commissioner of correction detailing the number of identity cards  
325 processed pursuant to the Massachusetts Identification Card Program established by the  
326 Memorandum of Understanding between the Registry of Motor Vehicles and the Department of  
327 Correction, dated October 19, 2022, and pursuant to section 8E of chapter 90 of the General  
328 Laws, for individuals released from department of correction facilities.

329 SECTION 34. (a) Notwithstanding sections 52 to 55, inclusive, of chapter 7 of the  
330 General Laws and sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other  
331 general or special law to the contrary, the division of capital asset management and maintenance,  
332 using competitive proposal processes as the division considers necessary or appropriate, in  
333 consultation with the department of conservation and recreation, may lease and enter into other

334 agreements with 1 or more bidders for 1 or more ice skating rinks and facilities for terms not to  
335 exceed 30 years for the continued use, operation, maintenance, repair and improvement of the  
336 state-owned buildings and facilities, together with the land and appurtenances associated  
337 therewith, comprising the following ice skating rinks and facilities under the care and control of  
338 the department of conservation and recreation:

339           Veterans Memorial Skating Rink, Arlington; Porazzo Memorial Rink, East Boston  
340 district, Boston; Roche Memorial Rink, West Roxbury district, Boston; Simoni Memorial Rink,  
341 Cambridge; Allied Veterans Memorial Rink, Everett; Connery Memorial Rink, Lynn; Flynn  
342 Memorial Rink, Medford; LoConte Memorial Rink, Medford; Daly Memorial Rink, Newton;  
343 Cronin Memorial Rink, Revere; Max Ulin Skating Rink, Milton; Kasabuski Arena, Saugus;  
344 Veterans Memorial Rink, Somerville; Shea Memorial Rink, Quincy; Veterans Memorial Rink,  
345 Waltham; Connell Memorial Rink and Pool, Weymouth; Representative John G. Asiaf Skating  
346 Rink, Brockton; Arthur R. Driscoll Memorial Skating Rink, Fall River; Staff Sergeant Robert  
347 Pirelli Veterans Memorial Rink, Franklin; Stephen Hetland Memorial Skating Rink, New  
348 Bedford; John A. Armstrong Memorial Skating Rink, Plymouth; Theodore J. Aleixo, Jr. Skating  
349 Rink, Taunton; Veterans Memorial Skating Arena, Haverhill; John J. Janas Memorial Skating  
350 Rink, Lowell; Henry Graf, Jr., Skating Rink, Newburyport; James E. McVann and Louis F.  
351 O'Keefe Memorial Skating Rink, Peabody; Daniel S. Horgan Memorial Skating Rink, Auburn;  
352 Gardner Veterans Skating Rink, Gardner; John J. Navin Skating Rink, Marlboro; Honorable  
353 Charles J. Buffone Skating Rink, Worcester; Greenfield Area Skating Rink, Greenfield; Henry J.  
354 Fitzpatrick Skating Rink, Holyoke; Ray Smead Memorial Skating Rink, Springfield; and  
355 Vietnam Veterans Memorial Skating Rink, North Adams.

356 (b)(1) Notwithstanding any general or special law to the contrary, the lease and other  
357 agreements pursuant to subsection (a) shall be on terms acceptable to the commissioner of capital  
358 asset management and maintenance, in consultation with the commissioner of conservation and  
359 recreation and shall provide for the lessees to operate, manage, improve, repair and maintain the  
360 ice skating rinks and facilities. Any such lease or other arrangement shall include a description of  
361 the required capital improvements and, at a minimum, performance specifications. Any  
362 consideration received from the leases or other agreements shall be payable to the department for  
363 deposit in the Conservation Trust, established in section 1 of chapter 132A of the General Laws.

364 (2) There shall be an option for renewal or extension of the leases and other agreements  
365 not exceeding an additional 5 years. Such renewal or extension shall be at the discretion of the  
366 division of capital asset management and maintenance, in consultation with the department of  
367 conservation and recreation, in accordance with the original lease terms and conditions or  
368 agreement terms and conditions more favorable to the commonwealth. All leases shall contain a  
369 provision that requires the lessee to carry comprehensive general liability insurance with the  
370 commonwealth named as a co-insured, protecting the commonwealth against all personal injury  
371 or property damage within the ice skating rink or on the land during the term of the lease.

372 (c) The division of capital asset management and maintenance, in consultation with and  
373 on behalf of the department of conservation and recreation, shall solicit proposals through a  
374 request for proposals, which shall include key contractual terms and conditions to be  
375 incorporated into the lease, including, but not limited to: (i) a comprehensive list of all ice  
376 skating rinks operated by the responsive bidder in the last 4 years; (ii) prior or current facilities  
377 management or experience of the responsive bidder; (iii) prior or current skating or hockey  
378 management experience of the responsive bidder; (iv) reservation policies; (v) proposed

379 reasonable rates that ensure continued public access; (vi) required financial audits; (vii) policies  
380 to encourage use of the ice skating rink by persons of all races and nationalities; (viii) safety and  
381 security plans; (ix) seasonal opening and closing dates; (x) hours of operation; and (xi) how the  
382 operator will ensure that ice time at the ice skating rink shall be allocated to user groups in the  
383 following order of priority: (A) general public skating; nonprofit youth groups; (B) school  
384 hockey, for-profit youth groups other than non-profit youth groups; and (C) adult organizations  
385 or informal groups. Ice time may be allocated at the discretion of the operator; provided,  
386 however, that general public skating shall be booked, in 2-hour continuous blocks at a minimum  
387 of 12 hours per week, with a range of times and days which reasonably allow for public skaters  
388 of all ages to participate in public skating sessions. Every effort shall be made to balance the ice  
389 allocation needs of long-established youth organizations and newly formed youth organizations  
390 in a manner that provides equal opportunity and equal access for youths of each gender. The  
391 inspector general shall review and approve any request for proposals issued by the division  
392 before issuance.

393 (d) The leases and other agreements authorized in this section shall provide that any  
394 benefits to the community and the costs of improvements and repairs made to the property  
395 provided by the lessees shall be taken into account as part of the consideration for the lease or  
396 other agreements. The lessees or the recipients of the property shall bear the costs considered  
397 necessary or appropriate by the commissioner of capital asset management and maintenance for  
398 the transactions, including, but not limited to, costs for legal work, survey, title and the  
399 preparation of plans and specifications.

400 (e) The provisions of any general or special law or rule or regulation relating to the  
401 advertising, bidding or award of contracts, to the procurement of services or to the construction

402 and design of improvements shall not be applicable to any selected bidder which is awarded a  
403 lease pursuant to this section, except as provided in this section.

404 SECTION 35. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General  
405 Laws, or any other general or special law to the contrary, the commissioner of capital asset  
406 management and maintenance may enter into a lease, sublease or other rental agreement with La  
407 Colaborativa, Inc., its successor or assigns, for a portion of the parking lot located adjacent to the  
408 Massachusetts information technology center located at 200 Arlington street in the city of  
409 Chelsea for a term not to exceed 10 years; provided, however, that the lease, sublease or other  
410 rental agreement shall not exceed the term of the lease by and between the division of capital  
411 asset management and maintenance and the Massachusetts Department of Transportation for the  
412 premises. The lease, sublease or other rental agreement shall be on terms and conditions to be  
413 determined by the commissioner; provided, however, that the lease, sublease or other rental  
414 agreement shall be terminable, without penalty, upon 180 days' notice if the commissioner  
415 determines that there is a state agency need for the premises.

416 SECTION 36. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the  
417 General Laws, chapter 59 of the acts of 2009 or any other general or special law to the contrary,  
418 the commissioner of capital asset management and maintenance may convey the parcel of land  
419 described in subsection (b), which is a portion of the land known as the Monson development  
420 center, established pursuant to chapter 275 of the acts of 1852, to the Westmass Area  
421 Development Corporation, established pursuant to chapter 192 of the acts of 1960, for  
422 redevelopment purposes. The parcel shall be conveyed by deed without warranties or  
423 representations by the commonwealth. The conveyance shall be subject to such additional terms

424 and conditions consistent with this section as the commissioner of capital asset management and  
425 maintenance may prescribe.

426 (b) The Monson development center campus is shown on a plan entitled, “Plan of Land in  
427 Monson, MA prepared for the Commonwealth of Massachusetts, Division of Capital Asset  
428 Management & Maintenance on behalf of the Monson Development Center” prepared by  
429 Northeast Survey Consultants, dated April 12, 2023 and recorded in the Hampden county  
430 registry of deeds in plan book 397, page 121 to 125, inclusive. The parcels to be conveyed were  
431 used for state hospital purposes and are currently not in use and are more particularly shown as  
432 “Development Areas” on a sketch entitled, “Monson Development Center,” which is on file with  
433 the division of capital asset management and maintenance. The commissioner of capital asset  
434 management and maintenance shall determine the exact boundaries of the parcels to be conveyed  
435 pursuant to this act, which may require the completion of a survey; provided, however, that the  
436 commissioner shall not convey the parcels of land at the Monson development center campus  
437 that are: (i) the subject of chapter 181 of the acts of 2022; (ii) under the care and control of the  
438 department of agricultural resources; or (iii) otherwise subject to Article XCVII of the  
439 Amendments to the Constitution of the commonwealth.

440 (c) The consideration for the transfer authorized in subsection (a) shall be \$1.

441 (d) The commissioner of capital asset management and maintenance may retain or grant  
442 rights of way or easements for access, egress, utilities and drainage across the property described  
443 in subsection (b) and across other property owned by the commonwealth that is contiguous to the  
444 property described in said subsection (b) and may accept such rights of way or easements for  
445 access, egress, utilities and drainage as the commissioner considers necessary and appropriate to

446 carry out this act; provided, however, that this section shall not permit the commissioner to grant  
447 rights of way or easements over land subject to Article XCVII of the Amendments to the  
448 Constitution of the commonwealth.

449 (e) Annually, not later than October 1, the Westmass Area Development Corporation  
450 shall file a report with the division of capital asset management and maintenance, the office of  
451 the inspector general and the town of Monson during the redevelopment process. The report shall  
452 detail activities undertaken by the Westmass Area Development Corporation and their successors  
453 or assigns to redevelop the site, including, but not limited to: (i) site preparation, marketing,  
454 permitting and construction activities; (ii) acquisitions and dispositions; (iii) expenditures made  
455 by the Westmass Area Development Corporation in furtherance of the redevelopment of the  
456 parcel; and (iv) any other information the commissioner of capital asset management and  
457 maintenance may deem necessary. Upon completion of the redevelopment, as determined by the  
458 commissioner, the Westmass Area Development Corporation shall not be required to file said  
459 report.

460 (f) The Westmass Area Development Corporation shall be responsible for the costs and  
461 expenses of the transfer authorized in this section as determined by the commissioner of capital  
462 asset management and maintenance, including, but not limited to, the costs of any engineering,  
463 surveys, appraisals, title examinations, recording fees and deed preparation related to the  
464 conveyance of the parcel; provided, however, that if the commissioner of capital asset  
465 management and maintenance determines that the productive reuse of said parcel may be  
466 expedited by the reduction of acquisition costs, the commissioner may determine that the  
467 division of capital asset management and maintenance shall be responsible for said costs and  
468 expenses.

469 (g) Notwithstanding any general or special law to the contrary, if the commissioner of  
470 capital asset management and maintenance, in consultation with the secretary for administration  
471 and finance, determines that federal or nonprofit funding available to the Westmass Area  
472 Development Corporation for the redevelopment of the parcel described in subsection (b) may be  
473 advantageous to the redevelopment and the productive reuse of said parcel and may be expedited  
474 by the contribution of state funds, the commissioner of capital asset management and  
475 maintenance may expend not more than \$9,000,000 from item 1102-2017 of section 2 of chapter  
476 113 of the acts of 2018 as a site readiness grant to the Westmass Area Development Corporation  
477 to support the preparation of the parcel for redevelopment, including, but not limited to,  
478 demolition and environmental remediation. Annually, not later than June 30, the Westmass Area  
479 Development Corporation shall report to the division of capital asset management and  
480 maintenance and the office of the inspector general detailing the site remediation progress and  
481 expenditures made by the corporation through the term of the grant.

482 SECTION 37. Notwithstanding any general or special law to the contrary, any  
483 unexpended balances, not to exceed \$40,000,000, in items 4000-0700 and 4000-1426 of section  
484 2 of chapter 28 of the acts of 2023 shall not revert to the General Fund until September 1, 2024  
485 and may be expended by the executive office of health and human services to pay for services  
486 enumerated in said items 4000-0700 and 4000-1426 provided during fiscal year 2024.

487 SECTION 38. Notwithstanding any general or special law to the contrary, for fiscal year  
488 2024, the secretary of health and human services, with the written approval of the secretary of  
489 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-  
490 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-  
491 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.



492 SECTION 39. Notwithstanding any general or special law to the contrary, if, by June 30,  
493 2024, the secretary of administration and finance determines unobligated funds are available in  
494 items 1599-2026, 1599-2028, 1599-2042, 1599-2055 and 4513-0101 of section 2A of chapter  
495 102 of the acts of 2021 and items 1599-6066, 1599-6067, 1599-6069 and 1599-6074 of section  
496 2A of chapter 268 of the acts of 2022, the secretary may direct the comptroller to transfer said  
497 funds, in an amount not to exceed \$20,000,000, to the Transitional Escrow Fund established in  
498 section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of  
499 2022, or the federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the  
500 General Laws.

501 SECTION 40. The salary adjustments and other economic benefits authorized by the  
502 following collective bargaining agreements shall be effective for the purposes of section 7 of  
503 chapter 150E of the General Laws:

504 (1) the agreement between the Commonwealth of Massachusetts and the Massachusetts  
505 Correction Officers Federated Union, Unit 04, effective from July 1, 2024 through June 30,  
506 2025;

507 (2) the agreement between the Commonwealth of Massachusetts and the Massachusetts  
508 Nurses Association, Unit 07, effective from January 1, 2024 through December 31, 2024;

509 (3) the agreement between the Commonwealth of Massachusetts Department of the  
510 Treasurer and the Coalition of Public Safety Alcoholic Beverage Control Commission  
511 Investigators Association, Unit 5, effective from July 1, 2024 through June 30, 2025;

512 (4) the agreement between the Massachusetts Board of Higher Education and the  
513 Massachusetts Community College Council, Unit MCC, effective from July 1, 2023 through  
514 June 30, 2025;

515 (5) the agreement between the Sheriff of Bristol County and the National Correctional  
516 Employees' Union, Local 135 (Ad - Tech Unit), Unit SA1, effective from July 1, 2023 through  
517 June 30, 2024;

518 (6) the agreement between the Sheriff of Bristol County and the Massachusetts  
519 Correction Officers Federated Union, Unit SA4, effective from July 1, 2023 through June 30,  
520 2024;

521 (7) the agreement between the Sheriff of Bristol County and the National Correctional  
522 Employees' Union, Local 103 (K-9 Unit), Unit SA7, effective from July 1, 2023 through June  
523 30, 2024;

524 (8) the agreement between the Sheriff of Essex County and the International Brotherhood  
525 of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local  
526 R1-71, Unit SE9, effective from July 1, 2023 through June 30, 2024;

527 (9) the agreement between the Sheriff of Middlesex County and the National Correctional  
528 Employees Union, Local 116, Unit SM6, effective from July 1, 2023 through June 30, 2024;

529 (10) the agreement between the Sheriff of Essex County and the Essex County  
530 Correctional Officer Association, Unit SE2, effective from July 1, 2024 through June 30, 2025;

531 (11) the agreement between the Sheriff of Middlesex County and the New England  
532 Benevolent Association, Local 525, Unit SM5, effective from July 1, 2024 through June 30,  
533 2025;

534 (12) the agreement between the Sheriff of Dukes County and the Massachusetts  
535 Correction Officers Federated Union, Unit SD1, effective from July 1, 2024 through June 30,  
536 2025; and

537 (13) the agreement between the Sheriff of Worcester County and the New England Policy  
538 Benevolent Association, Local 550, Unit SW6, effective from July 1, 2024 through June 30,  
539 2025.

540 SECTION 41. The salary adjustments and other economic benefits authorized by the  
541 following collective bargaining agreements shall be effective for the purposes of section 7 of  
542 chapter 150E of the General Laws:

543 (1) the agreement between the Commonwealth of Massachusetts and the National  
544 Association of Government Employees (NAGE), Units 1,3, and 6, effective from July 1, 2024  
545 through June 30, 2027;

546 (2) the agreement between the Commonwealth of Massachusetts and the Alliance,  
547 AFSCME-SEIU-Local 888, Unit 2, effective from July 1, 2024 through June 30, 2027;

548 (3) the agreement between the Sheriff of Essex County and the National Correctional  
549 Employees Union Local 121, Unit SE7, effective from July 1, 2024 through June 30, 2027;

550 (4) the agreement between the Sheriff of Essex County and the International Brotherhood  
551 of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local  
552 R1-71, Unit SE9, effective from July 1, 2024 through June 30, 2027; and

553 (5) the agreement between the Massachusetts State Lottery Commission and the Service  
554 Employees International Union, Local 888, Unit LT1, effective from July 1, 2024 through June  
555 30, 2027.

556 SECTION 42. Section 4 is hereby repealed.

557 SECTION 43. Sections 8, 9 and 10 shall take effect on January 1, 2024.

558 SECTION 44. Section 11 shall take effect for estates of decedents dying on or after  
559 January 1, 2023.

560 SECTION 45. Section 42 shall take effect on June 30, 2029.