HOUSE No. 5050

Text of a further amendment, offered by Mr. Michlewitz of Boston, to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2891) of the House Bill making appropriations for fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4799). September 12, 2024.

The Commonwealth of Alassachusetts

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

By striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the following:-

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 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, or the 4 5 federal COVID-19 response fund established in section 2JJJJJ 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
18	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
19	Department of Revenue
20	1233-2000 Tax Abatements for Veterans, Widows, Blind Persons and the
21	Elderly\$5,570,381
21 22	Elderly
22	Reserves
22	Reserves 1599-0793 Critical Health and Human Services Workforce Reserve\$61,077,257
222324	Reserves 1599-0793 Critical Health and Human Services Workforce Reserve\$61,077,257 1599-6073 VOCA Bridge\$20,000,000
22232425	Reserves 1599-0793 Critical Health and Human Services Workforce Reserve\$61,077,257 1599-6073 VOCA Bridge
2223242526	Reserves 1599-0793 Critical Health and Human Services Workforce Reserve\$61,077,257 1599-6073 VOCA Bridge\$20,000,000 1599-9817 ARPA HCBS Reserve\$228,000,000 Operational Services Division

30	3000-4060 Income-Eligible Child Care\$29,672,801
31	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
32	Department of Transitional Assistance
33	4400-1004 Healthy Incentives Program
34	Department of Public Health
35	4513-1002 Women, Infants and Children Nutrition Services\$2,130,571
36	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
37	Department of State Police
38	8100-0102 Troop F Retained Revenue
39	SECTION 3. Chapter 6 of the General Laws is hereby amended by striking out section
40	39B, as appearing in the 2022 Official Edition, and inserting in place thereof the following
41	section:-
42	Section 39B. Each state agency shall furnish the state library 1 copy of its publications,
43	provided in the format in which it was created, such as print or electronic, not later than 5
44	working days after creation of said publication. The state library shall make copies available for
45	public consultation and for permanent historic preservation. Digitized publications shall be made
46	available to the Library of Congress and to each of the state's regional public libraries through
47	the state library's digital collections.

SECTION 4. Chapter 7 of the General Laws is hereby amended by inserting after section 220 the following section:-

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

(b) A contract under this section shall only be awarded to a bidder who: (i) possesses the skill, ability and integrity necessary for the faithful performance of the work; (ii) certifies that it is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work; (iii) certifies that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the Occupational Safety and Health Administration that is not less than 10 hours in duration at the time the employee begins work and furnishes documentation of successful completion of said course with the first certified payroll report for each employee; and (iv) obtains the security by bond required under section 29 of chapter 149 within 10 days of the notification of contract award; provided, however, that for the purposes of this section, the term "security by bond" shall mean the bond of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority; and provided further, that if there is more than 1 surety company, the surety companies shall be jointly and severally liable. Sections 26 to 27D, inclusive, of said chapter 149 shall apply to any contract entered into under this section.

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

"Capital facility", (i) a public improvement such as a building or other structure; (ii) a utility, fire protection and other major system and facility; (iii) a power plant facility and appurtenances; (iv) a heating, ventilating, air conditioning or other system; (v) initial equipment and furnishings for a new building or building added to or remodeled for some other use; (vi) a public parking facility; (vii) an airport or port facility; (viii) a recreational improvement such as a facility or development in a park or other recreational facility; or (ix) any other facility, which by statute or under standards as may be prescribed from time to time by the commissioner of capital asset management and maintenance, according to this section, may be defined as such; provided, however, that a capital facility shall not include a highway improvement, such as a highway, bridge or tunnel or other structure or building integral to the operation of the state highway system, or a transportation improvement such as a mass transportation or other public transit facility; and provided further, that a capital facility shall not include an improvement in information technology to the extent it does not result in the creation or expansion of tangible property.

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

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

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

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

- (a) An excise is hereby imposed upon a sports wagering operator or a person or entity that offers fantasy contests, as defined in section 11M½ of chapter 12, in the commonwealth at the rate of: (i) 15 per cent of the sports wagering operator's adjusted gross sports wagering receipts from the operation of in-person sports wagering; (ii) 20 per cent of the sports wagering operator's adjusted gross sports wagering receipts from the operation of sports wagering through mobile applications and other digital platforms approved by the commission; and (iii) 15 per cent of the adjusted gross fantasy wagering receipts of the person or entity that offers such fantasy contests. The accrual method of accounting shall be used for the purposes of calculating the amount of the tax owed under this section. The excise shall be paid to the commission at the time provided for filing the return pursuant to subsection (b).
- SECTION 9. Said section 14 of said chapter 23N, as so appearing, is hereby further amended by striking out subsection (c) and inserting in place thereof the following subsection:-
- (c) The excise on adjusted gross sports wagering receipts and adjusted gross fantasy wagering receipts imposed by this section shall be in lieu of all other state and local taxes and fees imposed on the operation of, or the proceeds from operation of, sports wagering or fantasy contests.
- SECTION 10. Section 14 of chapter 25A of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(e) Notwithstanding subsection (a), the division of capital asset management and maintenance may contract for energy conservation projects that have a total project cost of not more than \$500,000, directly and without further solicitation, with electric and gas utilities, their subcontractors and other providers of such energy conservation projects authorized under section 11G and sections 19 and 21 of chapter 25.

SECTION 11. Section 59 of chapter 33 of the General Laws, as amended by section 20 of chapter 178 of the acts of 2024, is hereby further amended by adding the following 5 subsections:-

(b) An employee of the commonwealth in the service of the armed forces of the commonwealth under sections 38, 40 or 41, or in the service of the armed forces of another state under a corresponding law of that state, shall be entitled to receive pay without loss of ordinary remuneration as a public employee and shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime during the first 30 consecutive days of any mission; provided, however, that after the 30-day period, the ordinary remuneration of such an employee shall be reduced by any amount received from the United States, the commonwealth or another state as base pay for military service performed during the same pay period and there shall be no loss of any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime. National guard duty performed under Title 32 of the United States Code shall not be deemed service in the armed forces of the commonwealth under said sections 38, 40 or 41 or service in the armed forces of another state under the corresponding law of that state for the purposes of this section.

(c) An employee of the commonwealth in the armed forces of the commonwealth or of another state performing duty under Titles 10 or 32 of the United States Code shall be paid their regular base salary as a public employee for each pay period of such military leave of absence, reduced by any amount received from the United States, the commonwealth or another state as base pay for military service performed during the same pay period and such employee shall not lose any seniority or any accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.

- (d) An employee of the commonwealth in a reserve component of the armed forces of the United States who is ordered to service for more than 30 consecutive days shall be paid their regular base salary as a public employee for each pay period of such military leave of absence, reduced by any amount received from the United States, the commonwealth or another state as base pay for military service performed during the same pay period. No such employee shall lose any seniority or accrued vacation leave, sick leave, personal leave, compensation time or earned overtime.
- (e) An employee of a county, city or town which, by vote of its legislative body, has accepted this section or similar provisions of earlier laws, shall be entitled to the benefits and protections of this section or the benefits of the accepted earlier law.
- (f) For the purposes of this section, "base pay for military service" shall not include any housing, incentive, bonus, skills pay, allowance or other stipend or benefit paid to the employee for the employee's military service.
- SECTION 12. Clause (ii) of the third sentence of subsection (x) of section 6 of chapter 62 of the General Laws, as appearing in section 21 of chapter 50 of the acts of 2023, is hereby

amended by inserting after the word "Code", the following words:- without regard to paragraph (5) of subsection (e) of said section 21 of the Code.

SECTION 13. Subsection (a) of section 2A of chapter 65C of the General Laws, as appearing in section 36 of said chapter 50, is hereby amended by striking out the words "tax shall be reduced by an amount equal to the proportion of such allowable credit as the value of such real or tangible personal property located outside of the commonwealth bears to the value of the entire federal gross estate wherever situated, as determined under section 2011 of the Code, as in effect on December 31, 2000" and inserting in place thereof the following words:- credit shall be determined based on the value of the federal taxable estate after such estate is reduced by the value of such real or tangible personal property located outside of the commonwealth.

SECTION 14. Chapter 90 of the General Laws is hereby amended by inserting after section 2I the following section:-

Section 2J. The registrar shall refuse to register, and shall suspend or revoke if already registered, a commercial motor vehicle if the registrar has received notice, in any form that the registrar deems appropriate, including electronic transmissions, that the commercial motor carrier attempting to register a commercial motor vehicle has been prohibited from operating in interstate commerce by a federal agency with authority to do so under federal law.

SECTION 15. Chapter 159A½ of the General Laws is hereby amended by striking out section 12, as appearing in the 2022 Official Edition, and inserting in place thereof the following 2 sections:-

Section 12. (a) On the first day of each month, each transportation network company shall submit to the division, in a format approved by the division, data related to each pre-

arranged ride provided in the month prior to the previous month and shall include for each prearranged ride: (i) the latitude and longitude for the points of the origination and termination, calculated to 0.001 decimal degrees; (ii) the date and time of the origination and termination, calculated to the nearest minute; (iii) the total cost paid by the rider for the ride; (iv) the universally-unique identifier associated with the transportation network driver; (v) the transportation network driver's city or town of residence as appearing on the driver's license; (vi) whether the rider requested a shared ride but was not successfully matched with another rider; (vii) whether the rider requested accommodation for special needs; (viii) whether the ride was provided by a wheelchair accessible vehicle; (ix) whether there were any driver or rider-initiated cancellations; (x) the total time that the transportation network driver spent on the way to pick up the rider; (xi) the total time that the transportation network driver spent providing the prearranged ride; (xii) the geographic position of the vehicle during the entire duration of the prearranged ride, provided at intervals of not less than every 60 seconds of the pre-arranged ride; (xiii) the total mileage driven by the transportation network driver while on the way to pick up the rider; (xiv) the total mileage driven by the transportation network driver while providing the pre-arranged ride; (xv) the transportation network vehicle license plate; (xvi) whether the transportation network driver is a professional driver, as advertised by the transportation network company; and (xvii) whether the pre-arranged ride was advertised by the transportation network company as a luxury or premium ride, regardless of whether the transportation network vehicle was registered as a livery vehicle; provided, however, that if the pre-arranged ride was advertised by the transportation network company as a luxury or premium ride, the data shall include the factors that were considered in that designation, including, but not limited to, vehicle make, model, year and, if available, trim, whether the transportation network driver was a professional

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driver, as advertised by the transportation network company, and whether the ride was available by an exclusive membership option.

- (b) The division may obtain additional ride data from a transportation network company for the purposes of congestion management, which may include, but shall not be limited to: (i) the total number of transportation network drivers that utilized the transportation network vehicle's digital network within specified geographic areas and time periods as determined by the division; and (ii) the total time spent and total miles driven by transportation network drivers in such geographic areas or time periods as determined by the division while: (A) on the way to pick up a rider; or (B) engaged in a pre-arranged ride. The division shall promulgate regulations relative to data collection pursuant to this subsection prior to obtaining the data.
- (c) Annually, not later than June 30, the division shall post on its website, in aggregate form, the total number of rides provided by all transportation network companies that originated in each city or town, each city or town where the rides originating in each city or town terminated and the average miles and minutes of the rides that originated in each city or town and terminated in each other respective city or town.
- (d) For the purposes of congestion management, transportation planning or emissions tracking, the division may enter into confidential data-sharing agreements to share de-identified trip-level data received by the division pursuant to this section with the executive office of technology services and security, the executive office of energy and environmental affairs, the Massachusetts Department of Transportation, the Massachusetts Port Authority, the Massachusetts Bay Transportation Authority, the department of environmental protection, a regional transit authority established under section 3 of chapter 161B, a regional planning agency

and a metropolitan planning organization. The division shall prescribe the form and content of a confidential data-sharing agreement pursuant to this subsection, the manner of transmitting the information and the information security measures that shall be employed by an entity receiving the data under any such data-sharing agreement. A confidential data-sharing agreement shall specify that the information provided by the division shall be aggregated and de-identified and may be used only for the purposes set forth in the agreement. Any data received by an entity from the division through a confidential data-sharing agreement under this subsection shall not be considered a public record under clause Twenty-sixth of section 7 of chapter 4 or chapter 66 and shall not be disclosed to any person or entity other than those listed or described in the confidential data-sharing agreement; provided, however, that a state or municipal government agency or transportation planning entity may disclose conclusions and analyses derived from the information and from the data received pursuant to a confidential data-sharing agreement.

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

Section 13. (a) The division shall establish a program to reduce greenhouse gas emissions from transportation network vehicles. To the extent permitted under federal law, the program shall establish requirements for transportation network companies, including, but not limited to,

vehicle electrification and greenhouse gas emissions requirements. Such requirements shall include, but shall not be limited to, a requirement for said companies to submit biennial plans to gradually increase zero-emission transportation network vehicles and reduce greenhouse gas emissions to meet goals set by the executive office of energy and environmental affairs. If the division determines that vehicle electrification requirements alone would be sufficient to achieve the greenhouse gas emissions goals set by the executive office of energy and environmental affairs, the division may establish requirements for vehicle electrification without establishing separate requirements for greenhouse gas emissions. The division shall, to the extent practicable, minimize any negative impacts of the program on drivers from neighborhoods and municipalities that have an annual median household income of not more than 65 per cent of the statewide annual median household income.

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

SECTION 16. Section 1 of chapter 258 of the General Laws, as so appearing, is hereby amended by striking out, in line 15, the words "and rail and transit administrator,".

SECTION 17. Section 4 of chapter 841 of the acts of 1975 is hereby amended by striking out the words "communities and development or his designee" and inserting in place thereof the following words:- economic development or their designee.

SECTION 18. Item 1599-1952 of section 2B of chapter 151 of the acts of 2020 is hereby amended by inserting after the word "municipalities", the first time it appears, the following words:- and tribal governments.

SECTION 19. Said item 1599-1952 of said section 2B of said chapter 151 is hereby further amended by striking out the words "located in a municipality".

SECTION 20. Item 1599-2025 of section 2 of chapter 102 of the acts of 2021 is hereby amended by striking out the words "and provided further, that the department shall ensure geographic equity when distributing funds" and inserting in place thereof the following words:-provided further, that the department shall ensure geographic equity when distributing funds; provided further, that if the commissioner of public health, in consultation with the secretary of health and human services, determines that anticipated spending prior to the applicable American Rescue Plan Act funds obligation and expiration deadlines for a purpose is less than it is authorized to be spent in this item for that purpose, the commissioner of public health may reduce spending accordingly and transfer the anticipated unspent funds for that purpose to other purposes to support and enhance the commonwealth's local and regional public health system; and provided further, that the commissioner of public health 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.

SECTION 21. Section 82 of said chapter 102 is hereby amended by striking out the words "and provided further, that the secretary of administration and finance may authorize the transfer of funds for the 1-time payments to the items necessary to meet the necessary costs of those payments" and inserting in place thereof the following words:- provided further, that the secretary of administration and finance may authorize the transfer of funds for the 1-time payments to the items necessary to meet the necessary costs of those payments; and provided further, that the secretary of administration and finance may direct the comptroller to transfer the unobligated balance of the fund to 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, or the federal COVID-19 response fund established in section 2JJJJJ of chapter 29 of the General Laws.

SECTION 22. Item 1599-9817 of section 2 of chapter 126 of the acts of 2022, inserted by section 230 of chapter 268 of the acts of 2022, is hereby amended by adding the following words:-; and provided further, that funds appropriated from this item shall be made available until June 30, 2025.

SECTION 23. Subsection (b) of section 165 of said chapter 126 is hereby amended by striking out the words "September 30, 2023", inserted by section 56 of chapter 2 of the acts of 2023, and inserting in place thereof the following words:- August 30, 2024.

SECTION 24. Subsection (c) of section 167 of said chapter 126 is hereby amended by striking out the words "July 31, 2023" and inserting in place thereof the following words:- July 31, 2025.

SECTION 25. Said subsection (c) of said section 167 of said chapter 126 is hereby further amended by striking out the words "July 31, 2024" and inserting in place thereof the following words:- July 31, 2026.

SECTION 26. Section 168 of said chapter 126, as amended by section 57 of chapter 2 of the acts of 2023, is hereby further amended by striking out the words "not later than December 31, 2023" and inserting in place thereof the following words:- within 6 months of the inclusive concurrent enrollment advisory board task force filing the report required by subsection (b) of section 165.

SECTION 27. Section 92 of chapter 179 of the acts of 2022 is hereby amended by striking out the figure "12", each time it appears, and inserting in place thereof, in each instance, the following figure:- 13.

SECTION 28. Item 1599-6077 of section 2A of chapter 268 of the acts of 2022, as most recently amended by section 73 of chapter 28 of the acts of 2023, is hereby further amended by inserting after the word "Dartmouth" the following words:-; provided further, that such funds may be transferred by the executive office for administration and finance to the department of environmental protection to fund assessment and other appropriate work by the department related to such residential homes.

SECTION 29. Said item 1599-6077 of said section 2A of said chapter 268, as so amended, is hereby further amended by striking out the words "for the installation and operation of no less than 2 air quality monitoring stations in the East Boston section of Boston in cooperation with the department of environmental protection, the data from which shall be made available online to the public at regular intervals" and inserting in place thereof the following words:- by the department of environmental protection to conduct air monitoring in not less than 2 locations in the East Boston section of the city of Boston for a period of not less than 2 years.

SECTION 30. Said item 1599-6077 of said section 2A of said chapter 268, as so amended, is hereby further amended by inserting after the word "Salvage" the following words:; provided further, that such funds may be transferred by the executive office for administration and finance to the department of environmental protection to fund such studies by the department.

SECTION 31. Item 1599-6084 of said section 2A of said chapter 268 is hereby amended by inserting after the word "income", the third time it appears, the following the words:-; provided further, that funds expended for said workforce housing program may be expended for grants, loans and other financial assistance for related construction costs incurred on or after March 3, 2021.

SECTION 32. Item 0521-0002 of section 2 of chapter 28 of the acts of 2023 is hereby amended by adding the following words:-; provided, that any remaining funds in this item shall be made available until December 31, 2024.

SECTION 33. Item 1775-0700 of said section 2 of said chapter 28 is hereby amended by striking out the figure "\$200,000", both times it appears, and inserting in place thereof, in each instance, the following figure:- \$600,000.

SECTION 34. Item 3000-1042 of said section 2 of said chapter 28 is hereby amended by striking out the words "funds between" and inserting in place thereof the following words:- funds from this item to.

SECTION 35. Item 4000-0054 of said section 2 of said chapter 28 is hereby amended by adding the following words:-; and provided further, that funds appropriated in this item shall be made available until June 30, 2027.

SECTION 36. Item 7003-0150 of said section 2 of said chapter 28 is hereby amended by inserting after the word "programming" the following words:-; provided further, that the executive office may expend available funds in this item for costs incurred for fiscal year 2022 grants.

SECTION 37. Item 7008-1116 of said section 2 of said chapter 28, as most recently amended by section 15 of chapter 88 of the acts of 2024, is hereby further amended by adding the following words:-; and provided further, that not less than \$100,000 shall be expended to the Massachusetts Bay Council of the Navy League of the United States for activities related to the commissioning of the USS Nantucket and such funds shall be made available until June 30, 2025.

SECTION 38. Said item 7008-1116 of said section 2 of said chapter 28, as so amended, is hereby further amended by striking out the figure "\$28,647,000", as inserted by section 190 of chapter 77 of the acts of 2023, and inserting in place thereof the following figure:- \$28,747,000.

SECTION 39. Item 8100-0102 of said section 2 of said chapter 28 is hereby amended by striking out the figure "\$45,000,000", both times it appears, and inserting in place thereof, in each instance, the following figure:- \$52,000,000.

SECTION 40. Item 9700-0000 of said section 2 of said chapter 28 is hereby amended by adding the following words:-; provided, that not less than \$50,000 shall be expended to facilitate the work of the special commission to study poverty in the commonwealth established in chapter 74 of the acts of 2021 and such funds shall be made available until June 30, 2025.

SECTION 41. Said item 9700-0000 of said section 2 of said chapter 28 is hereby further amended by striking out the figure "\$10,724,567" and inserting in place thereof the following figure:- \$10,774,567.

SECTION 42. Item 1595-1068 of section 2E of said chapter 28 is hereby amended by striking out the figure "\$441,300,000" and inserting in place thereof the following figure:-\$638,409,000.

377 SECTION 43. Said item 1595-1068 of said section 2E of said chapter 28 is hereby further 378 amended by striking out the figure "\$505,000,000" and inserting in place thereof the following figure:- \$681,000,000. 379 380 SECTION 44. Item 1596-2401 of section 2F of said chapter 28 is hereby amended by 381 adding the following words:-; and provided further, that funds appropriated in this item shall be 382 made available until June 30, 2025. 383 SECTION 45. Item 1596-2406 of said section 2F of said chapter 28 is hereby amended 384 by adding the following words:-; and provided further, that funds appropriated in this item shall 385 be made available until June 30, 2025. 386 SECTION 46. Item 1596-2417 of said section 2F of said chapter 28 is hereby amended 387 by adding the following words:-; and provided further, that funds appropriated in this item shall 388 be made available until June 30, 2025. 389 SECTION 47. Subsection (c) of section 77 of said chapter 28 is hereby amended by 390 striking out the words "July 31, 2024" and inserting in place thereof the following words:- March 391 31, 2025. 392 SECTION 48. Item 4003-0123 of section 2A of chapter 77 of the acts of 2023 is hereby 393 amended by adding the following words:-; and provided further, that funds appropriated in this 394 item shall be made available until June 30, 2025. 395 SECTION 49. Section 218 of said chapter 77 is hereby amended by striking out the first

sentence and inserting in place thereof the following sentence:- Notwithstanding any general or

special law to the contrary, for fiscal year 2024, the registrar of motor vehicles shall provide

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quarterly reports to the commissioner of correction detailing the number of identity cards processed pursuant to the Massachusetts Identification Card Program established by the memorandum of understanding between the registry of motor vehicles and the department of correction, dated October 19, 2022, and pursuant to section 8E of chapter 90 of the General Laws, for individuals released from department of correction facilities.

SECTION 50. Section 16 of chapter 135 of the acts of 2024 is hereby amended by striking out in clause (d) the figure "128A" and inserting in place thereof the following figure:131 ³/₄.

SECTION 51. Said chapter 135 is hereby further amended by striking out section 159 and inserting in place thereof the following section:-

SECTION 159. Sections 38 and 74 shall take effect 18 months after the effective date of this act.

SECTION 52. (a) Notwithstanding sections 52 to 55, inclusive, of chapter 7 of the General Laws and sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the division of capital asset management and maintenance, using competitive proposal processes as the division considers necessary or appropriate, in consultation with the department of conservation and recreation, may lease and enter into other agreements with 1 or more bidders for terms not to exceed 30 years for the continued use, operation, maintenance, repair and improvement of the following state-owned ice skating rinks and facilities under the care and control of the department of conservation and recreation, together with the buildings, land and appurtenances associated therewith:

Veterans Memorial skating rink in the town of Arlington; Porazzo Memorial rink in the
East Boston section of the city of Boston; Roche Memorial rink in the West Roxbury section of
the city of Boston; Simoni Memorial rink in the city of Cambridge; Allied Veterans Memorial
rink in the city of Everett; Connery Memorial rink in the city of Lynn; Flynn Memorial rink in
the city of Medford; LoConte Memorial rink in the city of Medford; Daly Memorial rink in the
city of Newton; Cronin Memorial rink in the city of Revere; Max Ulin skating rink in the town of
Milton; Kasabuski arena in the town of Saugus; Veterans Memorial rink in the city of
Somerville; Shea Memorial rink in the city of Quincy; Veterans Memorial rink in the city of
Waltham; Connell Memorial rink and pool in the city known as the town of Weymouth;
Representative John G. Asiaf skating rink in the city of Brockton; Arthur R. Driscoll Memorial
skating rink in the city of Fall River; Staff Sergeant Robert Pirelli Veterans Memorial rink in the
city known as the town of Franklin; Stephen Hetland Memorial skating rink in the city of New
Bedford; John A. Armstrong Memorial skating rink in the town of Plymouth; Theodore J.
Aleixo, Jr. skating rink in the city of Taunton; Veterans Memorial skating arena in the city of
Haverhill; John J. Janas Memorial skating rink in the city of Lowell; Henry Graf, Jr., skating rink
in the city of Newburyport; James E. McVann and Louis F. O'Keefe Memorial skating rink in
the city of Peabody; Daniel S. Horgan Memorial skating rink in the town of Auburn; Gardner
Veterans skating rink in the city of Gardner; John J. Navin skating rink in the city of
Marlborough; Honorable Charles J. Buffone skating rink in the city of Worcester; Greenfield
Area skating rink in the city known as the town of Greenfield; Henry J. Fitzpatrick skating rink
in the city of Holyoke; Ray Smead Memorial skating rink in the city of Springfield; and Vietnam
Veterans Memorial skating rink in the city of North Adams.

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

- (2) There shall be an option for renewal or extension of any lease and other agreement not exceeding an additional 5 years. Such renewal or extension shall be at the discretion of the division of capital asset management and maintenance, in consultation with the department of conservation and recreation, in accordance with the original lease terms and conditions or agreement terms and conditions more favorable to the commonwealth. All leases shall contain a provision that requires the lessee to carry comprehensive general liability insurance, with the commonwealth named as a co-insured, protecting the commonwealth against all personal injury or property damage within the ice skating rink or on the land during the term of the lease.
- (c) The division of capital asset management and maintenance, in consultation with and on behalf of the department of conservation and recreation, shall solicit proposals through a request for proposals, which shall include key contractual terms and conditions to be incorporated into the lease, including, but not limited to: (i) a comprehensive list of all ice skating rinks operated by the responsive bidder in the last 4 years; (ii) prior or current facilities management or experience of the responsive bidder; (iii) prior or current skating or hockey

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

- (d) The leases and other agreements authorized in this section shall provide that any benefits to the community and the costs of improvements and repairs made to the property provided by the lessees shall be taken into account as part of the consideration for the lease or other agreements. The lessees or the recipients of the property shall bear the costs considered necessary or appropriate by the commissioner of capital asset management and maintenance for the transactions, including, but not limited to, costs for legal work, survey, title and the preparation of plans and specifications.
- (e) The provisions of any general or special law or rule or regulation relating to the advertising, bidding or award of contracts, procurement of services or construction and design of

improvements shall not be applicable to any selected bidder that is awarded a lease pursuant to this section, except as provided in this section.

SECTION 53. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may enter into a lease, sublease or other rental agreement with La Colaborativa, Inc., or its successor or assigns, for a portion of the parking lot located adjacent to the Massachusetts information technology center located at 200 Arlington street in the city of Chelsea for a term not to exceed 10 years; provided, however, that the lease, sublease or other rental agreement shall not exceed the term of the lease by and between the division of capital asset management and maintenance and the Massachusetts Department of Transportation for the premises. The lease, sublease or other rental agreement shall be on terms and conditions to be determined by the commissioner; provided, however, that the lease, sublease or other rental agreement shall be terminable, without penalty, upon 180 days' notice if the commissioner determines that there is a state agency need for the premises.

SECTION 54. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws, chapter 59 of the acts of 2009 or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey the parcel of land described in subsection (b), which is a portion of the land known as the Monson developmental center, established pursuant to chapter 275 of the acts of 1852, to the Westmass Area Development Corporation, established pursuant to chapter 192 of the acts of 1960, for redevelopment purposes. The parcel shall be conveyed by deed without warranties or representations by the commonwealth. The conveyance shall be subject to such additional terms

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

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- (b) The Monson developmental center campus is shown on a plan entitled, "Plan of Land in Monson, MA, Hampden registry, prepared for the owner: The Commonwealth of Massachusetts, Division of Capital Asset Management & Maintenance on behalf of the Monson Development Center" prepared by Northeast Survey Consultants, dated April 12, 2023 and recorded in the Hampden county registry of deeds in plan book 397, page 121 to 125, inclusive. The parcels to be conveyed were used for state hospital purposes and are currently not in use and are more particularly shown as "Development Areas" on a sketch entitled, "Monson Development Center," which is on file with the division of capital asset management and maintenance. The commissioner of capital asset management and maintenance shall determine the exact boundaries of the parcels to be conveyed pursuant to this act, which may require the completion of a survey; provided, however, that the commissioner shall not convey the parcels of land at the Monson developmental center campus that are: (i) the subject of chapter 181 of the acts of 2022; (ii) under the care and control of the department of agricultural resources; or (iii) otherwise subject to Article XCVII of the Amendments to the Constitution of the Commonwealth.
 - (c) The consideration for the transfer authorized in subsection (a) shall be \$1.
- (d) The commissioner of capital asset management and maintenance may retain or grant rights of way or easements for access, egress, utilities and drainage across the property described in subsection (b) and across other property owned by the commonwealth that is contiguous to the property described in said subsection (b) and may accept such rights of way or easements for

access, egress, utilities and drainage as the commissioner considers necessary and appropriate to carry out this act; provided, however, that this section shall not permit the commissioner to grant rights of way or easements over land subject to Article XCVII of the Amendments to the Constitution of the Commonwealth.

- (e) Annually, not later than October 1, the Westmass Area Development Corporation shall file a report with the division of capital asset management and maintenance, the office of the inspector general and the town of Monson during the redevelopment process. The report shall detail activities undertaken by the Westmass Area Development Corporation, or its successors or assigns, to redevelop the site, including, but not limited to: (i) site preparation, marketing, permitting and construction activities; (ii) acquisitions and dispositions; (iii) expenditures made by the Westmass Area Development Corporation in furtherance of the redevelopment of the parcel; and (iv) any other information the commissioner of capital asset management and maintenance may deem necessary. Upon completion of the redevelopment, as determined by the commissioner, the Westmass Area Development Corporation shall not be required to file said report.
- (f) The Westmass Area Development Corporation shall be responsible for the costs and expenses of the transfer authorized in this section as determined by the commissioner of capital asset management and maintenance, including, but not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording fees and deed preparation related to the conveyance of the parcel; provided, however, that if the commissioner of capital asset management and maintenance determines that the productive reuse of said parcel may be expedited by the reduction of acquisition costs, the commissioner may determine that the

division of capital asset management and maintenance shall be responsible for said costs and expenses.

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

SECTION 55. Notwithstanding any general or special law to the contrary, for the fiscal years ending June 30, 2024 and June 30, 2025, the secretary of administration and finance may allocate any unexpended federal funds held in the federal COVID-19 response fund established in section 2JJJJJ of chapter 29 of the General Laws for items funded from the General Fund and reduce the allocation from the General Fund appropriated for the purposes of said items in a corresponding amount. Items appropriated in chapter 102 of the acts of 2021 and chapter 268 of the acts of 2022 may be funded from the General Fund at the direction of the secretary. If applicable, federal funds allocated from this section shall be treated as General Fund revenues by

municipalities and regional school districts and may be expended in compliance with net school spending requirements as defined by section 2 of chapter 70 of the General Laws.

SECTION 56. Notwithstanding any general or special law to the contrary, any unexpended balances, not to exceed \$40,000,000, in items 4000-0700 and 4000-1426 of section 2 of chapter 28 of the acts of 2023 shall not revert to the General Fund until September 1, 2024 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 of said section 2 of said chapter 28 provided during fiscal year 2024.

SECTION 57. Notwithstanding any general or special law to the contrary, for fiscal year 2024, the secretary of health and human services, with the written approval of the secretary of administration and finance, may authorize transfers of surplus funds 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 of section 2 of chapter 28 of the acts of 2023.

SECTION 58. Notwithstanding any general or special law to the contrary, if, by June 30, 2024, the secretary of administration and finance determines unobligated funds are available in items 1599-2026, 1599-2028, 1599-2042, 1599-2055 and 4513-0101 of section 2A of chapter 102 of the acts of 2021 and items 1599-6066, 1599-6067, 1599-6069 and 1599-6074 of section 2A of chapter 268 of the acts of 2022, the secretary may direct the comptroller to transfer said funds, in an amount not to exceed \$20,000,000, to 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

597 2022, or the federal COVID-19 response fund established in section 2JJJJJ of chapter 29 of the 598 General Laws.

SECTION 59. 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) the agreement between the Commonwealth of Massachusetts and the Massachusetts Correction Officers Federated Union, Unit 04, effective from July 1, 2024 through June 30, 2025;
- (2) the agreement between the Commonwealth of Massachusetts and the Massachusetts Nurses Association, Unit 07, effective from January 1, 2024 through December 31, 2024;
- (3) the agreement between the Commonwealth of Massachusetts Department of the Treasurer and the Coalition of Public Safety Alcoholic Beverage Control Commission Investigators Association, Unit 5, effective from July 1, 2024 through June 30, 2025;
- (4) the agreement between the Massachusetts Board of Higher Education and the Massachusetts Community College Council, Unit MCC, effective from July 1, 2023 through June 30, 2025;
- (5) the agreement between the Sheriff of Bristol County and the National Correctional Employees' Union, Local 135 (Ad Tech Unit), Unit SA1, effective from July 1, 2023 through June 30, 2024;

616	(6) the agreement between the Sheriff of Bristol County and the Massachusetts
617	Correction Officers Federated Union, Unit SA4, effective from July 1, 2023 through June 30,
618	2024;
619	(7) the agreement between the Sheriff of Bristol County and the National Correctional
620	Employees' Union, Local 103 (K-9 Unit), Unit SA7, effective from July 1, 2023 through June
621	30, 2024;
622	(8) the agreement between the Sheriff of Essex County and the International Brotherhood
623	of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local
624	R1-71, Unit SE9, effective from July 1, 2023 through June 30, 2024;
625	(9) the agreement between the Sheriff of Middlesex County and the National Correctiona
626	Employees Union, Local 116, Unit SM6, effective from July 1, 2023 through June 30, 2024;
627	(10) the agreement between the Sheriff of Essex County and the Essex County
628	Correctional Officer Association, Unit SE2, effective from July 1, 2024 through June 30, 2025;
629	(11) the agreement between the Sheriff of Middlesex County and the New England
630	Benevolent Association, Local 525, Unit SM5, effective from July 1, 2024 through June 30,
631	2025;
632	(12) the agreement between the Sheriff of Dukes County and the Massachusetts
633	Correction Officers Federated Union, Unit SD1, effective from July 1, 2024 through June 30,
634	2025.

635	SECTION 60. The salary adjustments and other economic benefits authorized by the
636	following collective bargaining agreements shall be effective for the purposes of section 7 of
637	chapter 150E of the General Laws:
638	(1) the agreement between the Commonwealth of Massachusetts and the National
639	Association of Government Employees (NAGE), Units 1, 3 and 6, effective from July 1, 2024
640	through June 30, 2027;
641	(2) the agreement between the Commonwealth of Massachusetts and the Alliance,
642	AFSCME-SEIU-Local 888, Unit 2, effective from July 1, 2024 through June 30, 2027;
643	(3) the agreement between the Sheriff of Essex County and the National Correctional
644	Employees Union Local 121, Unit SE7, effective from July 1, 2024 through June 30, 2027;
645	(4) the agreement between the Sheriff of Essex County and the International Brotherhood
646	of Correctional Officers/National Association of Government Employees (IBCO/NAGE), Local
647	R1-71, Unit SE9, effective from July 1, 2024 through June 30, 2027;
648	(5) the agreement between the Massachusetts State Lottery Commission and the Service
649	Employees International Union, Local 888, Unit LT1, effective from July 1, 2024 through June
650	30, 2027;
651	(6) the agreement between the Commonwealth of Massachusetts and the Massachusetts
652	Organization of State Engineers and Scientists, Unit 9, effective from July 1, 2024 through June
653	30, 2027;
654	(7) the agreement between the Court Administrator of the Trial Court of the
655	Commonwealth of Massachusetts and the National Association of Government Employees

656 International Union, Local 5000, Units J2C and J2P, effective from July 1, 2024 through June 657 30, 2027; 658 (8) the agreement between the Commonwealth of Massachusetts and the Service 659 Employees International Union (SEIU) Local 509, Units 8 and 10, effective from January 1, 660 2024 through December 31, 2026; 661 (9) the agreement between the Massachusetts Department of Transportation and the 662 National Association of Government Employees, Local R1-292, Unit A, Unit D01, effective 663 from July 1, 2024 through June 30, 2027; 664 (10) the agreement between the Massachusetts Department of Transportation and the 665 Coalition of MassDOT Unions, Unit D, Unit D06, effective from July 1, 2024 through June 30, 666 2027; 667 (11) the agreement between the Sheriff of Bristol County and the National Correctional 668 Employees Union, Local 407, Unit SA3, effective from July 1, 2024 through June 30, 2027; 669 (12) the agreement between the Sheriff of Bristol County and the National Correctional 670 Employees Union, Local 135, Unit SA1, effective from July 1, 2024 through June 30, 2027; (13) the agreement between the Sheriff of Bristol County and the National Association of 671 672 Government Employees, Unit C, RI-1478, Unit SA2, effective from July 1, 2024 through June 673 30, 2027; 674 (14) the agreement between the Sheriff of Worcester County and the New England Police 675 Benevolent Association, Local 515, Unit SW5, effective from July 1, 2024 through June 30, 676 2027;

677 (15) the agreement between the Sheriff of Franklin County and the National Correctional 678 Employees Union, Local 106, Unit SF1, effective from July 1, 2024 through June 30, 2027; 679 (16) the agreement between the Sheriff of Franklin County and the National Correctional 680 Employees Union, Local 141, Unit SF2, effective from July 1, 2024 through June 30, 2027; 681 (17) the agreement between the Sheriff of Franklin County and the Franklin Sheriff's 682 Office Non-Unit Employer's Association, Unit SF3, effective from July 1, 2024 through June 30, 683 2027; 684 (18) the agreement between the Sheriff of Worcester County and NAGE, R1-255 685 (Professional Employees Unit), Unit SW4, effective from July 1, 2024 through June 30, 2027; 686 (19) the agreement between the Sheriff of Worcester County and NEPBA, Local 275 687 (Superior Officers Unit), Unit SW2, effective from July 1, 2024 through June 30, 2027; 688 (20) the agreement between the Sheriff of Suffolk County and the National Association 689 of Government Employees, Local 298, Unit SS2, effective from July 1, 2024 through June 30, 690 2027; 691 (21) the agreement between the Massachusetts Board of Higher Education and the 692 American Federation of State and County and Municipal Employees, Council 93, Local 1067, 693 AFL-CIO, Unit 106, effective from July 1, 2024 through June 30, 2027; 694 (22) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93, 695 Local 3643, Unit SS5, effective from July 1, 2024 through June 30, 2027; 696 (23) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93, 697 Local 3967, Unit SS6, effective from July 1, 2024 through June 30, 2027;

698 (24) the agreement between the Sheriff of Suffolk County and AFSCME, Council 93, 699 Local 419, Unit SS0, effective from July 1, 2024 through June 30, 2027; 700 (25) the agreement between the Sheriff of Suffolk Couty and the Jail Officers and 701 Employees Association, Unit SS4, effective from July 1, 2024 through June 30, 2027; 702 (26) the agreement between the Court Administrator of the Trial Court of the 703 Commonwealth of Massachusetts and Office and Professional Employees International Union, 704 Local 6, AFL-CIO, Units J6C and J6P, effective from July 1, 2024 through June 30, 2027. 705 SECTION 61. Section 4 is hereby repealed. 706 SECTION 62. Sections 8, 9 and 12 shall take effect as of January 1, 2024. 707 SECTION 63. Section 13 shall take effect for estates of decedents dying on or after 708 January 1, 2023. 709 SECTION 64. Section 61 shall take effect on June 30, 2029.