



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2022 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS.

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

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

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

SECTION 2.

COMMISSION ON THE STATUS OF WOMEN *Commission on the Status of Women*

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

MASSACHUSETTS GAMING COMMISSION *Massachusetts Gaming Commission*

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

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
Reserves

1599-6903	Chapter 257 and Human Service Reserve	\$55,000,000
1599-9817	ARPA HCBS Reserve	\$346,056,813

Human Resources Division

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

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
Office of the Secretary of Energy and Environmental Affairs

2000-0100	Energy and Environmental Affairs Administration	\$250,000
2000-0101	Climate Adaptation and Preparedness.....	\$359,154

Department of Conservation and Recreation

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

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
Department of Transitional Assistance

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

Department of Children and Families

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

Department of Public Health

4513-1026	Suicide Prevention and Intervention Program.....	\$5,000,000
4516-1000	State Laboratory and Infectious Disease Control Services	\$1,780,754

Department of Mental Health

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

Department of Elder Affairs

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

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT
Office of the Secretary of Housing and Economic Development

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

Department of Housing and Community Development

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

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

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
Executive Office of Labor and Workforce Development

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

EXECUTIVE OFFICE OF EDUCATION
Office of the Secretary

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

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Department of Fire Services

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

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

OFFICE OF THE ATTORNEY GENERAL
Victim and Witness Assistance Board

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

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
Reserves

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

1599-0793 For a reserve to support the commonwealth’s continuing testing, treatment, vaccination, public awareness, prevention, and public health response efforts against the 2019 novel coronavirus, also known as COVID-19; provided, that the secretary of administration and finance may transfer from this item to state agencies as defined in section 1 of chapter 29 of the General Laws; provided further, that not less than \$433,000,000 shall be expended for testing including, but not limited to, rapid tests, tests for schools and school-aged children, surveillance testing in congregate care settings, and public testing efforts; provided further, that not less than \$72,000,000 shall be expended for treatment including, but not limited to, monoclonal antibodies; provided further, that not less than \$45,500,000 shall be expended for vaccination including, but not limited to, vaccination sites, clinics, and testing infrastructure; provided further, that not less than \$125,000,000 shall be expended for supporting the workforce including, but not limited to, temporary staffing and nursing rapid response teams; provided further, that in the event that a direct funding source is more appropriate for spending authorized in this item, the secretary of administration and finance may spend from the other direct funding source and reduce spending from this item accordingly; provided further, that if the secretary of administration and finance, in consultation with the secretary of health and human services, determines that the actual need for a particular purpose is less than is authorized to be spent in this item for that purpose, the secretary of administration and finance may reduce spending accordingly; provided further, that funds made available in this item, including those made available through identification of an alternative funding source or not needed for a particular purpose, may be expended by public instrumentalities at the secretary’s discretion to support the commonwealth’s monitoring, treatment, containment, public awareness and prevention efforts against the 2019 novel coronavirus; and provided further, that the secretary of administration and finance shall seek federal reimbursement for spending incurred in this item where appropriate and available\$700,000,000

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

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

1599-1719 For grants to nonprofit organizations to support the construction and renovation of facilities used to advance the social, intellectual, or physical needs of children and youth; provided, that preference shall be given to organizations that serve communities disproportionately impacted by COVID-19; provided further, that grants shall be awarded for no more than \$10,000,000 for any single facility; provided further, that the grants shall require a match from local and private sources, and preference shall be given to applications including at least a 100 per cent match; and provided further, that funds may be transferred to the department of public health, the department

of elementary and secondary education, or other departments or agencies of the Commonwealth for the purpose of administering the grant program \$100,000,000

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

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

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
Office of the Secretary of Energy and Environmental Affairs

2000-1014 For investments in climate change resiliency; provided, that funds shall be expended for municipal vulnerability preparedness planning and action grants to plan for and address priority projects identified through local vulnerability assessments; provided further, that funds may be utilized for river, wetland and river corridor revitalization, ecological restoration and protection of aquatic ecosystems and functions throughout the commonwealth including, but not limited to, dam and barrier removal, in-stream improvements, flow, water quality, riverine habitat, protection of high-quality riparian and wetland habitat, assessment and mitigation of threats from climate change, including promoting soil health practices that improve water quality or otherwise mitigate threats from climate change, and restoration of coastal areas, wetlands, salt marshes and cranberry bogs, mitigation of flooding and improving recreational opportunities; provided further, that regional municipal partnerships, regional planning bodies, watershed associations, land trusts, conservation organizations, and similar non-profit organizations may serve as lawful grantees; provided further, that not less than \$400,000 shall be expended for maximizing the resilience of a combined public safety complex and emergency command center in the town of Williamsburg; provided further, that not less than \$1,777,610 shall be expended for removing sections of Lake Mansfield Road and converting them into a multi-use recreational trail in the town of Great Barrington; provided further, that not less than \$300,000 shall be expended for solar panel and battery installation for town buildings in the town of Whately; provided further, that not less than \$1,000,000 shall be expended for a community resilience hub in the city of Northampton; provided further, that not less than \$400,000 shall be expended for the development of Wielgus Fields Park in the city of Westfield; provided further, that not less than \$100,000 shall be expended for solar panel and battery installation for town buildings in the town of Wendell; provided further, that not less than \$1,500,000 shall be expended for resilient stormwater system management in the city of Worcester; provided further, that not less than \$2,000,000 shall be expended for stabilizing the bank of Monoosnoc Brook in the city of Leominster; provided further, that not less than \$750,000 shall be expended for climate resilience, habitat conservation and passive recreation in the town of Berlin; provided further, that not less than \$1,000,000 shall be expended for replacing the Mulberry Brook Culvert at Highland Street in the town of Easton; provided further, that not less

than \$400,000 shall be expended for restoring the wetland and floodplain at the Sam Wright Field in the town of Easton; provided further, that not less than \$750,000 shall be expended for stormwater retrofits at Smith Beach in the town of Braintree; provided further, that not less than \$2,000,000 shall be expended for reconstruction of the South Creek Culvert and restoration of the natural riverine channel in the city of Everett; provided further, that not less than \$750,000 shall be expended for preserving open space woodlands and wetlands along Beaver Dam Brook in the city of Framingham; provided further, that not less than \$500,000 shall be expended for preserving woodland, wetlands and floodplain along the Assabet River in the town of Concord; provided further, that not less than \$750,000 shall be expended for bringing the River Street Dam into compliance in the town of Acton; provided further, that not less than \$1,500,000 shall be expended for a resilient conservation and recreation facility at Stow Acres in the town of Stow; provided further, that not less than \$3,152,759 shall be expended for restoring the continuous coastal dune along Short Beach in town of Nahant; provided further, that not less than \$880,000 shall be expended for the redesign and replacement of drainage infrastructure on Dunshire Drive and ecological restoration at the Deep Brook Reservation in the town of Chelmsford; provided further, that not less than \$2,000,000 shall be expended for a study of combined sewer overflow improvements in the city of Fall River; provided further, that not less than \$2,000,000 shall be expended for model resiliency projects in the town of Wareham; provided further, that not less than \$300,000 shall be expended for stormwater retrofits in the Santuit Pond watershed in town of Mashpee; provided further, that not less than \$750,000 shall be expended for preserving Turkey Swamp in the town of Plympton; provided further, that not less than \$2,000,000 shall be expended for preserving farmland, riparian corridor and floodplain adjacent to the Oliver Estate Preserve in the town of Middleborough; provided further, that not less than \$2,000,000 shall be expended for the development of Piers Park III in East Boston; provided further, that not less than \$3,500,000 shall be expended for erosion and flood control measures at the Wastewater Treatment Facility in the town of Hull; provided further, that not less than \$2,300,000 shall be expended for coastal resiliency improvements to the Creek Road Pump Station in the town of Marion; provided further, that not less than \$2,500,000 shall be expended for two dam removals, a culvert replacement, and daylighting a culverted reach of stream along Abbey Brook in the city of Chicopee; provided further, that not less than \$2,400,000 shall be expended to remove the Quinapoxet Dam on the Quinapoxet River in the town of West Boylston; provided further, that not less than \$2,000,000 shall be expended to remove the Wheelwright Dam in the town of Hardwick; provided further, that not less than \$1,850,000 shall be expended to remove three dams and address associated infrastructure in the town of Great Barrington; provided further, that not less than \$1,500,000 shall be expended to remove the Edwards Pond Dam on Malden Brook and replace two culverts also on Malden Brook in the town of West Boylston; provided further, that not less than \$1,400,000 shall be expended to remove the Talbot Mills Dam in the town of Billerica; provided further, that not less than \$1,225,000 shall be expended to remove the South Middleton Dam in the town of Middleton; provided further, that not less than \$1,200,000 shall be expended to remove the Larkin Mill Dam in the town of Newbury; provided further, that not less than \$1,000,000 shall be expended to remove the Church Manufacturing Dam in the town of Monson; provided further, that not less than \$1,000,000 shall be expended to remove two dams as part of the Fore River Watershed Restoration project in the town of Braintree; provided further, that not less than \$1,000,000 shall be expended to remove a dam as part of the South River Restoration project in the town of Duxbury; provided further, that not less than \$900,000 shall be expended to remove a dam as part of the Osgood Brook Restoration project in the town of Wendell; provided further,

that not less than \$850,000 shall be expended to remove the Becker Pond Dam in the town of Mount Washington; provided further, that not less than \$850,000 shall be expended to remove a dam as part of the Veterans Memorial Lagoon and South River Improvement project in the town of Marshfield; provided further, that not less than \$600,000 shall be expended to remove the Whitney Pond Dam in the town of Ashburnham; provided further, that not less than \$500,000 shall be expended to remove the Old Swamp River Dam in the town of Weymouth; provided further, that not less than \$300,000 shall be expended to remove the Peterson Pond Dam in the town of Hanover; provided further, that not less than \$250,000 shall be expended to remove the Old Farm Road Dam as part of the Mill Brook Headwaters Restoration project in the town of Chilmark; provided further, that not less than \$11,000,000 shall be expended to remove the Bel Air Dam in the city of Pittsfield; provided further, that not less than \$2,000,000 shall be expended to remove the Hager Pond Dam in the city of Marlborough; provided further, that not less than \$2,000,000 shall be expended to remove the Russell Pond Dam in the town of Kingston; provided further, that not less than \$3,200,000 shall be expended to remove the Monument Pond Dam in the town of Freetown; provided further, that not less than \$3,000,000 shall be expended to remove the High Street Bridge Dam and replace the upstream bridge in the town of Bridgewater; provided further, that not less than \$4,000,000 shall be expended to repair the Haskell Pond Dam in the city of Gloucester; provided further, that not less than \$2,000,000 shall be expended to repair the Willett Pond Dam in the town of Norwood; provided further, that not less than \$5,000,000 shall be expended to replace two road-stream crossings on the tidal Bass River in the town of Yarmouth; provided further, that not less than \$2,000,000 shall be expended to upgrade the Bowman Lane culvert in the town of Westborough; provided further, that not less than \$1,750,000 shall be expended to upgrade the Stetson Road culvert in the town of Braintree; provided further, that not less than \$1,750,000 shall be expended to replace the Stage Road culvert in the town of Cummington; provided further, that not less than \$1,750,000 shall be expended to replace the Westford Road culvert in the town of Tyngsborough; provided further, that not less than \$1,375,000 shall be expended to replace the East Rindge Road culvert in the town of Ashburnham; provided further, that not less than \$1,200,000 shall be expended to replace the Mill Street culvert in the town of Merrimac; provided further, that not less than \$1,100,000 shall be expended to replace the Brockelman Road culvert in the town of Lancaster; provided further, that not less than \$975,000 shall be expended to replace the Benton Hill Road culvert in the town of Becket; provided further, that not less than \$1,000,000 shall be expended to replace the West Hawley Road culvert in the town of Hawley; provided further, that not less than \$750,000 shall be expended to replace the Root Road culvert in the town of Middlefield; provided further, that not less than \$600,000 shall be expended to replace the Topsfield Road culvert in the town of Ipswich; provided further, that not less than \$500,000 shall be expended to replace the Rice Corner Cross Road culvert in the town of Brookfield; provided further, that not less than \$450,000 shall be expended to replace the Frost Road culvert in the town of Washington; provided further, that not less than \$450,000 shall be expended to replace the Pond Street culvert in the town of East Bridgewater; provided further, that not less than \$425,000 shall be expended to replace the Green River Road culvert in the town of Alford; provided further, that not less than \$450,000 shall be expended to replace the Kinne Brook Road culvert in the town of Chester; and provided further, that not less than \$450,000 shall be expended to replace the Ball Hill Road culvert in the town of Princeton.....\$150,000,000

EXECUTIVE OFFICE OF EDUCATION
Department of Early Education and Care

3000-1045 For efforts to support and stabilize the early education and care workforce and address varied operational costs at state child care programs supervised by the department of early education and care, especially those related to the 2019 novel coronavirus pandemic and the costs associated with stabilizing capacity during the period of pandemic recovery; provided, that the department shall collect data from participating programs, including, but not limited to, the number of enrolled children, number of educators employed, and amount of stabilization grants spent to recruit and retain employees; provided further, that the department shall report such data to the joint committee on education, the house and senate committees on ways and means and the secretary of administration and finance on a quarterly basis; provided further, that \$196,164,556 distributed through this item shall be in accordance with the terms of the supplemental Child Care and Development Fund Discretionary Funds in the federal American Rescue Plan Act of 2021, Public Law 117-2, and any state plans filed under that act; provided further, that the department shall provide technical assistance to providers to assist them in planning expenditures so as to avoid any so called “funding cliffs” in future fiscal years; and provided further, that any unexpended funds in this item shall not revert to the General Fund but shall be made available for this item until June 30, 2023 \$400,000,000

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

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
Office of the Secretary of Health and Human Services

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

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

TRANSPORTATION
Massachusetts Department of Transportation

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

Commonwealth Transportation Fund.....100%

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

Commonwealth Transportation Fund.....100%

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

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

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

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

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

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

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

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

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

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

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

(d) Job order contracts authorized under this section shall: (i) be limited to use for job orders estimated to cost not more than \$150,000 each; (ii) have a maximum term of 4 years; and (iii) be procured through the procedures specified in section 39M of chapter 30, except that: (A) the amount of the bid deposit shall be \$5,000; (B) a contractor who is awarded a job order under a job order contract shall be certified by the division for the category of work specified in the contract; and (C) the amount of surety bonds shall be based upon the value of a job order and shall be provided to the awarding authority as set forth in the job order contract and not later than the commencement of any work under a job order. Job order contracts shall be awarded to the eligible and responsible bidders who offer the lowest combination of coefficient factors over the base unit prices specified in the contract specifications.

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

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

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

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

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

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

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

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

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

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

The fund shall be credited with: (i) all payments received from the federal government under the Social Security Administration Vocational Rehabilitation Cost Reimbursement Program, 29 United States Code 728; (ii) reimbursement received by the commission for successful employment outcomes of participants in the program; and (iii) any interest received thereon. Amounts credited to the fund shall be spent, without further appropriation, for the vocational rehabilitation program administered by the commission as described in section 129 of chapter 6. Expenditures from the fund shall be made consistent with federal requirements for administering

the vocational rehabilitation program, provided that no funds shall be deducted for pensions, group health or life insurance or any other indirect costs of federally reimbursed state employees.

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

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

Section 30. (a) Any person or entity, regardless of its anticipated corporate form, which seeks to incorporate, register, or operate as a college, junior college, university, or other post-secondary educational institution with the power to grant degrees, and any person or entity, regardless of its corporate form, which seeks to amend the charter of an existing entity which will give it such power to grant degrees, or which will change its name to one including the term "college", "junior college", or "university", must make application to, and receive approval from, the board of higher education by submitting to said board articles of incorporation, articles of amendment, certificate of organization, or foreign corporation certificate of registration, in draft form, along with an application and supporting materials as required by said board. Said board shall immediately make an investigation as to the applicants for incorporation of such an institution and as to the purposes thereof and any other material facts relative thereto. Said board may approve such application for a junior college, the name of which does not include the word "junior", provided the charter of such educational institution requires that such name when used on its official documents and publications be accompanied by a descriptive phrase which in the judgment of said board will effectively distinguish such institution from a senior college. In the case of a proposed amendment to the charter of an existing educational institution which will give it power to grant degrees, or change its name as aforesaid, said board shall make an investigation of the institution, its faculty, equipment, courses of study, financial organization, leadership, and other material facts relative thereto. The board shall establish a policy providing for public notice and the opportunity for public comment on such certificates or articles submitted to it under this section, where appropriate. Said board after making its investigation hereunder and subject to the provisions of section thirty-one, shall make a determination approving or disapproving the application submitted to it hereunder and shall forthwith report its findings to the applicant. After approved by said board, the applicant must file final articles of incorporation, articles of amendment, certificate of organization, or foreign corporate certificate of registration with the state secretary along with the approval letter from the board. If said board disapproves an application submitted to it under this section, it shall inform the applicant of the reasons for its disapproval of such application.

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

(c) For the purpose of determining evidence of improvement and growth, the board of higher education, through its agents, shall make periodic inspections of every such educational

institution within the twelve years next following its approval of the application of such institution submitted to it under this section.

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

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

- (1) providing high-quality, pragmatic, agile, and affordable fee-for-service technical assistance and consulting on public management issues to public entities;
- (2) offering practical, low-cost, and customized public management training, education, and professional development to public officials and aspiring public officials;
- (3) collaborating with faculty and practitioners on research and initiatives that drive change in public management practices and help remove barriers for improving public management;
- (4) creating publicly-available resources to support public officials; and
- (5) integrating public management practitioners with students and faculty at the University of Massachusetts at Boston and throughout the University of Massachusetts system in formal and informal ways that strengthen public entities, the center, the University, and the world at large.

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

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

Section 291/2. (a) In any proceeding filed pursuant to clause (3) of subsection (a) of section 23 or section 24 of this chapter, section 3 of chapter 210 or any other proceeding determining custody of a child receiving services from the department in which it is alleged that the child has been subject to abuse or neglect, the court shall appoint a qualified guardian ad litem to advocate for the best interests of the child unless the court, after making written findings, determines for good cause shown that the appointment is unnecessary. The guardian ad litem must have professional experience in the field of child welfare or the field of child mental health and must be a licensed social worker, a registered nurse or a licensed attorney. An attorney serving as counsel for the child, pursuant to section 29 or otherwise, shall not serve in the same proceeding as guardian ad litem.

(b) The guardian ad litem shall be an independent advocate for the best interests of the child, considering the child's safety, well-being and permanency. In determining the best interests of the child, the guardian ad litem must consider, without limitation, the following factors: (i) the physical safety of a child, taking into account any medical conditions or disabilities the child

may have; (ii) a child's need for permanence, stability and continuity of relationships; (iii) a child's age and sense of time; (iv) a child's level of maturity; (v) a child's language, culture and ethnicity; (vi) the degree of a child's attachment to family members, including siblings; and (vii) a child's sense of belonging and identity.

(c) The duties of the guardian ad litem shall include: (i) investigating and collecting relevant information about the child and reporting to the court factual information regarding the best interests of the child; (ii) maintaining regular in person contact with the child, and in a manner appropriate to his or her developmental level, meeting with, interviewing or observing the child prior to all hearings; (iii) appearing at all hearings to be heard by the court; and (iv) advocating for the child's best interests with clear and specific recommendations based upon an independent investigation that the court shall consider in making findings and rulings in any proceeding. The guardian ad litem shall report to the court and all parties in writing prior to all hearings. All reports shall be provided at least 72 hours in advance of the hearing for which the report is prepared. The guardian ad litem shall appear at all hearings and be provided the opportunity to be heard. Any report filed by the guardian ad litem shall be considered evidence pursuant to section 21A of chapter 119.

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

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

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

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

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

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

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

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

SECTION 19. Item 2000-7081 of section 2A of chapter 209 of the acts of 2018 is hereby amended by striking out the words "cities and towns" and inserting in place thereof the following words:- the commonwealth's political subdivisions, including but not limited to, cities, towns, counties and districts, and federal and state recognized tribes, or any authority, commission, board or instrumentality of the foregoing,.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 33. Section 4 of said chapter 355 is hereby amended by striking out, in lines 4 to 8, inclusive, the words ". The division shall certify that the plans are sufficient to ensure the permanent protection and ownership of all parcels comprising the Lampson Brook Farm. The division shall notify the house and senate committees on ways and means of its certification of the plans. Parcels not transferred by the board pursuant to this act on or before the division notifies the house and senate committees on ways and means of its certification of the survey and management plans" and inserting in place thereof the following words:- and the house and senate committees on ways and means. The parcels comprising Lampson Brook Farm.

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

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

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

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

(c) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any general or special law to the contrary, the division may convey the forest parcel to the nonprofit organization selected pursuant to subsection (a); provided, however, that such organization shall be organized for at least forest conservation and management purposes. The division shall retain or convey, as applicable, a conservation restriction upon the forest parcel, within the meaning of section 31 of chapter 184 of the General Laws and subject to section 32 of said chapter 184, which shall be under the joint care and control of the department of conservation and recreation and the conservation commission of the town of Belchertown created pursuant to section 8C of chapter 40 of the General Laws.

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

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

Section 7. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any general or special law to the contrary, the division, with the approval of the board and consistent with the recommendations of the management plan, is authorized to sell the enterprise zone parcel to a nonprofit organization or a private entity through a competitive process. The selection shall be based on: (i) the total amount of the proposed purchase payment; (ii) the compatibility of the proposal with the management plan; (iii) the applicant's ability to steward the parcel; and (iv) any other criteria as determined by the board. The board may utilize the fund to restore or partially restore the enterprise zone parcel in order to successfully complete the transition from the former dairy farm into sustainable natural resource-based enterprises compatible with the management plan with provision for public access, tourism and public education value and public benefits. Sale proceeds shall be deposited into the fund. The owner of the enterprise zone parcel shall manage the parcel in compliance with the management plan and the deed shall include a provision requiring compliance with the management plan.

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

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

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

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

SECTION 43. Section 10 of said chapter 355 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The division may sell or lease that parcel to a purchaser or lessee selected through a competitive process as determined by the division, which shall include consideration of the impact any such sale or lease may have on adjacent property.

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

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

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

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

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

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

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

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

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

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

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

SECTION 54. Item 1599-2056 of said section 2A of said chapter 102 is hereby amended by striking out the words “transferred from this item to item 7061-0012 for compensatory services for adults that reached age 22 during the 2019 novel coronavirus pandemic”, and inserting in place thereof the following words:- expended by the department of elementary and secondary education for services for individuals with disabilities that reached age 22 between March 10, 2020 and September 1, 2023 and were entitled to special education services up to age 22.

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

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

SECTION 57. Said item 1599-2056 of said section 2A of said chapter 102 is hereby further amended by striking out the words “transferred to item 7100-4000 for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for community colleges” and inserting in place thereof the following words:- expended for the mitigation of the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for community colleges and that no funds shall be deducted for pensions, group health or life insurance, or any other indirect costs of state employees .

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

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

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

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

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

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

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

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

SECTION 66. (a) Notwithstanding sections 32 to 37 of chapter 7C and sections 52 to 55 of chapter 7 of the General Laws or any other general or special law to the contrary, the division of capital asset management and maintenance, using those 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 1 or more

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

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

(b) The lease and other agreements shall be on terms acceptable to the commissioner of capital asset management and maintenance, after consultation with the commissioner of conservation and recreation and, notwithstanding any general or special law to the contrary, shall provide for the lessees 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 the leases or other agreements shall be payable to the department for deposit in the Conservation Trust, established under section 1 of chapter 132A of the General Laws.

There shall be an option for renewal or extension of the leases and other agreements 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 must 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 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 (1) a comprehensive list of all rinks operated by the

responsive bidder in the last four years, (2) prior or current facilities management or experience of the responsive bidder, (3) prior or current skating or hockey management experience of the responsive bidder, (4) reservation policies, (5) proposed reasonable rates that will ensure continued public access, (6) required financial audits, (7) policies to encourage use of the rink by persons of all races and nationalities, (8) safety and security plans, (9) seasonal opening and closing dates, (10) hours of operation, and (11) how the operator will ensure that ice time at the rink shall be allocated to user groups in the following order of priority: general public skating; nonprofit youth groups; school hockey, for-profit youth groups other than non-profit youth groups; and adult organizations or informal groups. Ice time may be allocated at the discretion of the operator, but general public skating shall be booked, in 2-hour contiguous blocks at a minimum of 12 hours per week, with a range of times and days which reasonably allow for public skaters of all ages to participate in some 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, without limitation, 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, to the procurement of services or to the construction and design of improvements shall not be applicable to any selected bidder which is awarded a lease pursuant to this section, except as provided in this section.

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

- (1) between the Commonwealth of Massachusetts and the New England Police Benevolent Association, Unit 4A;
- (2) between the Commonwealth of Massachusetts and the Massachusetts Organization of State Engineers and Scientists, Unit 9;
- (3) between the Commonwealth of Massachusetts and the Massachusetts Correction Officers Federated Union, Unit 4;
- (4) between the Commonwealth of Massachusetts and the International Association of Fire Fighters, Locals S-28 and S-29, Unit 11;
- (5) between the Sheriff of Berkshire County and the Brotherhood of Correctional Officers Local I-297, Unit SB1;

- (6) between the Sheriff of Bristol County and the National Correctional Employees Union, Ad-Tech Unit, L 135, Unit SA1;
- (7) between the Sheriff of Bristol County and the National Association of Government Employees C, R1-1476, Unit SA2;
- (8) between the Sheriff of Bristol County and the National Correctional Employees Union, Captains and Majors Unit, Unit SA3;
- (9) between the Sheriff of Bristol County and the Massachusetts Correctional Officers Federated Union, Unit SA4;
- (10) between the Sheriff of Bristol County and the National Correctional Employees Union, K-9 Unit, Unit SA7;
- (11) between the Sheriff of Essex County and the National Correctional Employees Union, Unit SE7;
- (12) between the Sheriff of Hampden County and the National Correctional Employees Union, Local 131, SH1;
- (13) between the Sheriff of Hampden County and the Hampden Correction Officers National Correctional Employees Union, L105, SH4;
- (14) between the Sheriff of Middlesex County and the New England Benevolent Association, Local 525, Unit SM1;
- (15) between the Sheriff of Middlesex County and the Teamsters Local Union No. 122, Unit SM2;
- (16) between the Sheriff of Middlesex County and the New England Benevolent Association, Local 500, Unit SM5;
- (17) between the Sheriff of Middlesex County and the National Correctional Employees Union, Local 116, Unit SM6;
- (18) between the Sheriff of Worcester County and the National Association of Government Employees, Local R1-255, Unit SW4;
- (19) between the Sheriff of Worcester County and the New England Police Benevolent Association, Local 515, Unit SW5;
- (20) between the Sheriff of Worcester County and the New England Police Benevolent Association, Local 550, Unit SW6;
- (21) between the University of Massachusetts and the Massachusetts Society of Professors, Lowell Campus, Unit L90;
- (22) between the University of Massachusetts and the Clerical and Technical Unit, Lowell Campus, Unit L92;
- (23) between the University of Massachusetts and the Maintenance and Trades Unit, Lowell Campus, Unit L93;
- (24) between the University of Massachusetts and the Faculty federation Local 1895, Dartmouth Campus, Units D80 & D81;
- (25) between the University of Massachusetts and the AFSCME Local 507, Dartmouth Campus, Unit D83;
- (26) between the University of Massachusetts and the ESU Professional Local 1895, Dartmouth Campus, Unit D85;
- (27) between the University of Massachusetts and the Professional Staff Union (PSU) Unit A; Amherst Campus, Unit A52 and Boston Campus, Unit B42;
- (28) between the University of Massachusetts and the Faculty Staff Union, Boston Campus, Unit B40;

- (29) between the University of Massachusetts and the Teamsters Local 25, Boston Campus, Unit B3L & Unit B3S;
- (30) between the University of Massachusetts and the Department Chairs Union, Boston Campus, Unit B50;
- (31) between the Massachusetts Department of Transportation and the Coalition of MassDOT Unions, Unit B;
- (32) between the Massachusetts Department of Transportation and the Coalition of MassDOT Unions, Unit C;
- (33) between the Massachusetts Department of Transportation and the Coalition of MassDOT Unions, Unit E;
- (34) between the Massachusetts Board of Higher Education and the Association of Professional Administrators;
- (35) between the Massachusetts Board of Higher Education and the Massachusetts State College Association/MTA/NEA;
- (36) between the Massachusetts Board of Higher Education and the American Federation of State and County and Municipal Employees, Council 93, Local 1067, AFL-CIO
- (37) between the Commonwealth of Massachusetts, Middlesex South Registry of Deeds and the American Federation of State, County, and Municipal Employees, Council 93, Local 414;
- (38) between the Commonwealth of Massachusetts, Middlesex North Registry of Deeds and the International Union of Public Employees, Local 1000;
- (39) between the Commonwealth of Massachusetts, Hampden Registry of Deeds and the Office and Professional Employees International Union, AFL-CIO, Local 6;
- (40) between the Commonwealth of Massachusetts, Worcester Registry of Deeds and the Office and Professional Employees International Union, AFL-CIO, Local 6;
- (41) between the Commonwealth of Massachusetts, Middlesex South Registry of Deeds and the Office and Professional Employees International Union, AFL-CIO, Local 6; and
- (42) between the Commonwealth of Massachusetts, Fitchburg Registry of Deeds and the Service Employees International Union, Local 888.