

HOUSE No. 4578

House bill No. 4532, as amended and passed to be engrossed by the House. March 9, 2022.

The Commonwealth of Massachusetts

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

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

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

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

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

9 SECTION 2.

10 COMMISSION ON THE STATUS OF WOMEN

11 *Commission on the Status of Women*

12 0950-0000..... \$500,000

13 MASSACHUSETTS GAMING COMMISSION

14 *Massachusetts Gaming Commission*

15 1050-0140..... \$391,240

16 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

17 *Reserves*

18 1599-6903..... \$55,000,000

19 1599-9817.....\$346,056,813

20 *Human Resources Division*

21 1750-0100..... \$1,908,823

22 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

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

24 2000-0100..... \$250,000

25 2000-0101 \$359,154

26 *Department of Conservation and Recreation*

27 2810-0100 \$1,660,000

28 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

29 *Office of Immigrants and Refugees*

30 4003-0100.....\$10,000,000

31 *Department of Transitional Assistance*

32 4408-1000 \$10,000,000

33 *Department of Children and Families*

34 4800-0038\$8,400,000

35 *Department of Public Health*

36 4513-1020\$8,000,000

37 4513-1026 \$5,000,000

38 4516-1000\$1,780,754

39 *Department of Mental Health*

40 5046-0000\$5,000,000

41 *Department of Elder Affairs*

42 9110-0100\$435,400

43 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

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

45 7002-0010\$190,000

46 *Department of Housing and Community Development*

47 7004-0102\$2,800,000

48 7004-9316.....\$100,000,000

49 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

50 *Executive Office of Labor and Workforce Development*

51 7003-0101 \$1,500,000

52 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

53 *Department of Fire Services*

54 8324-0050 \$1,750,000

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

62 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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Reserves

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

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

86 less than 7 days prior to reducing or increasing spending for a particular purpose authorized in
87 this item; provided further, that the administration shall pursue the highest allowable rate of
88 federal reimbursement for all eligible expenditures from this item; provided further, that the
89 executive office for administration and finance, in consultation with the department of
90 elementary and secondary education, the department of early education and care and the
91 executive office of health and human services, shall make available on a public website: (i) the
92 total number of tests purchased and distributed; (ii) the total number of tests in reserve; (iii) the
93 number of vaccinations and the location of vaccination sites funded through this item; (iv) the
94 number of support staff funded through this item, locations to which support staff were deployed,
95 and the purpose for their deployment; and (v) any additional expenditures made from this item;
96 provided further, that said website shall be updated quarterly; and provided further, that funds
97 shall be prioritized for communities disproportionately impacted by the 2019 novel coronavirus
98 pandemic \$700,000,000

99 1599-4448 For a reserve for collective bargaining and related labor costs; provided,
100 that funds shall be used for fiscal years 2020, 2021 and 2022 costs of contracts once validated
101 pursuant to section 7 of chapter 150 of the General Laws; provided further, that funds may be
102 used for non-union pay increases; and provided further, that the secretary of administration and
103 finance may authorize the transfer of funds from this account to other accounts to meet the
104 projected costs.....\$108,386,338

105 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from
106 the General Fund to the trust funds named within each item unless specifically designated
107 otherwise in this section, for the purposes and subject to the conditions specified in this section
108 and subject to the laws regulating the disbursement of public funds for the fiscal year ending

109 June 30, 2022. Any transfers under this section shall be made by the comptroller not later than
110 June 30, 2022.

111 TRANSPORTATION

112 *Massachusetts Department of Transportation*

113 1595-6380 For an operating transfer to the Massachusetts Transportation Trust Fund,
114 established in section 4 of chapter 6C of the General Laws, for grants to municipalities for a
115 winter recovery assistance program; provided, that funds may be expended for transportation
116 projects including, but not limited to: (1) the rehabilitation, reconstruction, resurfacing or
117 preservation of roadways and appurtenances; (2) the repair or replacement of traffic control
118 devices, signage, guardrails and storm grates; or (3) road striping or painting; provided further,
119 that funds shall be distributed using a formula based on each municipality's share of road
120 mileage; and provided further, that not later than December 30, 2022, the Massachusetts
121 Department of Transportation shall submit a report to the house and senate committees on ways
122 and means and the joint committee on transportation that shall include, but not be limited to: (i) a
123 list of all municipalities that received funding for projects through these grants; (ii) the amount of
124 grant funds awarded to each municipality; and (iii) a description of the projects implemented in
125 each municipality \$100,000,000

126 Commonwealth Transportation Fund.....100%

127 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

128 *Department of Housing and Community Development*

129 7004-1001 For the federal Low Income Home Energy Assistance Program under 42
130 U.S.C. 8621 et seq., to assist eligible low-income elders, working families and other households
131 with assistance paying a portion of winter heating bills; provided, that the department shall
132 establish the maximum assistance for which a household shall be eligible; and provided further,
133 that any unexpended funds in this item shall revert on June 30, 2022..... \$5,000,000

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

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

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

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

146 SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after
147 2QQQQQ, as inserted by section 17 of chapter 24 of the acts of 2021, the following 2 sections:-

148 Section 2RRRRR. There is hereby established and set up on the books of the
149 commonwealth a separate, non-budgeted special revenue fund to be known as the Massachusetts

150 Rehabilitation Commission Vocational Rehabilitation Reimbursement Fund. The commissioner
151 of the Massachusetts rehabilitation commission shall be the administrator of the fund.

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

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

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

170 The fund shall be credited with: (i) all payments received from the federal government
171 and allocated to the Massachusetts commission for the blind under the Social Security

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

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

184 SECTION 7. Chapter 69 of the General Laws is hereby amended by striking out section
185 30 and inserting in place thereof the following section:-

186 Section 30. (a) Any person or entity, regardless of its anticipated corporate form, which
187 seeks to incorporate, register or operate as a college, junior college, university or other post-
188 secondary educational institution with the power to grant degrees, and any person or entity,
189 regardless of its corporate form, that seeks to amend the charter of an existing entity, which will
190 give it such power to grant degrees, or which will change its name to include the term “college”,
191 “junior college” or “university” shall make application to, and receive approval from, the board
192 of higher education by submitting to the board articles of incorporation, articles of amendment,
193 certificate of organization or foreign corporation certificate of registration, in draft form, along

194 with an application and supporting materials as required by the board. The board shall
195 immediately make an investigation as to the applicants for incorporation of such an institution
196 and as to the purposes thereof and any other material facts relative thereto. The board may
197 approve such application for a junior college, the name of which does not include the word
198 “junior”; provided, that the charter of such educational institution shall require that such name
199 when used on its official documents and publications be accompanied by a descriptive phrase
200 which in the judgment of the board shall effectively distinguish the institution from a senior
201 college. In the case of a proposed amendment to the charter of an existing educational institution
202 which shall give it power to grant degrees, or change its name as aforesaid, the board shall make
203 an investigation of the institution, its faculty, equipment, courses of study, financial organization,
204 leadership and other material facts relative thereto. The board shall establish a policy providing
205 for public notice and the opportunity for public comment on such certificates or articles
206 submitted to it pursuant to this section, where appropriate. The board, after making its
207 investigation and subject to the provisions of section 31, shall make a determination approving or
208 disapproving the application submitted to it and shall report its findings to the applicant. After
209 approval by the board, the applicant shall file final articles of incorporation, articles of
210 amendment, certificate of organization or foreign corporate certificate of registration with the
211 state secretary along with the approval letter from the board. The board shall inform the applicant
212 of the reasons for its disapproval of any application it disapproves pursuant to this section.

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

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

217 institution within the 12 years following the board’s approval of an institution’s application
218 submitted pursuant to this section.

219 SECTION 8. Chapter 75 of the General Laws, is hereby amended by striking out section
220 45, as appearing in section 35 of chapter 102 of the acts of 2021, and inserting in place thereof
221 the following section:-

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

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

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

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

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

235 (5) integrating public management practitioners with students and faculty at the
236 University of Massachusetts at Boston and throughout the University of Massachusetts system in

237 formal and informal ways that strengthen public entities, the center, the University and the world
238 at large.

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

245 SECTION 10. Section 42 of chapter 132 of the General Laws, as so appearing, is hereby
246 amended by striking out, in lines 3 and 4 and lines 8 and 9, the words “by certified mail or hand
247 deliver”, and inserting in place thereof, in each instance, the following words:- in accordance
248 with guidelines posted by the department.

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

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

256 SECTION 13. Said item 2000-7081 of said section 2A of said chapter 209 is hereby
257 further amended by striking out the words “all the members of the city council in a city having a
258 Plan D or Plan E charter, the vote of the city council in a city not having such a charter, subject

259 to the charter of such a city, and the majority vote of the selectboard in a town” and inserting in
260 place thereof the following words:- the grantee’s legislative body or board of directors or
261 equivalent.

262 SECTION 14. Section 13 of chapter 53 of the acts of 2020, as amended by sections 1 and
263 2 of chapter 20 of the acts of 2021, is hereby further amended by striking out the words “May 1,
264 2022” and inserting in place thereof the following words:- April 1, 2023.

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

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

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

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

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

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

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

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

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

309 SECTION 23. Section 3 of said chapter 257, as amended by section 17 of said chapter
310 20, is hereby further amended by striking out the words “during the COVID-19 emergency or
311 until January 1, 2023, whichever is later” and inserting in place thereof the following words:-
312 until March 31, 2023.

313 SECTION 23A. Section 5 of chapter 345 of the acts of 2020 is hereby amended by
314 striking out the words “December 31, 2021” and inserting in place thereof the following words:-
315 December 31, 2022.

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

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

321 SECTION 26. Item 1599-9817 of section 2 of chapter 24 of the acts of 2021, inserted by
322 section 61 of chapter 102 of the acts of 2021, is hereby amended by striking out the words
323 “Home and Community-Based Services Federal Investment Fund100%”.

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

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

331 SECTION 29. Item 4003-0122 of said section 2 of said chapter 24, as amended by
332 section 65 of chapter 102 of the acts of 2021, is hereby further amended by inserting after the
333 word “adults”, the second time it appears, the following words:- ; provided further, that not less
334 than \$10,000,000 shall be expended for resettlement agencies in the commonwealth for services
335 for refugees and immigrants including, but not limited to Ukrainian refugees and immigrants, to
336 obtain a secure immigration status in the United States;.

337 SECTION 29A. Said item 4003-0122 of said section 2 of said chapter 24, as so amended,
338 is hereby further amended by adding the following words:- ; and provided further, that any
339 unexpended funds in this item shall not revert but shall be made available for the purpose of this
340 item until June 30, 2023.

341 SECTION 30. Item 1595-1068 of section 2E of said chapter 24 is hereby amended by
342 striking out the figure “\$437,750,000” and inserting in place thereof the following figure:-
343 \$577,145,000.

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

347 SECTION 32. Item 1599-2026 of section 2A of chapter 102 of the acts of 2021 is hereby
348 amended by striking out the words “provided further, that a portion of said funds shall be used to
349 reimburse providers for 1-time costs associated with opening new behavioral health and
350 substance use disorder treatment beds in calendar year 2022 or 2023, which are not covered by
351 other reimbursement or grant sources including the MassHealth behavioral health incentive
352 grants for fiscal year 2021 and fiscal year 2022” and inserting in place thereof the following
353 words:- provided further, that not less than \$12,000,000 shall be expended to the non-profit
354 medical center established pursuant to chapter 147 of the acts of 1995 for 1-time costs associated
355 with opening new behavioral health and substance use disorder treatment beds; provided further,
356 that not less than \$12,000,000 shall be expended to the non-state, government public hospital
357 system established pursuant to chapter 147 of the acts of 1996 for 1-time costs associated with
358 opening new behavioral health beds.

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

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

365 SECTION 35. Item 1599-2049 of said section 2A of said chapter 102 is hereby amended
366 by striking out the words “that the secretary of administration and finance shall transfer
367 \$25,000,000 from this item to item 7002-0012” and inserting in place thereof the following
368 words:- that not less than \$25,000,000 shall be expended.

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

373 SECTION 37. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
374 further amended by striking out the words “transferred from this item to item 7061-0012 for
375 compensatory services for adults that reached age 22 during the 2019 novel coronavirus
376 pandemic” and inserting in place thereof the following words:- expended by the department of
377 elementary and secondary education for services for individuals with disabilities that reached age
378 22 between March 10, 2020 and September 1, 2023 and were entitled to special education
379 services up to age 22.

380 SECTION 38. Said item 1599-2056 of said section 2A of said chapter 102 is hereby
381 further amended by striking out the words “transferred to item 7066-1400 for the mitigation of
382 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
383 universities” and inserting in place thereof the following words:- expended for the mitigation of

384 the financial impacts of the 2019 novel coronavirus pandemic and maintenance projects for state
385 universities and that no funds shall be deducted for pensions, group health or life insurance, or
386 any other indirect costs of state employees.

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

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

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

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

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

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

410 SECTION 44A. Notwithstanding section 33 of chapter 22 of the acts of 2022, the special
411 legislative commission established in section 106 of chapter 227 of the acts of 2020, as amended
412 by section 93 of chapter 24 of the acts of 2021, is hereby revived and continued to April 15,
413 2022. The special legislative commission shall file its report pursuant to said section 106 of said
414 chapter 227 with the clerks of the house of representatives and the senate, the house and senate
415 committees on ways and means, the joint committee on education and the joint committee on
416 economic development and emerging technologies not later than April 15, 2022.

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

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

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

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

426 “Job order”, an agreed upon fixed-price order issued by a public agency to a contractor
427 pursuant to a job order contract, for the contractor's performance of a specific maintenance,
428 repair, alteration, or conversion project consisting solely of tasks, materials and equipment
429 selected from those specified and priced in that job order contract.

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

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

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

446 (b) Notwithstanding section 46 of chapter 7C of the General Laws, section 44A of
447 chapter 149 of the General Laws, section 39M of chapter 30 of the General Laws or any other

448 general or special law to the contrary, the commissioner may establish a pilot program for the
449 use of job order contracts by: (i) higher education facilities subject to control of the department
450 of higher education; (ii) an agency within the department of correction; and (iii) the division of
451 capital asset management and maintenance with respect to properties for which it is responsible.

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

457 (d) As part of the pilot program, the commissioner may procure job order contracts for
458 use by: (i) the division of capital asset management and maintenance; (ii) the department of
459 correction; and (iii) any higher education facilities subject to control of the department of higher
460 education. These contracts shall be limited to job orders estimated to cost not more than
461 \$100,000 each and shall be procured through the procedures specified in section 39M of chapter
462 30 of the General Laws except that: (i) the amount of the bid deposit shall be \$5,000; (ii)
463 contractors who are awarded job orders under any job order contract shall be certified by the
464 division of capital asset management and maintenance for the category of work specified in the
465 contract; and (iii) the amounts of surety bonds required by the contract may be satisfied with
466 respect to each particular job order before the commencement of any work under that job order.
467 The commissioner shall award a job order contract to the eligible and responsible bidder who
468 offers the lowest mark-up over the base unit prices specified in the contract specifications. Such
469 job order contracts shall have a maximum term of 2 years.

470 (e) The authority granted to the commissioner in this section shall expire on January 1,
471 2027, but any job order contract awarded before that date may be executed and continue in effect
472 for a maximum term, including any extensions or renewals, of 2 years from the date of its
473 execution and delivery.

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

479 SECTION 46. Notwithstanding any general or special law to the contrary, for fiscal year
480 2022, the secretary of health and human services, with the written approval of the secretary of
481 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-
482 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-
483 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1426.

484 SECTION 47. Notwithstanding any general or special law to the contrary, any
485 unexpended balances, not exceeding a total of \$40,000,000, in items 4000-0700 and 4000-1426
486 of section 2 of chapter 24 of the acts of 2021 shall not revert to the General Fund until September
487 1, 2022 and may be expended by the executive office of health and human services to pay for
488 services enumerated in said items 4000-0700 and 4000-1426 provided during fiscal year 2022.

489 SECTION 48. Notwithstanding any general or special law to the contrary, for any taxable
490 year beginning on or after January 1, 2022, any amount received from the COVID-19 Essential
491 Employee Premium Pay program established by sections 73 and 82 of chapter 102 of the acts of

492 2021 for purposes of providing direct financial support to an essential worker shall be deducted
493 from federal gross income for the purpose of determining Massachusetts gross income pursuant
494 to section 2 of chapter 62 of the General Laws; provided, however, that 1-time payments to
495 front-line state employees required to work in-person during the winter of 2020 to 2021 made
496 pursuant to section 82 of said chapter 102 shall not be subject to this section.

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

504 SECTION 50. Notwithstanding any special or general law to the contrary, there shall be a
505 moratorium on procurement of early education and care services funded under items 3000-3060
506 and 3000-4060 of section 2 of chapter 24 of the acts of 2021, from March 1, 2022 through June
507 30, 2023.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

587 (37) between the Commonwealth of Massachusetts, Middlesex South Registry of Deeds
588 and the American Federation of State, County, and Municipal Employees, Council 93, Local
589 414;

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

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

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

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

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