ATTACHMENT K

December 11, 2020

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts, I am returning to you for amendment Section 104 of House Bill No. 5164, “An Act Making Appropriations for the Fiscal Year 2021 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 104 requires the Executive Office for Administration & Finance (“A&F”) to develop and operate a publicly accessible and searchable website to provide reporting on expenditures made by the Commonwealth from Federal funds that have been received related to the COVID-19 pandemic response.

I am supportive of the intent of this section and A&F is currently developing such a website. However, some of the requirements included in the section are unable to be implemented or are administratively burdensome, such as a requirement that the website be updated weekly. Additionally, I am recommending that the February 1, 2021 deadline to implement this section be extended until March 30, 2021 in order ensure that the site is fully operative. In order to offset this delay, I am recommending that A&F provide regular reports to the Legislature so that they have up to date information related to these important funds.

For these reasons, I recommend that Section 104 be amended by striking out the section and inserting in place thereof the following section:-

SECTION 104. (a) The executive office for administration and finance shall submit a report to the house and senate committees on ways and means that describes the funds made available to the commonwealth through the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, Public Law 116-123, the Families First Coronavirus Response Act, Public Law 116-127, the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, Public Law 116-147 and any additional federal funds committed to the commonwealth to provide financial assistance in response to the novel coronavirus and aid in ongoing public health, community and economic recovery efforts. The executive office shall submit the first report on or before March 30, 2021; the second report on or before June 30, 2021; the third report on or before September 30, 2021, and the fourth report on or before December 30, 2021.

(b) The report shall provide a breakdown of: (i) all federal grants and direct funds allocated to or received by the commonwealth; (ii) amounts of federal grants and direct funds allocated to or received by the commonwealth, by federal program and administering state agency; (iii) reimbursements provided by the federal emergency management agency due to a national emergency declaration or other federal reimbursements related to the novel coronavirus; (iv) expenditures, for each federal program; (v) any other planned use of available funding for each federal program, by category of spending and purpose of expenditure.

(c) The executive office of administration and finance, in consultation with the office of the comptroller, shall develop and operate a publicly accessible and searchable website to provide reporting on expenditures made by the commonwealth from funds received through the federal Coronavirus Relief Fund created in Section 5001 of Public Law 116-136 and deposited in Massachusetts Coronavirus Relief Fund.

The website shall be updated regularly and shall: (i) allow users to search electronically: (A) aggregated data by project; (B) federal category of spending; and (C) all transactions exceeding $50,000, provided that personal identifying information is protected; (ii) allow users to download information; and (iii) where possible, contain graphical representations of the data.

(d) The executive office for administration and finance shall implement this section not later than March 30, 2021.

Respectfully submitted,

Charles D. Baker

Governor