



The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2023 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 2023 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 2023, 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, 2023. 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 through the fiscal year ending June 30, 2024.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0793 Critical HHS and Workforce Reserve	\$200,000,000
1599-1210 Peace Officer Standards and Training Commission Reserve	\$1,941,576

1599-4448	Collective Bargaining Contract Costs	\$4,228,650
1599-6063	Local Community Development Projects	\$5,000,000
1599-6073	VOCA Bridge	\$20,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services

4000-0300	EOHHS and Medicaid Administration.....	\$3,500,000
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EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

7004-9316	Residential Assistance for Families in Transition.....	\$15,692,986
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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 Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2023. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2024.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-0012 For a reserve to support reimbursements for extraordinary relief to school districts pursuant to section 5A of chapter 71B of the General Laws and item 7061-0012; provided, that funds shall be made available for reimbursements in fiscal year 2024 to school districts that experience increases to instructional costs reimbursable under said section 5A and incurred during fiscal year 2024 that exceed 25 per cent of such instructional costs incurred during fiscal year 2023; provided further, that funds shall also be made available to reimburse districts in fiscal year 2024 for 100 per cent of any such instructional cost increases exceeding 10 per cent where the total of such increase also exceeds 0.5 per cent of total actual net school spending in fiscal year 2023; and provided further, that the funds appropriated in this item shall not revert but shall be made available through June 30, 2025, and may be transferred to item 7061-0012 and expended subject to the conditions specified in said item in the general appropriations act for that year.....

\$75,000,000

1599-0640 For the Massachusetts cultural council to supplement grants from the Massachusetts Cultural Facilities Fund established in section 42 of chapter 23G of the General Laws; provided, that grants shall promote access to the arts and cultural life in a geographically equitable manner, particularly among rural communities; provided further, that the amount appropriated in this item may not be expended for administrative purposes; and provided further, that the funds appropriated in this item shall be made available through the fiscal year ending June 30, 2025..... \$10,000,000

1599-1101 For a reserve for the payroll of the department of transitional assistance’s caseworkers and other necessary staff to serve applicants and clients of the supplemental nutrition assistance, transitional aid to families with dependent children, and emergency aid to the elderly, disabled and children programs; provided, that funds may be transferred to items 4400-1000 and 4400-1100; and provided further, that the funds appropriated in this item shall be made available through the fiscal year ending June 30, 2025 \$60,300,000

1599-1972 For a reserve for the Massachusetts Bay Transportation Authority to expand its hiring and training capacity \$20,000,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Massachusetts Marketing Partnership

7008-0250 For the office of travel and tourism for the costs of planning and celebrating the commonwealth’s 250th anniversary of the American Revolution..... \$2,000,000

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7053-1935 For a pilot program to reimburse school districts for the costs of providing universal free school meals; provided, that districts receiving funds under this item shall not implement a meal charge for students; provided further, that participating districts that are eligible for reimbursement under the Community Eligibility Provision of the National School Lunch Program shall adopt said provision; and provided further, that not later than January 15, 2024, the executive office of education shall submit a report to the house and senate committees on ways and means and the executive office for administration and finance that shall include: (i) data on change in utilization of school lunch services in districts receiving funding under this item, delineated by free, reduced and full-pay students as defined by the National School Lunch Program; (ii) the distribution of funding paid through this item and, for the purpose of universal free school meals in fiscal year 2023, item 7053-1925 delineated by school district; and (iii) options to reform, modify or extend this pilot program in a manner that promotes equity, maximizes federal revenue and improves predictability and sustainability of funding \$171,202,489

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer from the Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, 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, 2023. Notwithstanding section 19A of chapter 29 of the General Laws, any transfer under this section shall be made by the comptroller in accordance with a transfer schedule to be developed for each item by the comptroller after consulting with the appropriate agency secretary, the secretary of administration and finance and the state treasurer.

OFFICE OF THE COMPTROLLER

Office of the Comptroller

1595-4514 For an operating transfer to the Pension Liability Fund, established in subsection (e) of subdivision (8) of section 22 of chapter 32 of the General Laws; provided, that funds may be transferred from the General Fund or said Transitional Escrow Fund; provided further, that not later than August 15, 2023, the secretary of administration and finance shall report to the comptroller and house and senate committees on ways and means the amount to be transferred from each fund\$100,000,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary of Health and Human Services

1595-1080 For an operating transfer to the Advancing Careers Fund, established in section 35TTT of chapter 10 of the General Laws as added by section 4 of this act.....\$10,000,000

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Office of the Secretary of Energy and Environmental Affairs

1595-6232 For an operating transfer to the Clean Energy Investment Fund, established in section 15 of chapter 23J of the General Laws\$35,000,000

SECTION 2C.I. For the purpose of making available in fiscal year 2024 balances of appropriations which otherwise would revert on June 30, 2023, the unexpended balances of the appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of chapter 126 of the acts of 2022. However, for items which do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of said chapter 126; provided, however, that for items which do not appear in section 2 of said chapter 126, the amounts in this section are re-appropriated from

the fund or funds designated for the corresponding item in section 2 through 2E of this act or in prior appropriation acts. The sums reappropriated in this section shall be in addition to any amounts available for said purposes.

POLICE REFORM COMMISSION

Massachusetts Peace Officer Standards and Training Commission

0800-0000 Peace Officer Standards and Training Commission.....\$1,500,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-1410 Veterans' Services Reserve.....\$5,000,000

1599-8909 Election Costs Reserve\$8,000,000

EXECUTIVE OFFICE OF VETERANS' SERVICES

Veterans' Home in Massachusetts

4180-0100 Veterans' Home in Chelsea.....\$1,748,697

SECTION 4. Chapter 10 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after section 35SSS the following section:-

SECTION 35TTT. There shall be established on the books and records of the commonwealth a non-budgeted special revenue fund known as an advancing careers fund to be expended, without further appropriation, by the secretary of health and human services to advance career ladders in health care. The secretary may use funds to pay for: (i) the administration of a career ladder program; (ii) program costs, tuition, books, and fees related to the cost of education and training for participants in the program; (iii) costs related to becoming licensed, including, but not limited to testing costs, study courses, testing fees, and licensing fees; (iv) stipends to participants who participate in the program; and (v) additional costs associated with operating the career ladder program. Fund expenditures shall include but not be limited to, supporting a career pathway for program participants to become a licensed practical nurse.

The fund shall be credited with: (i) appropriations or other money authorized or transferred by the general court and specifically designated to be credited to the fund; (ii) funds from public and private sources, including, but not limited to gifts, grants, donations, and payments from employers and program participants participating in the program; (iii) federal funds; and (iv) any interest earned on such money.

Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund. The fund shall not be subject to section 5C of chapter 29.

Annually, not later than October 1, the secretary of health and human services shall file a report with the clerks of the senate and house of representatives and the house and senate committees on ways and means that shall include a description of: (i) projects undertaken; (ii) expenditures made; and (iii) income received by the fund.

SECTION 5. Subsection (d) of section 20 of chapter 25A of the General Laws, as inserted by section 41 of chapter 179 of the acts of 2022, is hereby amended by striking out the words “(b)” and inserting in place thereof the following words:- (c).

SECTION 6. Subsection (k) of section 20 of chapter 32B of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in line 158, the words “governing boards” and inserting in place thereof the following words:- governing body.

SECTION 7. Section 17 of chapter 37 of the General Laws, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-

The sheriffs of the counties of Barnstable, Bristol, Norfolk, Plymouth and Suffolk and of the former counties of Berkshire, Essex, Franklin, Hampden, Hampshire, Middlesex and Worcester shall each receive a salary of \$191,000. The sheriff of the county of Dukes shall receive a salary of \$150,527. The sheriff of the county of Nantucket shall receive a salary of \$120,846.

SECTION 8. Section 5B of chapter 40 of the General Laws, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

There shall be designated two types of stabilization funds. One shall be known as the general purpose stabilization fund and other stabilization funds shall be known as special purpose stabilization funds. At the time of creating any stabilization fund the city, town or district shall specify, and at any later time may alter, the purpose of the fund, which may be for any lawful purpose, including without limitation, an approved school project pursuant to chapter 70B or any other purpose for which the city, town or district may lawfully borrow money. The specification and any alteration of purpose, and any appropriation of funds from the general purpose stabilization fund, shall be approved by a two-thirds vote, except as provided in paragraph (g) of section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C of said chapter 59, any such vote shall be of the legislative body of the city, town or district, subject to charter. Appropriation of funds from a special purpose stabilization fund shall be approved by a majority vote.

SECTION 9. Section 1B of chapter 41 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

In any town that accepts this paragraph, the positions of appointed town treasurer and appointed collector of taxes shall be combined into 1 position and become an appointed position in the manner provided in this section. Any incumbent of such office serving at the time of acceptance

shall continue to hold said office and to perform the duties thereof until the expiration of the term for which said individual was appointed or until said individual otherwise vacates such office.

SECTION 10. Section 53 of chapter 44 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out clauses (2) and (3) and inserting in place thereof the following 4 clauses:-

(2) sums not in excess of \$150,000 to be recovered under the terms of a fire or physical damage insurance policy or received in restitution for damage done to such city, town or district property may, with the approval of the chief executive officer, be spent by the officer or department having control of the city, town or district property for the restoration or replacement of such property without specific appropriation during the fiscal year in which the damage occurs or within 120 days after the end of said fiscal year, whichever is later, provided that any insurance or restitution received shall be applied to finance the restoration or replacement and any such expenditures outstanding at the close of the fiscal year after the fiscal year in which the damage occurred shall be reported by the auditor or accountant of the city, town or district, or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the determination of the next annual tax rate, unless the city, town or district has otherwise made provision therefor, (3) sums recovered from pupils in the public schools for loss of or damage to school books, materials, electronic devices or other learning aids provided by the school committee, or paid by pupils for materials used in the industrial arts projects, may be used by the school committee for the restoration or replacement of such books or materials without specific appropriation, (4) non-recurring, unanticipated sums received by multiple cities, towns or districts and not otherwise provided for by a general or special law, may, upon the approval of the director of accounts, be expended at the direction of the chief executive officer without further appropriation only for the singular purpose for which the monies were received, and (5) non-recurring, unanticipated sums received by multiple cities, towns or districts and not otherwise provided for by a general or special law, may, upon the approval of the director of accounts, be deposited in a separate revenue account established in the treasury and expended, with appropriation, only for the purposes for which the monies were received.

SECTION 11. The fourth paragraph of section 53E½ of said chapter 44, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The city or town shall, on or before July 1 of the fiscal year to which it shall first apply, vote on the total amount that may be expended from each revolving fund established under this section during any fiscal year.

SECTION 12. Said chapter 44 of the General Laws is hereby further amended by inserting after section 53J the following section:-

Section 53K. Notwithstanding section 53, any city or town may, upon the approval of the chief executive officer, establish in the treasury a separate revenue account into which shall be deposited the monies received from: (1) a party under a host or other agreement in connection with the costs imposed upon the city or town by the operation or location of the party in the city or town; or (2) an applicant to meet any condition or obligation required for the approval or

issuance of a permit or license, including those issued under section 8C of chapter 40, chapter 40A, chapter 40B, sections 81K to 81GG, inclusive, of chapter 41, chapter 138, chapter 111, or other municipal permitting or licensing statutes or lawfully authorized ordinances, by-laws, rules, and regulations promulgated by any municipal permit or license approving or granting officer or board when implementing any authority conferred under any law, regulation, ordinance or by-law. Any special account shall be established by the municipal treasurer in the municipal treasury and shall be kept separate and apart from other monies. Monies in any special account shall be expended at the direction of the chief executive officer without further appropriation only for the purposes for which the monies were received.

SECTION 13. Subsection (g) of section 1P of chapter 69 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in lines 128 to 133, inclusive, the words "1 of whom shall be a former member of the behavioral health and public schools task force who participated in the development and statewide evaluation of the self-assessment tool; 1 of whom shall be a former member of the behavioral health and public schools task force with experience implementing the framework" and inserting in place thereof the following words:- 1 of whom shall have experience in implementing the self-assessment tool; 1 of whom shall have experience implementing the framework.

SECTION 14. Chapter 90 of the General Laws as amended by section 1 of chapter 423 of the acts of 2022, is hereby further amended by striking out section 2D and inserting in place thereof the following section:-

Section 2D. The registrar is hereby authorized and empowered to design, issue and regulate the use of temporary registration plates for issuance to and usage by the following purchasers of motor vehicles: (i) residents of the commonwealth pending receipt of registration plates issued under the provisions of section two; and (ii) nonresidents of the commonwealth who will be transporting the vehicle to the purchaser's state of residence for registration in that state. Such temporary plates may be issued to dealers, upon application accompanied by the proper fee, as provided in section 33, for use by purchasers of motor vehicles; said plates shall be valid for not more than 20 days. Satisfactory proof shall be furnished that a certificate, as defined in section 34A, is in effect prior to the issuance of temporary registration plates.

Temporary registration plates issued to nonresidents of the commonwealth who will be transporting the vehicle to the purchaser's state of residence for registration in that state shall not be subject to the provisions of chapter 60A.

The registrar is hereby empowered to issue and enforce regulations for the administration of this section.

SECTION 15. Section 2 of chapter 90D of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding the following words:- ; (13) A vehicle purchased by a nonresident who will be transporting the vehicle to the purchaser's state of residence for registration in that state pursuant to section 2D of chapter 90.

SECTION 16. Section 25 of chapter 111C of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in lines 4 to 8, inclusive, the words "with a minimum

of 2 emergency medical technicians, only 1 of whom shall be certified at the EMT-Paramedic level; provided, however, that the service staffing a class I, II or V ambulance may staff the ambulance with more than 1 emergency medical technician certified at the EMT-Paramedic level” and inserting in place thereof the following words:- based on the class of the ambulance.

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 17 of chapter 268A of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

This section shall not prevent a municipal employee from receiving or requesting compensation from, or acting as an agent or attorney for, the employee's municipality and one or more other governmental units, as defined by section 4A of chapter 40, in connection with an intermunicipal agreement under said section 4A of said chapter 40; provided that the employee is acting within the scope of the employee's duties under the intermunicipal agreement.

SECTION 19. Section 4 of chapter 250 of the acts of 2016 is hereby amended by adding the following words:- , and the 42.3 acre parcel of land located within the city of Salem shown on the city of Salem assessor's map 41, lot 339.

SECTION 20. Subsection (e) of section 81 of chapter 179 of the acts of 2022 is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following 2 sentence:- All amounts credited to the fund shall be expended, without further appropriation, solely for activities and expenditures consistent with the purposes of this section, including the ordinary and necessary expenses of administration and operation of the fund; provided, however, that no expenditure made from the fund shall cause the fund to become deficient at any point during the fiscal year. Any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in the following fiscal year.

SECTION 21. Item 1599-8909 of section 2 of chapter 126 of the acts of 2022 is hereby amended by adding the following words:- ; and provided further, that not more than \$5,000,000 shall be expended for grants by the state secretary to cities and towns for additional costs to administer early voting in person and by mail in all primaries and elections, including additional municipal personnel.

SECTION 22. Item 1599-6063 of section 2A of chapter 268 of the acts of 2022 is hereby amended by striking out the words “\$5,000,000 shall be expended for a grant” and inserting in place thereof the following words:- \$10,000,000 shall be expended for a grant.

SECTION 23. Notwithstanding section 5B of chapter 40 and section 4B of chapter 4 of the General Laws, or any other general or special law to the contrary, any city, town or district that

has accepted the fourth paragraph of section 5B of chapter 40 of the General Laws, and thereby dedicated statewide opioid settlement receipts to a stabilization fund, may vote to revoke said acceptance at any time. Upon such revocation, the city, town or district may, without further appropriation, account for all statewide opioid settlement receipts previously received, including those already in a stabilization fund, in accordance with section 53 of chapter 44 of the General Laws, as amended by section 10, unless already certified as free cash. Notwithstanding any general or special law to the contrary, unless otherwise reserved, any city, town or district may account for all statewide opioid settlement receipts previously received in accordance with said section 53 of said chapter 44 of the General Laws, as so amended, unless already certified as free cash. Any statewide opioid settlement receipts already certified as free cash may be appropriated to the separate statewide opioid settlement revenue account established pursuant to said section 53 of said chapter 44 of the General Laws, as so amended.

SECTION 24. Notwithstanding the provisions of section 11 of chapter 70 of the general laws or any other general or special law to the contrary, if a district's actual expenditure for public education in fiscal years 2023 or 2024, is less than the amount otherwise required to be appropriated for public education, the difference, up to 10 per cent of the amount required to be appropriated, may be deposited into a reserve created by the municipality or regional school district and be available for public education by the school committee without further appropriation. If a district underspends its budget in fiscal years 2023 or 2024 by more than 10 per cent of the amount required to be appropriated, state school aid in the following year shall be reduced by the entire difference between those amounts. Funds deposited into the reserve shall be eligible for withdrawal and expenditure for net school spending eligible purposes through fiscal year 2027; provided further, that if any funds remain in the reserve at the close of fiscal year 2027, state school aid in the following year shall be reduced by the full amount of the funds remaining in the reserve. The board of elementary and secondary education shall promulgate regulations to implement this section that include but are not limited to ensuring that districts effectively utilize growth in federal, state and local resources to rapidly expand, improve and sustain public education services, and to establish rules governing the deposit and withdrawal of funds to the reserve in pursuit of that purpose.

SECTION 25. Notwithstanding section 7 of chapter 94C of the General Laws or any other general or special law to the contrary, and consistent with the commissioner of public health's COVID-19 Public Health Emergency Order No. 2022-20 issued on November 14, 2022, unlicensed staff of a community program that participates in the department of public health's medication administration program may possess and administer prepackaged medications to individuals in such programs without first obtaining medication administration program certification. Such possession and administration shall comply with guidance issued by the department.

SECTION 26. Notwithstanding section 53 of chapter 111 of the General Laws or any other general or special law to the contrary, and consistent with the commissioner of public health's COVID-19 Public Health Emergency Order No. 2022-03 issued on January 14, 2022, out-of-hospital dialysis units licensed pursuant to section 51A of said chapter 111 are not required to

have on site sufficient personnel to ensure a ratio of at least 1 direct patient care staff member to every 3 patients, as long as the unit has sufficient direct care staff, who are trained in dialysis care, available to meet the needs of the patients undergoing dialysis.

SECTION 27. Notwithstanding any general or special law to the contrary, for fiscal year 2023, 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 28. 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 126 of the acts of 2022 shall not revert to the General Fund until September 1, 2023 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 2023.

SECTION 29. Notwithstanding any general or special law to the contrary, the sums set forth in chapter 102 of the acts of 2021 and in section 2A of chapter 268 of the acts of 2022 shall be appropriated from the General Fund, the federal COVID-19 response fund established under section 2JJJJ of chapter 29 of the General Laws, or from the Transitional Escrow Trust established under section 16 of chapter 76 of the acts of 2021 unless specifically designated otherwise in the respective sections, 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 through the fiscal year ending June 30, 2027. Not later than September 15 following the end of each fiscal year, the secretary of administration and finance shall report to the comptroller and the house and senate committees on ways and means the allocation of the sums between said funds. The comptroller shall incorporate the allocation of the sums in each report to prepare the annual statutory basis financial report required under paragraph (2) of subsection (a) of section 12 of chapter 7A of the General Laws.

SECTION 30. Notwithstanding any general or special law to the contrary, no later than August 15, 2023, the commissioner of revenue shall certify to the comptroller the amount of tax revenues estimated to have been collected during fiscal year 2023 in connection with the additional 4 per cent income tax levied pursuant Article XLIV of the Articles of amendment of the Constitution, as added by CXXI of the Articles of Amendment. Following such certification, and upon establishment of the Education and Transportation Fund, the comptroller shall transfer all such certified revenue from the General Fund to the Education and Transportation Fund. Such transfer shall be credited as a fiscal year 2023 transfer and shall precede the calculation of fiscal year 2023 consolidated net surplus pursuant to section 5C of chapter 29 of the General Laws.

SECTION 31. (a) Notwithstanding any general or special law to the contrary, the port in the city of Salem has been identified as an optimal site for operations to support the construction and maintenance of offshore wind developments. To further the commonwealth's clean energy and

economic development objectives, support the construction of offshore wind developments approved by the commonwealth and other states, and stimulate investment in and the growth of the offshore wind industry in the commonwealth, it is hereby determined to be in the interests of the commonwealth to provide as quickly as possible for the construction and operation of infrastructure and other improvements at the port in the city of Salem for the primary purpose of supporting the construction and maintenance of offshore wind developments, and it is further determined that the construction and operation of an offshore wind operations terminal at the port in the city of Salem constitutes a public purpose.

(b) As used in this section, unless the context clearly requires otherwise, the following words shall have the following meanings: -

“Center”, the Massachusetts clean energy technology center established pursuant to chapter 23J of the General Laws.

“Cooperation agreement”, the cooperation agreement between Salem Wind Terminal, LLC and the city of Salem dated September 30, 2022 related to the Salem port site.

“Port authority”, the Salem harbor port authority established pursuant to chapter 250 of the acts of 2016.

“Salem offshore wind terminal”, facilities at the Salem port site capable of supporting, and the operation and use thereof for the primary purpose of supporting, the construction and maintenance of offshore wind developments.

“Salem port site”, the 42.3 acre parcel of land located within the city of Salem shown on the city of Salem assessor’s map 41, lot 339.

(c) The center shall be designated as the state entity authorized to provide for the establishment of the Salem offshore wind terminal. To facilitate the establishment by the center of the Salem offshore wind terminal, the port authority is authorized to acquire the portion of the Salem port site in which it has existing legal entitlements under the cooperation agreement and to enter into a long-term lease with the center for the disposition of all or a portion of said property to the center. The port authority’s acquisition and disposition of real property authorized by this subsection, including any other real property acquisitions or dispositions between the port authority and the center related to the Salem port site that said parties determine to be necessary or desirable to facilitate and sustain the establishment by the center of the Salem offshore wind terminal, shall be exempt from the provisions of chapter 30B of the General Laws. If the center leases all or a portion of the Salem port site to a private party for the purpose of establishing and operating the Salem offshore wind terminal, the design and construction of any improvements to the Salem port site contracted for by the private party for the purpose of establishing and maintaining the Salem offshore wind terminal shall not be subject to the provisions of chapters 7C or 149 of the General Laws and shall not be subject to any other general or special law relating to procurement requirements for public projects; provided, however, that any such capital improvement projects undertaken by the private party for the Salem offshore wind

terminal shall be subject to the prevailing wage requirements of sections 26 and 27 of chapter 149 of the General Laws.

SECTION 32. 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:

between the Special Sheriff of Essex County and the Essex County Correctional Officers Association, Unit SE2.

SECTION 33. Sections 25 and 26 are hereby repealed.

SECTION 34. Section 33 shall take effect as of November 10, 2023.