

HOUSE No. 3802

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act making certain technical changes to the law relative to the life sciences industry in the commonwealth..

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. Paragraph (a) of section 56 of chapter 23A is hereby amended by inserting
2 after the words “Massachusetts Workforce Investment Board” the following words:- the
3 Massachusetts Life Sciences Center;.

4 SECTION 2. Section 2 of chapter 23I of the General Laws, as appearing in section 3 of
5 chapter 130 of the acts of 2008, is hereby amended by striking out the definition of “Vocational
6 technical school” and replacing it with the following definition:-

7 “Vocational technical school”, educational institutions providing vocational-technical
8 education established pursuant to sections 14 and 15 of chapter 71, chapter 74 or any vocational-
9 technical school that meets the programmatic requirements established by the department of
10 education.

11 SECTION 3. Subsection (b) of section 3 of said chapter 23I, as appearing in section 4 of
12 said chapter 130, is hereby amended by striking out the word “his”, the fourth time it appears,
13 and inserting in place thereof the word:- the.

SECTION 4. Paragraph (f) of section 6 of said chapter 23I, as appearing in paragraph (f) of subsection 6 of section 13 of said chapter 130 is hereby amended by striking out the words “may develop a proposal creating” and inserting in place thereof the following words: - may, subject to the approval of the board, create.

SECTION 5. Paragraph (c) of section 7 of said chapter 23I, as appearing in paragraph (c) of subsection 7 of said section 13 of said chapter 130 is hereby amended by striking out the words “unsuccessful; and (4) said qualified equity investment conforms” and inserting in place thereof the following words: - unsuccessful. Said qualified equity investment shall conform.

SECTION 6. Paragraph (d) of said section 7 of said chapter 23I, as appearing in paragraph (d) of said subsection 7 of said section 13 of said chapter 130 is hereby amended by striking out the words “may develop a proposal relative to the creation of” and inserting in place thereof the following words: - may, subject to the approval of the board, create.

SECTION 7. Paragraph (c) of section 8 of said chapter 23I, as appearing in paragraph (c) of subsection 8 of said section 13 of said chapter 130 is hereby amended by striking out the word “shall” the fourth time it appears.

SECTION 8. Paragraph (d) of said section 8 of said chapter 23I, as appearing in paragraph (d) of said subsection 8 of said section 13 of said chapter 130 is hereby amended by striking out the words “may develop a proposal creating” and inserting in place thereof the following words: - may, subject to the approval of the board, create.

SECTION 9. Paragraph (d) of section 9 of said chapter 23I, as appearing in paragraph (d) of subsection 9 of said section 13 of said chapter 130 is hereby amended by striking out the

words “may develop a proposal relative to the creation of” and inserting in place thereof the following words: - may, subject to the approval of the board, create.

SECTION 10. Paragraph (d) of section 10 of said chapter 23I, as appearing in paragraph (d) of subsection 10 of said section 13 of said chapter 130 is hereby amended by striking out the words “may develop a proposal relative to the creation of” and inserting in place thereof the following words: - may, subject to the approval of the board, create.

SECTION 11. Paragraph (b) of section 11 of said chapter 23I, as appearing in subsection 11 of section 13 of said chapter 130 is hereby amended in clause (vi) by striking out the clause in its entirety and inserting in place thereof the following clause:-

(vi) providing recommendations, at the request of the center, on proposals received by the center.

SECTION 12. Section 12 of said chapter 23I, as appearing in subsection 12 of said section 13 of said chapter 130, is hereby amended by inserting after the word “member”, the first time it appears, the word “statewide”.

SECTION 13. Said section 12 of said chapter 23I, as appearing in subsection 12 of said section 13 of said chapter 130, is hereby further amended by striking out, in the second paragraph, the words “5 members for a term of 3 years” and inserting in place thereof the following words:- and 5 members to serve for a term of 3 years.

SECTION 14. Said section 12 of said chapter 23I, as appearing in said subsection 13 of said section 13 of said chapter 130, is hereby further amended in said second paragraph by

55 striking out the words “executive director” and inserting in place thereof the following word:-
56 president

57 SECTION 15. Said section 13 of chapter 23I, as appearing in said subsection 13 of said
58 section 13 of said chapter 130, is hereby amended by striking out the words “executive director”
59 and inserting in place thereof the word:- president.

60 SECTION 16. Paragraph (m) (1) of section 17 of said chapter 23I, as appearing in clause
61 (a) of subsection 17 of said section 13 of said chapter 130 is hereby amended by inserting before
62 the word “Internal” the word:- the.

63 SECTION 17. Paragraph (1) of section 17 of said chapter 23I, as appearing in clause (b)
64 of said paragraph (1) of said subsection 17 of said section 13 of said chapter 130 is hereby
65 further amended by striking out the number “2” and inserting in place thereof the number:- 1.

66 SECTION 18. Paragraph (e) of section 38U of chapter 63 of the General Laws, as
67 appearing in section 30 of said chapter 130, is hereby amended by striking out the word
68 “subsection (c)” and inserting in place thereof the following:- subsection (d).

69 SECTION 19. Paragraph (f) of said section 38U of said chapter 63, as appearing in said
70 section 30 of said chapter 130 , is hereby amended by striking out the word “paragraph” and
71 inserting in place thereof the following word:- subsection.

72 SECTION 20. Paragraph (g) of section 38W of said chapter 63, as appearing in said
73 section 30 of said chapter 130, is hereby amended by striking out, in paragraph (g), the words
74 “subsection (f)” and inserting in place thereof the following:- subsection (e).

SECTION 21. Section 42B of said chapter 63, as amended by section 85 of chapter 173 of the acts of 2008, is further amended by adding the following:-

(d) To the extent authorized pursuant to the life sciences tax incentive program established by section 5 of chapter 23I, a certified life sciences company may be deemed a research and development corporation for purposes of exemptions under chapters 64H and 64I.

SECTION 22. Said section 42B of said chapter 63, as so appearing, is further amended by striking out subsection (d) added by section 14.

SECTION 23. Section 1 of chapter 130 of the acts of 2008 is hereby amended by striking out, in line 2, the words “section 2” and inserting in place thereof the following:- section 2A.

SECTION 24. Section 2B of said chapter 130, as so appearing, is hereby amended by striking out the number “37” and inserting in place thereof the following number:- 36.

SECTION 25. Section 14 of said chapter 130, as so appearing, is hereby amended by striking out, in the first sentence, the number “14” and inserting in place thereof the following number:- 13.

SECTION 26. Section 26 of said chapter 130, as so appearing, is hereby repealed.

SECTION 27. Section 27 of said chapter 130, as so appearing, is hereby repealed.

SECTION 28. Section 40 of said chapter 130, as so appearing, is hereby amended by striking out the words “March 31, 2009” and inserting in place thereof the following:- August 31, 2010.

SECTION 29. Section 41 of said chapter 130, as so appearing, is hereby amended by striking out the words “March 31, 2009” and inserting in place thereof the following:- June 30, 2009.

SECTION 30. Section 42 of said chapter 130, as so appearing, is hereby amended by striking out the words “March 31, 2009” and inserting in place thereof the following:- October 31, 2009.

SECTION 31. Section 43 of said chapter 130, as so appearing, is hereby amended by striking out the words “June 30, 2009” and inserting in place thereof the following:- February 28, 2010.

SECTION 32. Section 52 of said chapter 130, as so appearing, is hereby further amended by striking out the number “14” and inserting in place thereof the following number:- 13.

SECTION 33. Section 54 of said chapter 130, as so appearing, is hereby amended by inserting before the number “18” the following number:-14.

SECTION 34. Said section 54 of said chapter 130, as so appearing, is further amended by striking out the numbers “27” and “33”.

SECTION 35. Section 14 shall take effect on January 1, 2009.

SECTION 36. Section 15 shall take effect on December 31, 2018.