

**HOUSE . . . . . No. 4802**

---

**The Commonwealth of Massachusetts**

---



CHARLES D. BAKER  
GOVERNOR

OFFICE OF THE GOVERNOR  
**COMMONWEALTH OF MASSACHUSETTS**  
STATE HOUSE · BOSTON, MA 02133  
(617) 725-4000

KARYN POLITO  
LIEUTENANT GOVERNOR

*May 18, 2022*

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2022 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

Tax collections through April exceeded Fiscal Year 2022 (FY22) tax benchmarks, as revised in January, by \$4.2 billion (14%). The Commonwealth is on a path to two successive years of double-digit growth in tax collections, unprecedented in recent time. Buoyed by capital gains taxes, today’s Stabilization Fund balance of \$4.66 billion could grow past \$6 billion by the end of the fiscal year. While a new law related to partnerships and other pass-through entities that affects the timing of payments may explain a portion of over-benchmark collections, and some caution is advisable, clearly collections are higher than we expected. Accordingly, this week we have increased the formal tax benchmark projections for FY22 by \$1.718 billion to \$37.666 billion.

The bill I propose today allocates approximately \$1.7 billion of the tax surplus into projects and programs that will create permanent value for the Commonwealth. Primarily these investments are one-time in nature; some, particularly in transportation, will unlock substantial federal funds. In addition to transportation, this bill invests in ports and water infrastructure, creates workforce housing, supports small businesses and childcare providers, and prepares students for higher education and public higher education campuses for students.

With price increases resulting from inflation, ongoing supply chain issues, and other pandemic-related delays, it is critically important to make these investments now. Prior to the pandemic, construction projects already took years to complete from the time funding was appropriated to ribbon cutting. Now, rising costs and supply chain issues are further impacting both the time and cost it takes to complete projects. We cannot lose additional time by waiting to appropriate funds for these projects; any further delays will be to the detriment of the citizens of the Commonwealth who will benefit from these investments.

In more detail, these recommendations are:

- \$580 million for transportation infrastructure, including funds for Kosciuszko Circle/Morrissey Boulevard in Boston, commuter rail stations in Newton, the demolition of the closed Brightman Street Bridge between Fall River and Somerset, the Storrow Drive tunnel, and other federal funding opportunities as they arise;
- \$310 million for housing development, including \$200 million for workforce housing, \$100 million for public housing redevelopment in Boston, Cambridge, Salem, and Worcester, and \$10 million to operationalize permanent supportive housing for individuals and families experiencing chronic homelessness;
- \$205 million for higher education, including \$150 million for campus physical infrastructure primarily at Mass College of Art and UMass Dartmouth, and \$55 million for nursing pathways programs;
- \$200 million for needed investments in water and sewer infrastructure on Cape Cod;
- \$180 million to build opportunity for small business owners especially in underserved communities, including \$80 million to improve small businesses' options for purchasing commercial real estate, \$50 million to gain access to large housing construction projects for socially and economically disadvantaged developers, particularly those owned by women and people of color, and \$50 million to de-risk lending to small business owners in underserved markets where access to capital is otherwise limited;
- \$100 million for ports infrastructure in Salem, New Bedford, and Brayton Point in Somerset, each critical to the state's future as a national leader in the offshore wind industry;
- \$55 million for childcare, including \$45 million for a new family childcare home ownership and improvement program, which seeks to increase childcare capacity while establishing financial security for family childcare providers, and \$10 million for innovative and flexible models of childcare delivery;
- \$30 million for schools and colleges to modernize science and biotechnology labs to better prepare students for current and future workplace standards; and

- \$28 million for other costs, including \$5 million for the USS Constitution park; \$10 million for miscellaneous legal settlements and judgments, and \$13 million for collective bargaining agreements authorized in an outside section.

Additionally, I am renewing my request for other supplemental funding items pending before the Legislature in House Bill 4479 since mid-February. I particularly call your attention to these items, pieces of which have advanced in the House or the Senate, but none of which are yet authorized:

- \$450 million total to fund Commonwealth Cares for Children grants that can shore up the finances of providers continuing to struggle in a disrupted work environment through the entirety of FY23;
- \$150 million for municipal vulnerability preparedness grants and other climate resiliency programs;
- \$100 million for youth facilities;
- \$100 million to supplement chapter 90, as the summer construction season has already begun;
- \$60 million to prevent a gap in the federal Victims of Crime Act (VOCA) program from interfering with the delivery of domestic violence services;
- \$50 million to assure that children in care and protection cases have their interests protected through the appointment of guardians ad litem;
- \$2 million to support document management for the future of work, where public-facing state services are increasingly transacted remotely.

Moreover, I am recommending several policy changes. Perhaps most importantly, I am refiling a change to chapter 70, the school finance law, to establish early college and innovation pathways as an enrollment category in the Foundation Budget, similar to the additional funding allocation to support vocational programming. The enrollment category would provide sustainable and predictable support for the growth of these pathways for high school students enrolled in state-approved early college or innovation pathways, which are demonstrating success in expanding access to college and careers for underrepresented students. Separately, I recommend a temporary change to allow school districts to spend expiring federal funds first while reserving some chapter 70 money for future years without facing state financial penalties.

I recommend a change to permit youth to voluntarily access a broader range of department of youth services (DYS) supports for a longer period of time; currently, DHS is prohibited from offering services more than 90 days after discharge from a DHS facility and may offer educational and rehabilitative services, but not transitional supports. I also recommend the

continuation, post the COVID public health state of emergency, of a department of public health standing order that facilitates insurance coverage for over-the-counter COVID tests and treatments.

Other sections, some of them time-sensitive, address specific aspects of municipal accounting and fiscal rules, allow shared and combined municipal positions of particular benefit to small towns, extend a state fund that would otherwise expire this fiscal year despite ongoing need for expenditures, and make other narrow but useful changes to law. Other sections are more technical in nature. For example, one section corrects a drafting error that has held up the release of funds for refugees fleeing conflicts, particularly in Ukraine, while another updates insurance holding company laws to conform with national standards.

I also take this opportunity to ask that you act on a number of other previously-filed matters that remain pending before the Legislature, including:

- A section that will mandate the appointment of a guardian ad litem in every proceeding at the Juvenile Court in which it is alleged that a child has been subjected to child abuse or neglect;
- Changes to the dates by which the MBTA must prepare and submit its capital budget;
- Authorization for long-term leases for various ice rinks that are beginning to expire this year;
- Corrections necessary to implement a statute related to the long-term management of the Lampson Brook Farm property in Belchertown;
- Language that would reimburse the Inland Fish and Game Fund for revenue attributed to the issuance of discounted hunting and fishing licenses as well as language that would allow appropriated funds to be spent from the Agricultural Innovation Fund; and
- A proposal that would apply the administrative cap for the Department of Family and Medical Leave to the available balance in the Trust Fund as opposed to the annual collection of contributions.

In January I proposed a measured set of tax cuts which we can plainly afford. Because the proposed tax reductions will buffer the finances of vulnerable households and improve the competitiveness of the Massachusetts tax climate, I am pleased to see Legislative leadership engage seriously with the proposals.

In closing, sufficient revenues are estimated to be available to finance the appropriations and other measures proposed in this legislation. I urge you to enact this legislation promptly to allow these investments to move forward without prolonged delays, and because certain of the

outside sections are time sensitive, as noted above. I continue to be grateful for the Legislature's partnership as we govern together.

Respectfully submitted,

Charles D. Baker,  
*Governor*

**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 through the fiscal year ending June 30, 2023.

9 SECTION 2.

OFFICE OF THE COMPTROLLER

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

*Office of the Comptroller*

1599-3384 Judgments Settlements and Legal Fees.....\$10,000,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Reserves*

1599-4448 Collective Bargaining Contract Costs.....\$12,720,941

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2022. Except as otherwise stated, these sums shall be made available through the fiscal year ending June 30, 2027.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Division of Capital Asset Management and Maintenance*

1102-0929 For a capital grant program for the preparation of plans and specifications, repairs, construction, renovations, improvements, maintenance and repair, asset management and demolition at public institutions of higher education; provided, that not less than \$100,000,000 shall be expended for projects related to the Tower Building at the Massachusetts College of Art and Design; provided further, that not less than \$25,000,000 shall be expended for projects related to the Science & Engineering Dion Building at the University of Massachusetts – Dartmouth..... \$150,000,000

32 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

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

34 2000-0119 For investments in and improvements to ports and port infrastructure  
35 which provide benefits to emerging clean energy industry clusters; provided, that not less than  
36 \$45,000,000 shall be expended for the port of Salem; provided further, that not less than  
37 \$30,000,000 shall be expended for the port of New Bedford; and provided further, that not  
38 less than \$20,000,000 shall be expended for the redevelopment of the Brayton Point Commerce  
39 Center in Somerset.....\$100,000,000

40 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

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

42 7002-2024 For an opportunity in ownership program administered by the Massachusetts  
43 Development Finance Agency, to provide equity and equity-like investments to small businesses  
44 that are able to secure debt or other financing to acquire ownership of the real property in which  
45 the small business operates; provided, that the equity or equity-like investments may contribute  
46 to filling a gap in the capital stack or serve as patient capital to unlock ownership opportunity;  
47 provided further, that the agency shall prioritize small businesses located in economically  
48 distressed areas or in which a majority interest is owned by one or more socially and  
49 economically-disadvantaged individuals; provided further, that the agency may establish  
50 program criteria and investment structures that allow the agency to share in capital gains realized  
51 upon a sale of the real property to protect program integrity; provided further, that funding from  
52 this item may be used by the agency to establish a reserve account to fund capital repairs and



53 replacements in properties owned by eligible small businesses; and provided further, that the  
54 agency may use funding from this item to provide technical assistance to eligible small  
55 businesses to achieve the goals of the program..... \$40,000,000

56           7002-2025    For an empowering small business property ownership program  
57 administered by the Massachusetts Growth Capital Corporation, to provide financial assistance  
58 to small businesses seeking to acquire ownership of the real property in which the small business  
59 operates or to purchase equipment; provided, that such financial assistance may consist of a loan  
60 in participation with one or more commercial banks or other lending institutions; provided  
61 further, such financial assistance may be complemented by a grant to contribute to closing a gap  
62 in a capital stack to unlock ownership opportunity for the small business; provided further, that  
63 the corporation shall prioritize small businesses located in economically distressed areas or in  
64 which a majority interest is owned by one or more socially and economically-disadvantaged  
65 individuals; provided further, that the corporation may establish program criteria and investment  
66 structures that allow the agency to share in capital gains realized upon a sale of the real property  
67 to protect program integrity; and provided further that the agency may use funding from this line  
68 item to provide technical assistance to eligible small businesses to achieve the goals of the  
69 program..... \$40,000,000

70           7002-2026    For an equitable developers’ financing program to provide financial  
71 assistance to projects to construct, rehabilitate or redevelop residential or mixed-use residential  
72 properties or redevelop blighted, abandoned, vacant or underutilized properties into new  
73 residential, commercial or light-industrial uses; provided, that in order to be eligible for funding  
74 in this item, (i) the project must be in Gateway Cities, Qualified Census Tracts or communities  
75 disproportionately impacted by the COVID-19 pandemic and (ii) the developer or sponsor must

76 be an individual, or an entity controlled by one or more individuals, that has been socially and  
77 economically disadvantaged or disproportionately impacted by the COVID-19 pandemic, as  
78 defined by a certification process to be developed by the Massachusetts Housing Finance  
79 Agency; provided further, that said financing program may be administered by one or both of the  
80 Massachusetts Housing Finance Agency and the Massachusetts Development Finance Agency;  
81 provided further, that such financial assistance may take the form of a grant, loan, equity  
82 investment or other form of financial assistance as determined by the administering agency;  
83 provided further, that eligible uses of funding may include, but not be limited to, (a)  
84 predevelopment costs such as the costs of permitting, engineering and site planning, traffic  
85 studies, environmental assessment, design and architecture, legal fees, and title and appraisal fees  
86 and (b) financing low- and no-interest loans, grants, subsidies, credit enhancements and the costs  
87 incurred by public instrumentalities of interest rate reductions on permanent financing offerings  
88 or funding a portion of a capital pool or reserve for purposes including, but not limited to,  
89 providing equity and guarantees to eligible projects; provided further, that such financial  
90 assistance shall be awarded, to the extent feasible, in a manner that reflects geographic and  
91 demographic diversity and social, racial and economic equity within the commonwealth; and  
92 provided further, that not more than 5 per cent of this item may be used for the reasonable costs  
93 of administering the program.....\$50,000,000

94           7002-2027     For first-loss loans to small businesses, to be made with the intent of  
95 unlocking new private investment in business entities that may have credit or revenue shortfalls  
96 or otherwise lack access to traditional bank financing; provided, that preference shall be given to  
97 socially and economically disadvantaged small businesses or those in economically-distressed  
98 communities; provided further, that loans may be made through partnerships of community

99 development financial institutions or community development corporations with commercial  
100 lending institutions that have committed to make capital available to the such business entities;  
101 and provided further, that the program may be administered by the Massachusetts Growth  
102 Capital Corporation, established by chapter 40W of the General Laws.....\$50,000,000

103 7002-2028 For the USS Constitution Museum, Inc. for the design and construction of the  
104 Charlestown Navy Yard Gateway Center to serve as a center for education, culture, and tourism  
105 for the benefits of residents and visitors..... \$5,000,000

106 *Department of Housing and Community Development*

107 7004-9321 For grants, loans or other financial assistance to support the production of  
108 rental, or for-sale, housing that is affordable for households with incomes between 60% and  
109 120% of area median income; provided, that funds shall be prioritized for projects located in  
110 communities in Barnstable, Berkshire, Dukes and Nantucket Counties to support the production  
111 of year-round housing units suitable for permanent occupancy by individuals and families  
112 challenged to find year-round housing; provided further, that the short-term rental of such  
113 year-round housing units produced with this appropriation in the aforementioned counties shall  
114 be prohibited; and provided further, that such grants, loans or other financial assistance may be  
115 administered through one or both of the Massachusetts Housing Finance Agency and the  
116 Massachusetts Housing Partnership.....\$200,000,000

117 7004-9323 For grants to local housing authorities for the redevelopment of public  
118 housing; provided, that the grants shall require a local match as determined by the department of  
119 housing and community development; provided further, that up to \$50,000,000 shall be

120 expended for the Mary Ellen McCormack Public Housing Community in the city of Boston;  
121 provided further, that not less than \$16,000,000 shall be expended for the Mildred C. Hailey  
122 Apartments in the city of Boston; provided further, that not less than \$12,500,000 shall be  
123 expended for Leefort Terrace in the city of Salem; provided further, that not less than  
124 \$11,000,000 shall be expended for Jefferson Park in the city of Cambridge; provided further, that  
125 not less than \$10,500,000 shall be expended for Curtis Apartments in the city of Worcester;  
126 provided further, that the department may exempt a recipient of grants from this item from the  
127 requirements of chapters 7C and 121B of the General Laws upon a showing by the recipient that  
128 such exemptions are necessary to accomplish the effective revitalization of public housing and  
129 shall not adversely affect public housing residents or applicants of any income who are otherwise  
130 eligible; and provided further, that the department may provide to recipients of grants from this  
131 item such additional regulatory relief as may be required to further the objectives of public  
132 housing redevelopment, including pursuit of complementary funding sources to ensure  
133 preservation as permanently affordable housing..... \$100,000,000

134           7004-9324     For a reserve to support the commonwealth's financing of permanent  
135 supportive housing for individuals, youth and young adults, and families experiencing  
136 homelessness; provided, that the reserve shall be administered by the Community Economic  
137 Development Assistance Corporation; and provided further, that funds shall be expended in the  
138 form of grants or loans to permanent supportive housing projects serving the populations  
139 identified in this item to cover recurring project operating and service costs..... \$10,000,000

140                               EXECUTIVE OFFICE OF EDUCATION

141                               *Office of the Secretary of Education*

142           7009-7477    For the establishment of a grant program to be administered by the  
143 executive office of education, in consultation with the executive office of labor and workforce  
144 development and the executive office of health and human services, to increase the nursing  
145 workforce talent pipeline and improve career pathways for the nursing profession; provided, that  
146 funds may be expended for program-related staffing, technology, equipment and operational  
147 costs to increase student enrollment in public post-secondary providers of nursing programs,  
148 including nurse aid training, practical nurse programs and registered nurse  
149 programs.....\$55,000,000

150           7009-7516    For grants to public schools and public institutions of higher education to  
151 modernize science and biotechnology laboratories to reflect current workplace standards;  
152 provided, that grant criteria shall be established in consultation with the executive office of  
153 housing and economic development.....\$30,000,000

154   *Department of Early Education and Care*

155           3000-1795    For developing and replicating innovative and flexible models of childcare  
156 delivery that address evolving needs of parents and employers in the aftermath of COVID-19;  
157 provided, that up to \$4,000,000 may be expended for Leo Inc. in the city of Lynn for capital  
158 costs to increase childcare capacity..... \$10,000,000

159           3000-6402    For state financial assistance in the form of grants or loans to support and  
160 accelerate the creation, expansion or improvement of family child care programs licensed by the  
161 department of early education and care; provided, that the Massachusetts Housing Finance  
162 Agency, established in chapter 708 of the acts of 1966, in coordination with the executive office  
163 of education and the department of early education and care, may administer the financial

164 assistance; provided further, that priority shall be given to providers that are (i) located in a  
165 community disproportionately impacted COVID-19 or where there is a lack of child care  
166 options, (ii) are committed to serving low and moderate-income families, and (iii) can  
167 demonstrate the ability to remain open following receipt of said financial assistance for a  
168 minimum period of time as determined by the department of early education and care in  
169 consultation with the Massachusetts Housing Finance Agency; and provided further, that all  
170 providers that receive said financial assistance shall maintain or expand their licensed capacity  
171 following receipt of said financial assistance; provided further, that the Massachusetts Housing  
172 Finance Agency, in coordination with the department of early education and care, may establish  
173 additional program requirements through guidelines..... \$45,000,000

174 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer  
175 from the General Fund to the trust funds named within each item unless specifically designated  
176 otherwise in this section, for the purposes and subject to the conditions specified in this section  
177 and subject to the laws regulating the disbursement of public funds for the fiscal year ending  
178 June 30, 2022. Notwithstanding section 19A of chapter 29 of the General Laws, any transfer  
179 under this section shall be made by the comptroller in accordance with a transfer schedule to be  
180 developed for each item by the comptroller after consulting with the appropriate agency  
181 secretary, the secretary of administration and finance and the state treasurer. Any transfers under  
182 this section shall be made by the comptroller not later than the close of the fiscal year ending  
183 June 30, 2027.

184 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

185 *Department of Environmental Protection*



207           1595-6373           For an operating transfer to the Massachusetts Transportation Trust  
208 Fund, established under section 4 of chapter 6C of the General Laws; provided, that funds shall  
209 be expended for the nonparticipating costs of eligible projects in the federal highway system,  
210 including project design, permitting, right of way, real estate transactions, the costs of  
211 engineering, and other services essential to these projects; provided further, that the  
212 Massachusetts Department of Transportation shall report on the use of the funds not later than  
213 October 31 following the end of each fiscal year to the joint committee on transportation, the  
214 house and senate committees on ways and means and the secretary of administration and finance;  
215 and provided further, that funds appropriated in this line item shall be available through the fiscal  
216 year ending June 30, 2027..... \$150,000,000

217                           Commonwealth Transportation Fund.....100%

218           1595-6374           For an operating transfer to the Massachusetts Transportation Trust Fund,  
219 established under section 4 of chapter 6C of the General Laws, or such other fund as necessary to  
220 achieve the purposes of this line item or maximize federal revenue; provided, that if the secretary  
221 of administration and finance, in consultation with the secretary of transportation, determines  
222 that a transfer to such other fund is advisable, the secretary of administration and finance shall  
223 make that determination in writing and direct the comptroller to transfer funds accordingly;  
224 provided further, that funds may be expended to match the grants awarded towards eligible  
225 projects in the federal highway system, federal transit system, federal aviation administration  
226 system, or federal rail system; provided further, that funds may be expended for the  
227 nonparticipating portions of these projects and the costs of engineering and other services  
228 essential to these projects; provided further, that not less than \$105,000,000 shall be expended  
229 for roadway improvements at Kosciuszko Circle and along Morrissey Boulevard; provided



230 further, that not less than \$85,000,000 shall be expended for reliability and modernization  
231 improvements at Auburndale, West Newton and Newtonville Stations; provided further, that not  
232 less than \$30,000,000 shall be expended for the demolition of Brightman Street Bridge; provided  
233 further, that not less than \$15,000,000 shall be expended for the design of rehabilitation of  
234 Storrow Drive Tunnels in Boston; provided further, that funds may be expended for the costs of  
235 projects and programs provided for in the Infrastructure and Investment in Jobs Act of 2021  
236 (IIJA) also known as the Bipartisan Infrastructure Law (BIL), Public Law No. 117-58; and  
237 provided further, that funds appropriated in this line item shall be available through the fiscal  
238 year ending June 30, 2027..... \$430,000,000

239 Commonwealth Transportation Fund.....100%

240 SECTION 3. Subsection (k) of section 20 of chapter 32B of the General Laws, as  
241 appearing in the 2020 Official Edition, is hereby amended by striking out, in line 158, the words  
242 “governing boards” and inserting in place thereof the following words:- governing body.

243 SECTION 4. Section 5B of chapter 40 of the General Laws, as so appearing, is hereby  
244 amended by striking out the third paragraph and inserting in place thereof the following  
245 paragraph:-

246 There shall be designated two types of stabilization funds. One shall be known as the  
247 general purpose stabilization fund. Other stabilization funds shall be known as special purpose  
248 stabilization funds. At the time of creating any stabilization fund the city, town or district shall  
249 specify, and at any later time may alter, the purpose of the fund, which may be for any lawful  
250 purpose, including without limitation, an approved school project pursuant to chapter 70B or any  
251 other purpose for which the city, town or district may lawfully borrow money. The specification

252 and any alteration of purpose, and any appropriation of funds from the general purpose  
253 stabilization fund, shall be approved by a two-thirds vote, except as provided in paragraph (g) of  
254 section 21C of chapter 59 for a majority referendum vote. Subject to said section 21C of said  
255 chapter 59, any such vote shall be of the legislative body of the city, town or district, subject to  
256 charter. Appropriation of funds from a special purpose stabilization fund shall be approved by a  
257 majority vote.

258 SECTION 5. Section 1B of chapter 41 of the General Laws, as so appearing, is hereby  
259 amended by adding the following paragraph:-

260 In any town that accepts this paragraph, the positions of appointed town treasurer and  
261 appointed collector of taxes shall be combined into 1 position and become an appointed position  
262 in the manner provided in this section. Any incumbent of such office serving at the time of  
263 acceptance shall continue to hold said office and to perform the duties thereof until the expiration  
264 of the term for which said individual was appointed or until said individual otherwise vacates  
265 such office.

266 SECTION 6. Section 53 of chapter 44 of the General Laws, as so appearing, is hereby  
267 amended by striking out clauses (2) and (3) and inserting in place thereof the following 4  
268 clauses:-

269 (2) sums not in excess of \$150,000 to be recovered under the terms of a fire or physical  
270 damage insurance policy or received in restitution for damage done to such city, town or district  
271 property may, with the approval of the chief executive officer, be spent by the officer or  
272 department having control of the city, town or district property for the restoration or replacement  
273 of such property without specific appropriation during the fiscal year in which the damage occurs

274 or within 120 days after the end of said fiscal year, whichever is later, provided that any  
275 insurance or restitution received shall be applied to finance the restoration or replacement and  
276 any such expenditures outstanding at the close of the fiscal year after the fiscal year in which the  
277 damage occurred shall be reported by the auditor or accountant of the city, town or district, or  
278 other officer having similar duties, or by the treasurer if there be no such officer, to the assessors,  
279 who shall include the amount so reported in the determination of the next annual tax rate, unless  
280 the city, town or district has otherwise made provision therefor, (3) sums recovered from pupils  
281 in the public schools for loss of or damage to school books, materials, electronic devices or other  
282 learning aids provided by the school committee, or paid by pupils for materials used in the  
283 industrial arts projects, may be used by the school committee for the restoration or replacement  
284 of such books or materials without specific appropriation, (4) non-recurring, unanticipated sums  
285 received by multiple cities, towns or districts and not otherwise provided for by a general or  
286 special law, may, upon the approval of the director of accounts, be expended at the direction of  
287 the chief executive officer without further appropriation only for the singular purpose for which  
288 the monies were received, and (5) non-recurring, unanticipated sums received by multiple cities,  
289 towns or districts and not otherwise provided for by a general or special law, may, upon the  
290 approval of the director of accounts, be deposited in a separate revenue account established in the  
291 treasury and expended, with appropriation, only for the purposes for which the monies were  
292 received.

293 SECTION 7. The fourth paragraph of section 53E½ of said chapter 44, as so appearing, is  
294 hereby amended by striking out the first sentence and inserting in place thereof the following  
295 sentence:- The city or town shall, on or before July 1 of the fiscal year to which it shall first

296 apply, vote on the total amount that may be expended from each revolving fund established  
297 under this section during any fiscal year.

298 SECTION 8. Said chapter 44 of the General Laws is hereby further amended by inserting  
299 after section 53J the following section:-

300 Section 53K. Notwithstanding section 53, any city or town may, upon the approval of the  
301 chief executive officer, establish in the treasury a separate revenue account into which shall be  
302 deposited the monies received from: (1) a party under a host or other agreement in connection  
303 with the costs imposed upon the city or town by the operation or location of the party in the city  
304 or town; or (2) an applicant to meet any condition or obligation required for the approval or  
305 issuance of a permit or license, including those issued under section 8C of chapter 40, chapter  
306 40A, chapter 40B, sections 81K to 81GG, inclusive, of chapter 41, chapter 138, chapter 111, or  
307 other municipal permitting or licensing statutes or lawfully authorized ordinances, by-laws, rules,  
308 and regulations promulgated by any municipal permit or license approving or granting officer or  
309 board when implementing any authority conferred under any law, regulation, ordinance or by-  
310 law. Any special account shall be established by the municipal treasurer in the municipal  
311 treasury and shall be kept separate and apart from other monies. Monies in any special account  
312 shall be expended at the direction of the chief executive officer without further appropriation  
313 only for the purposes for which the monies were received.

314 SECTION 9. Section 2 of chapter 70 of the General Laws, as appearing in the 2020  
315 Official Edition, is hereby amended by striking out, in line 70, the words “or (vii)” and inserting  
316 in the place thereof the following words:- (vii) early college / innovation pathways; or (viii).

317 SECTION 10. Table 1 of paragraph (a) of section 3 of said chapter 70, as so appearing, is  
 318 hereby amended by inserting after row “high school”, the following row:-

	Administra- -tion	Instruction al Leadershi p	Classroo m and Specialist Teachers	Other Teachi ng Service s	Profession al Developm ent	Instructio nal Equipme nt & Tech	Guidance and Psychologic al	Pupil Servic es	Operatio ns and Maintenan ce	Employee Benefits/Fix ed Charges	Speci al Ed Tuition	Total, all categori es
Early college/ innovatio n pathways	496.93	834.15	4,305.34	656.38	135.01	856.65	656.59	530.85	947.43	1,610.72	0.00	11,030. 05

319 SECTION 11. Chapter 94C of the General Laws is hereby amended by inserting after

320 section 19D the following section:-

321 Section 19E. (a) As used in this section and unless the context clearly requires otherwise,  
 322 “COVID-19 control measure” shall mean a COVID-19 drug, COVID-19 test or other COVID-19  
 323 diagnostic device approved or otherwise authorized by the federal Food and Drug  
 324 Administration.

325 (b) Notwithstanding any general or special law to the contrary, the commissioner, or a  
 326 physician who is designated by the commissioner and is registered to distribute or dispense a  
 327 controlled substance in the course of professional practice under section 7, may issue a standing  
 328 order that may be used for a licensed pharmacist to dispense a COVID-19 control measure. A  
 329 standing order issued pursuant to this section shall include, but not be limited to, any necessary  
 330 information or standardized procedures or protocols for the dispensing of the COVID-19 control  
 331 measure.

332 (c) Notwithstanding any general or special law to the contrary, a licensed pharmacist may  
 333 dispense a COVID-19 control measure in accordance with a standing order issued under  
 334 subsection (b).

335 (d) A pharmacist who dispenses a COVID-19 control measure in accordance with a  
336 standing order issued under subsection (b) shall upon request report to the department on the  
337 doses, tests or devices dispensed. Reports shall be confidential and shall not constitute a public  
338 record as defined in clause Twenty-sixth of section 7 of chapter 4. The department shall publish  
339 an annual report that includes aggregate information about the dispensing of COVID-19 control  
340 measures in the commonwealth.

341 (e) A pharmacist or designee who dispenses a COVID-19 control measure pursuant to  
342 this section shall, for the purposes of health insurance billing and cost-sharing, treat the  
343 transaction as the dispensing of a prescription to the person purchasing the COVID-19 control  
344 measure regardless of the ultimate user of the COVID-19 control measure. Unless the person  
345 purchasing the COVID-19 control measure requests to pay for the prescription out-of-pocket, the  
346 pharmacist or designee shall make a reasonable effort to identify the purchaser's insurance  
347 coverage and to submit a claim for the COVID-19 control measure to the insurance carrier prior  
348 to dispensing the COVID-19 control measure.

349 (f) Except for an act of gross negligence or willful misconduct, the commissioner or a  
350 physician who issues the statewide standing order under subsection (b) and any practitioner or  
351 pharmacist who, acting in good faith, directly or through the standing order, dispenses a COVID-  
352 19 control measure in accordance with a standing order issued under subsection (b) shall not be  
353 subject to any criminal or civil liability or any professional disciplinary action.

354 (g) The department, the board of registration in medicine and the board of registration in  
355 pharmacy may adopt regulations to implement this section.

356 SECTION 12. Section 16 of chapter 120 of the General Laws, as appearing in the 2020  
357 Official Edition, is hereby amended by striking out the fifth sentence and inserting in place  
358 thereof the following sentence:- The department may continue to provide for any person covered  
359 in this chapter under 22 years of age for specific education, rehabilitative or transitional services  
360 and supports, under conditions agreed upon by both the department and such persons and  
361 terminable by either.

362 SECTION 13. Said section 16 of said chapter 120, as so appearing, is hereby further  
363 amended by striking out, in line 19, the words “, for up to 90 days”.

364 SECTION 14. Section 206 of chapter 175 of the General Laws, as so appearing, is hereby  
365 amended by inserting after the definition of “Control”, the following definition:-

366 “Enterprise Risk”, any activity, circumstance, event or series of events involving one or  
367 more affiliates of an insurer that, if not remedied promptly, is likely to have a material adverse  
368 effect upon the financial condition or liquidity of the insurer or its insurance holding company  
369 system as a whole, including, but not limited to, anything that would cause the insurer’s Risk-  
370 Based Capital to fall into company action level as set forth by the commissioner by regulation or  
371 would cause the insurer to be in hazardous financial condition as set forth in chapter 175J.

372 SECTION 15. Said section 206 of said chapter 175, as so appearing, is hereby further  
373 amended by inserting after the definition of “Group-wide supervisor”, the following definition:-

374 “Group Capital Calculation instructions”, the group capital calculation instructions as  
375 adopted by the National Association of Insurance Commissioners and as amended by the  
376 National Association of Insurance Commissioners from time to time in accordance with the  
377 procedures adopted by the National Association of Insurance Commissioners.

378 SECTION 16. Said section 206 of said chapter 175, as so appearing, is hereby further  
379 amended by inserting after the definition of “Internationally active insurance group”, the  
380 following definition:-

381 “National Association of Insurance Commissioners Liquidity Stress Test Framework” or  
382 “Framework”, a separate National Association of Insurance Commissioners publication which  
383 includes a history of the National Association of Insurance Commissioners’ development of  
384 regulatory liquidity stress testing, the Scope Criteria applicable for a specific data year, and the  
385 Liquidity Stress Test instructions and reporting templates for a specific data year, such Scope  
386 Criteria, instructions and reporting template as adopted by the National Association of Insurance  
387 Commissioners and as amended by the National Association of Insurance Commissioners from  
388 time to time in accordance with the procedures adopted by the National Association of Insurance  
389 Commissioners.

390 SECTION 17. Said section 206 of said chapter 175, as so appearing, is hereby further  
391 amended by inserting after the definition of “Securityholder”, the following definition:-

392 “Scope Criteria”, as detailed in the National Association of Insurance Commissioners  
393 Liquidity Stress Test Framework, are the designated exposure bases along with minimum  
394 magnitudes thereof for the specified data year, used to establish a preliminary list of insurers  
395 considered scoped into the National Association of Insurance Commissioners Liquidity Stress  
396 Test Framework for that data year.

397 SECTION 18. Section 206C of said chapter 175, as so appearing, is hereby amended by  
398 inserting at the end of subsection (d) the following sentence:-



399           The definition of materiality provided in this subsection shall not apply for purposes of  
400 the Group Capital Calculation or the Liquidity Stress Test Framework.

401           SECTION 19. Subsection (m) of said section 206C of said chapter 175 of the General  
402 Laws, as so appearing, is hereby amended by adding the following 3 paragraphs:-

403           (6) if an insurer subject to the provisions of this section is deemed by the commissioner to  
404 be in a hazardous financial condition as described in section 3 of chapter 175J or a condition that  
405 would be grounds for supervision, conservation or a delinquency proceeding, then the  
406 commissioner may require the insurer to secure and maintain either a deposit held by the  
407 commissioner or a bond, as determined by the insurer at the insurer's discretion, for the  
408 protection of the insurer for the duration of the contract or agreement, or the existence of the  
409 condition for which the commissioner required the deposit or the bond.

410           In determining whether a deposit or a bond is required, the commissioner should consider  
411 whether concerns exist with respect to the affiliated person's ability to fulfill the contract or  
412 agreement if the insurer were to be put into liquidation. Once the insurer is deemed to be in a  
413 hazardous financial condition or a condition that would be grounds for supervision, conservation  
414 or a delinquency proceeding, and a deposit or bond is necessary, the commissioner has discretion  
415 to determine the amount of the deposit or bond, not to exceed the value of the contract or  
416 agreement in any one year, and whether such deposit or bond should be required for a single  
417 contract, multiple contracts or a contract only with a specific person;

418           (7) all records and data of the insurer held by an affiliate are and remain the property of  
419 the insurer, are subject to control of the insurer, are identifiable, and are segregated or readily  
420 capable of segregation, at no additional cost to the insurer, from all other persons' records and

421 data. This includes all records and data that are otherwise the property of the insurer, in  
422 whatever form maintained, including, but not limited to, claims and claim files, policyholder  
423 lists, application files, litigation files, premium records, rate books, underwriting manuals,  
424 personnel records, financial records or similar records within the possession, custody or control  
425 of the affiliate. At the request of the insurer, the affiliate shall provide that the receiver can  
426 obtain a complete set of all records of any type that pertain to the insurer's business; obtain  
427 access to the operating systems on which the data is maintained; obtain the software that runs  
428 those systems either through assumption of licensing agreements or otherwise; and restrict the  
429 use of the data by the affiliate if it is not operating the insurer's business. The affiliate shall  
430 provide a waiver of any landlord lien or other encumbrance to give the insurer access to all  
431 records and data in the event of the affiliate's default under a lease or other agreement; and

432 (8) premiums or other funds belonging to the insurer that are collected by or held by an  
433 affiliate are the exclusive property of the insurer and are subject to the control of the insurer.  
434 Any right of offset in the event an insurer is placed into receivership shall be subject to sections  
435 180A to 180L1/2, inclusive.

436 SECTION 20. Said section 206C of said chapter 175 of the General Laws, as so  
437 appearing, is hereby further amended by inserting after subsection (q) the following subsection:-

438 (q ½)(1) Any affiliate that is party to an agreement or contract with a domestic insurer  
439 that is subject to paragraph (4) of subsection (n) shall be subject to the jurisdiction of any  
440 supervision, seizure, conservatorship or receivership proceedings against the insurer and to the  
441 authority of any supervisor, conservator, rehabilitator or liquidator for the insurer appointed  
442 pursuant to sections 180A to 180L1/2, inclusive, for the purpose of interpreting, enforcing and

443 overseeing the affiliate's obligations under the agreement or contract to perform services for the  
444 insurer that:

445 (i) are an integral part of the insurer's operations, including, but not limited to  
446 management, administrative, accounting, data processing, marketing, underwriting, claims  
447 handling, investment or any other similar functions; or

448 (ii) are essential to the insurer's ability to fulfill its obligations under insurance policies.

449 (2) The commissioner may require that an agreement or contract pursuant to paragraph  
450 (4) of subsection (n) for the provision of services described in clauses (i) and (ii) of paragraph (1)  
451 of this subsection specify that the affiliate consents to the jurisdiction as set forth in this  
452 subsection .

453 SECTION 21. Subsection (v) of said section 206C of said chapter 175, as so appearing, is  
454 hereby amended by striking out paragraph (1) and inserting in place thereof the following  
455 paragraph:-

456 (1) Documents, materials or other information in the possession or control of the division  
457 of insurance that are obtained by or disclosed to the commissioner or any other person in the  
458 course of an examination or investigation made pursuant to subsection (u) and all information  
459 reported or provided to the division of insurance pursuant to this section are recognized as being  
460 proprietary and to contain trade secrets, and shall be confidential by law and privileged, shall not  
461 be a public record under clause Twenty-sixth of section 7 of chapter 4 or under chapter 66, shall  
462 not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any  
463 private civil action. However, the commissioner may use the documents, materials or other

464 information in the furtherance of any regulatory or legal action brought as a part of the  
465 commissioner's official duties.

466 The commissioner shall not otherwise make the documents, materials or other  
467 information public without the prior written consent of the insurer to which it pertains unless the  
468 commissioner, after giving the insurer and its affiliates who would be affected thereby notice and  
469 opportunity to be heard, determines that the interest of policyholders, shareholders or the public  
470 shall be served by the publication thereof, in which event the commissioner may publish all or  
471 any part in such manner as may be considered appropriate.

472 (i) For purposes of the information reported and provided to the division of insurance  
473 pursuant to paragraph (2) of subsection (z), the commissioner shall maintain the confidentiality  
474 of the group capital calculation and group capital ratio produced within the calculation and any  
475 group capital information received from an insurance holding company supervised by the  
476 Federal Reserve Board or any U.S. group wide supervisor.

477 (ii) For purposes of the information reported and provided to the division of insurance  
478 pursuant to paragraph (3) of subsection (z), the commissioner shall maintain the confidentiality  
479 of the liquidity stress test results and supporting disclosures and any liquidity stress test  
480 information received from an insurance holding company supervised by the Federal Reserve  
481 Board and non-U.S. group wide supervisors.

482 SECTION 22. Said subsection (v) of said section 206C of said chapter, as so appearing,  
483 is hereby further amended by striking out paragraph (3) and inserting in place thereof the  
484 following paragraph:-

485 (3) In order to assist in the performance of the commissioner's duties, the commissioner:

486 (i) may share documents, materials or other information, including the confidential and  
487 privileged documents, materials or information subject to paragraph (1) of this subsection  
488 including proprietary and trade secret documents with other state, federal and international  
489 regulatory agencies, the National Association of Insurance Commissioners and its affiliates and  
490 subsidiaries, the International Association of Insurance Supervisors, the Bank for International  
491 Settlements, the Federal Insurance Office and state, federal and international law enforcement  
492 authorities, including members of any supervisory college described in subsection (x) provided  
493 that the recipient agrees in writing to maintain the confidentiality and privileged status of the  
494 document, material or other information and has verified in writing the legal authority to  
495 maintain confidentiality;

496 (ii) may receive documents, materials or information, including otherwise confidential  
497 and privileged documents, materials or information, including proprietary and trade-secret  
498 information from the National Association of Insurance Commissioners and its affiliates and  
499 subsidiaries, the International Association of Insurance Supervisors, the Bank for International  
500 Settlements, the Federal Insurance Office and from regulatory and law enforcement officials of  
501 other foreign or domestic jurisdictions and shall maintain as confidential and privileged any  
502 document, material or information received with notice or the understanding that it is  
503 confidential or privileged under the laws of the jurisdiction that is the source of the document,  
504 material or information; and

505 (iii) shall enter into written agreements with the National Association of Insurance  
506 Commissioners and any third-party consultant designated by the commissioner governing  
507 sharing and the use of information provided pursuant to this subsection that shall:

508 (A) specify procedures and protocols regarding the confidentiality and security of  
509 information shared with the National Association of Insurance Commissioners and any third-  
510 party consultant designated by the commissioner pursuant to this section, including procedures  
511 and protocols for sharing by the National Association of Insurance Commissioners with other  
512 state, federal or international regulators;

513 (B) provide within the agreement that the recipient agrees in writing to maintain the  
514 confidentiality and privileged status of the documents, materials or other information and has  
515 verified in writing the legal authority to maintain such confidentiality;

516 (C) specify that ownership of information shared with the National Association of  
517 Insurance Commissioners or a third-party consultant designated by the commissioner pursuant to  
518 this section remains with the commissioner and the National Association of Insurance  
519 Commissioners or the third-party consultant, and that use of the information is subject to the  
520 direction of the commissioner;

521 (D) excluding documents, materials or information reported pursuant to paragraph (3) of  
522 subsection (z), prohibit the National Association of Insurance Commissioners or a third-party  
523 consultant designated by the commissioner pursuant to this section from storing the information  
524 shared pursuant to this section in a permanent database after the underlying analysis is  
525 completed;

526 (E) require prompt notice to be given to an insurer whose confidential information in the  
527 possession of the National Association of Insurance Commissioners or a third-party consultant  
528 designated by the commissioner pursuant to this section, is subject to a request or subpoena to

529 the National Association of Insurance Commissioners or a third-party consultant designated by  
530 the commissioner for disclosure or production;

531 (F) require the National Association of Insurance Commissioners or a third-party  
532 consultant designated by the commissioner pursuant to this section to consent to intervention by  
533 an insurer in any judicial or administrative action in which the National Association of Insurance  
534 Commissioners or the third-party consultant may be required to disclose confidential information  
535 about the insurer shared with the National Association of Insurance Commissioners or the third-  
536 party consultant; and

537 (G) for documents, material or information reporting pursuant to paragraph (3) of  
538 subsection (z) , in the case of an agreement involving a third-party consultant designated by the  
539 commissioner pursuant to this section, provide for notification of the identity of the consultant to  
540 the applicable insurers.

541 SECTION 23. Said subsection (v) of said section 206C of said chapter 175, as so  
542 appearing, is hereby further amended by adding the following paragraph:-

543 (7) The group capital calculation and resulting group capital ratio required under  
544 paragraph (2) of subsection (z) and the liquidity stress test along with its results and supporting  
545 disclosures required under paragraph (3) of said subsection (z) are regulatory tools for assessing  
546 group risks and capital adequacy and group liquidity risks, respectively, and are not intended as a  
547 means to rank insurers or insurance holding company systems generally. Therefore, except as  
548 otherwise may be required under the provisions of this section, the making, publishing,  
549 disseminating, circulating or placing before the public in a newspaper, magazine or other  
550 publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or

551 television station or any electronic means of communication available to the public, or in any  
552 other way as an advertisement, announcement or statement containing a representation or  
553 statement with regard to the group capital calculation, group capital ratio, the liquidity stress test  
554 results, or supporting disclosures for the liquidity stress test of any insurer or any insurer group,  
555 or of any component derived in the calculation by any insurer, broker, or other person engaged in  
556 any manner in the insurance business would be misleading and is therefore prohibited; provided,  
557 however, that if any materially false statement with respect to the group capital calculation,  
558 resulting group capital ratio, an inappropriate comparison of any amount to an insurer's or  
559 insurance group's capital calculation or resulting group capital ratio, liquidity stress test result,  
560 supporting disclosures for the liquidity stress test, or an inappropriate comparison of any amount  
561 to an insurer's or insurance group's liquidity stress test result or supporting disclosures is  
562 published in any written publication and the insurer is able to demonstrate to the commissioner  
563 with substantial proof the falsity of such statement or the inappropriateness, as the case may be,  
564 then the insurer may publish announcements in a written publication if the sole purpose of the  
565 announcement is to rebut the materially false statement.

566 SECTION 24. Said section 206C of said chapter 175 of the General Laws, as so  
567 appearing, is hereby further amended by adding the following subsection:-

568 (z)(1) The ultimate controlling person of every insurer subject to registration shall also  
569 file an annual enterprise risk report. The report shall, to the best of the ultimate controlling  
570 person's knowledge and belief, identify the material risks within the insurance holding company  
571 system that could pose enterprise risk to the insurer. The report shall be filed with the lead state  
572 commissioner of the insurance holding company system as determined by the procedures within



573 the Financial Analysis Handbook adopted by the National Association of Insurance  
574 Commissioners;

575 (2) Except as provided below, the ultimate controlling person of every insurer subject to  
576 registration pursuant to this Section shall concurrently file with the registration statement an  
577 annual group capital calculation as directed by the lead state commissioner. The report shall be  
578 completed in accordance with the National Association of Insurance Commissioner's Group  
579 Capital Calculation Instructions, which may permit the lead state commissioner to allow a  
580 controlling person that is not the ultimate controlling person to file the group capital calculation.  
581 The report shall be filed with the lead state commissioner of the insurance holding company  
582 system as determined by the commissioner in accordance with the procedures within the  
583 Financial Analysis Handbook adopted by the National Association of Insurance Commissioners.  
584 Insurance holding company systems described below are exempt from filing the group capital  
585 calculation:

586 (i) An insurance holding company system that has only one insurer within its holding  
587 company structure, that only writes business and is only licensed in its domestic state, and  
588 assumes no business from any other insurer;

589 (ii) An insurance holding company system that is required to perform a group capital  
590 calculation specified by the United States Federal Reserve Board. The lead state commissioner  
591 shall request the calculation from the Federal Reserve Board under the terms of information  
592 sharing agreements in effect. If the Federal Reserve Board cannot share the calculation with the  
593 lead state commissioner, the insurance holding company system is not exempt from the group  
594 capital calculation filing;

595 (iii) An insurance holding company system whose non-U.S. group-wide supervisor is  
596 located within a Reciprocal Jurisdiction as described in section 20A that recognizes the U.S. state  
597 regulatory approach to group supervision and group capital; and

598 (iv) An insurance holding company system:

599 (A) That provides information to the lead state that meets the requirements for  
600 accreditation under the National Association of Insurance Commissioners financial standards and  
601 accreditation program, either directly or indirectly through the group-wide supervisor, who has  
602 determined such information is satisfactory to allow the lead state to comply with the National  
603 Association of Insurance Commissioners group supervision approach, as detailed in the National  
604 Association of Insurance Commissioners financial Analysis Handbook, and

605 (B) Whose non-U.S. group-wide supervisor that is not in a Reciprocal Jurisdiction  
606 recognizes and accepts, as specified by the commissioner in regulation, the group capital  
607 calculation as the world-wide group capital assessment for U.S. insurance groups who operate in  
608 that jurisdiction.

609 (v) Notwithstanding the provisions of clauses (iii) and (iv) of paragraph (2) of this  
610 subsection, a lead state commissioner shall require the group capital calculation for U.S.  
611 operations of any non-U.S. based insurance holding company system where, after any necessary  
612 consultation with other supervisors or officials, it is deemed appropriate by the lead state  
613 commissioner for prudential oversight and solvency monitoring purposes or for ensuring the  
614 competitiveness of the insurance marketplace.

615 (vi) Notwithstanding the exemptions from filing the group capital calculation stated in  
616 clauses (i) to (iv), inclusive, of paragraph (2) of this subsection, the lead state commissioner has

617 the discretion to exempt the ultimate controlling person from filing the annual group capital  
618 calculation or to accept a limited group capital filing or report in accordance with criteria as  
619 specified by the commissioner in regulation.

620 (vii) If the lead state commissioner determines that an insurance holding company system  
621 no longer meets one or more of the requirements for an exemption from filing the group capital  
622 calculation under this section, the insurance holding company system shall file the group capital  
623 calculation at the next annual filing date unless given an extension by the lead state  
624 commissioner based on reasonable grounds shown.

625 (3) The ultimate controlling person of every insurer subject to registration pursuant to this  
626 section and also scoped into the National Association of Insurance Commissioners Liquidity  
627 Stress Test Framework shall file the results of a specific year's Liquidity Stress Test. The filing  
628 shall be made to the lead state insurance commissioner of the insurance holding company system  
629 as determined by the procedures within the Financial Analysis Handbook adopted by the  
630 National Association of Insurance Commissioners:

631 (i) The National Association of Insurance Commissioners Liquidity Stress Test  
632 Framework includes Scope Criteria applicable to a specific data year. These Scope Criteria are  
633 reviewed at least annually by the Financial Stability Task Force or its successor. Any change to  
634 the National Association of Insurance Commissioners Liquidity Stress Test Framework or to the  
635 data year for which the Scope Criteria are to be measured shall be effective on January 1 of the  
636 year following the calendar year when such changes are adopted. Insurers meeting at least one  
637 threshold of the Scope Criteria are considered scoped into the National Association of Insurance  
638 Commissioners Liquidity Stress Test Framework for the specified data year unless the lead state

639 insurance commissioner, in consultation with the National Association of Insurance  
640 Commissioners Financial Stability Task Force or its successor, determines the insurer should not  
641 be scoped into the Framework for that data year. Similarly, insurers that do not trigger at least  
642 one threshold of the Scope Criteria are considered scoped out of the National Association of  
643 Insurance Commissioners Liquidity Stress Test Framework for the specified data year, unless the  
644 lead state insurance commissioner, in consultation with the National Association of Insurance  
645 Commissioners Financial Stability Task Force or its successor, determines the insurer should be  
646 scoped into the Framework for that data year.

647 (A) The lead state insurance commissioner, in consultation with the Financial Stability  
648 Task Force or its successor, will take into consideration how best to avoid having insurers scoped  
649 in and out of the National Association of Insurance Commissioners Liquidity Stress Test  
650 Framework on a frequent basis as part of the determination for an insurer.

651 (ii) The performance of, and filing of the results from, a specific year's liquidity Stress  
652 Test shall comply with the National Association of Insurance Commissioners Liquidity Stress  
653 Test Framework's instructions and reporting templates for that year and any lead state insurance  
654 commissioner determinations, in consultation with the Financial Stability Task Force or its  
655 successor, provided within the Framework.

656 SECTION 25. Section 17 of chapter 268A of the General Laws, as so appearing, is  
657 hereby amended by adding the following paragraph:-

658 This section shall not prevent a municipal employee from receiving or requesting  
659 compensation from, or acting as an agent or attorney for, the employee's municipality and one or  
660 more other governmental units, as defined by section 4A of chapter 40, in connection with an

661 intermunicipal agreement under said section 4A of said chapter 40; provided that the employee is  
662 acting within the scope of the employee’s duties under the intermunicipal agreement.

663 SECTION 26. Subsection (a) of section 60 of chapter 46 of the acts of 2013 is hereby  
664 amended by inserting after the words “in fiscal year 2018” the following words:- and each fiscal  
665 year thereafter.

666 SECTION 27. Subsection (a) of section 16 of chapter 76 of the acts of 2021 is hereby  
667 amended by inserting after the words “shall be subject to appropriation;” the following words:-  
668 provided, that no funds shall be deducted for pensions, group health or life insurance or any other  
669 fringe benefit or indirect costs.

670 SECTION 28. Subsection (b) of said section 16 of said chapter 76 of the acts of 2021 is  
671 hereby amended by striking out the words “June 30, 2022” and inserting in place thereof the  
672 following words:- September 15, 2027.

673 SECTION 29. Section 2 of chapter 42 of the acts of 2022 is hereby amended by striking  
674 out item 4003-0100 and inserting in place thereof the following item:-

675 4003-0122.....\$10,000,000.

676 SECTION 30. Notwithstanding the provisions of Section 11 of chapter 70 of the General  
677 Laws, if a district under spends its budget in fiscal years 2022, 2023 or 2024 by more than 10 per  
678 cent of the amount required to be appropriated, state school aid in the following year shall be  
679 reduced by the entire difference between those amounts. Any unexpended funds up to 10 per  
680 cent of the amount required to be appropriated shall be deposited into a reserve created by the  
681 municipality or regional district and be available for public education, including spending

682 deemed eligible as net school spending by the board, for the period of eligible withdrawals from  
683 the reserve. Withdrawals from the reserve shall be made at the discretion of the school  
684 committee. Funds deposited to the reserve shall be eligible for withdrawal and expenditure  
685 through fiscal year 2027 and the board of elementary and secondary education shall issue  
686 regulations to implement the provisions of this section.

687         SECTION 31. The department of elementary and secondary education shall file a report  
688 on the policies and procedures necessary to support inclusion of students enrolled in early  
689 college and innovation pathways in the foundation enrollments used to calculate foundation  
690 budgets pursuant to chapter 70 school aid for fiscal year 2024. Said report shall include the  
691 administrative process and criteria to be used in determining programs in which an enrollee will  
692 be designated an early college or innovation pathway enrollment for purposes of calculating  
693 foundation budgets; the data collection methods and rules to establish an accurate count of such  
694 enrollments; the recent and projected headcounts in such programs in fiscal years 2020 through  
695 2030; the estimated costs if such enrollments were incorporated in the fiscal year 2023 general  
696 appropriations act; and any legislation necessary to facilitate successful incorporation of early  
697 college and innovation pathway enrollments in foundation budgets for fiscal year 2024. The  
698 department shall file said report with the clerks of the house of representatives and senate, the  
699 chairs of the joint committee on education and the chairs of the house and senate committees on  
700 ways and means not later than July 30, 2022.

701         SECTION 32. The salary adjustments and other economic benefits authorized by the  
702 following collective bargaining agreements shall be effective for the purposes of section 7 of  
703 chapter 150E of the General Laws:

704 (1) between the University of Massachusetts and the Massachusetts Society of  
705 Professors, Amherst Campus, Unit A50;

706 (2) between the University of Massachusetts and the New England Police Benevolent  
707 Association (NEPBA) Local 190, Amherst Campus, Unit A07; and

708 (3) between the Commonwealth of Massachusetts, Essex North and South Registries  
709 of Deeds and AFSCME Local 653, Council 93, Administrative Unit.

710 SECTION 33. Sections 27 and 28 shall take effect on December 13, 2021.

711 SECTION 34. Section 29 shall take effect on April 1, 2022.

712 SECTION 35. Sections 9 and 10 shall take effect on October 1, 2022.