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, DYS is prohibited from offering services more than 90 days after discharge from a DYS 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
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:

SECTION 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2022, 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, 2022. 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, 2023.
EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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

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.
Office of the Secretary of Energy and Environmental Affairs

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

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary of Housing and Economic Development

7002-2024 For an opportunity in ownership program administered by the Massachusetts Development Finance Agency, to provide equity and equity-like investments to small businesses that are able to secure debt or other financing to acquire ownership of the real property in which the small business operates; provided, that the equity or equity-like investments may contribute to filling a gap in the capital stack or serve as patient capital to unlock ownership opportunity; provided further, that the agency shall prioritize small businesses located in economically distressed areas or in which a majority interest is owned by one or more socially and economically-disadvantaged individuals; provided further, that the agency may establish program criteria and investment structures that allow the agency to share in capital gains realized upon a sale of the real property to protect program integrity; provided further, that funding from this item may be used by the agency to establish a reserve account to fund capital repairs and
replacements in properties owned by eligible small businesses; and provided further, that the
agency may use funding from this item to provide technical assistance to eligible small
businesses to achieve the goals of the program……………………………………. $40,000,000

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

7002-2026  For an equitable developers’ financing program to provide financial
assistance to projects to construct, rehabilitate or redevelop residential or mixed-use residential
properties or redevelop blighted, abandoned, vacant or underutilized properties into new
residential, commercial or light-industrial uses; provided, that in order to be eligible for funding
in this item, (i) the project must be in Gateway Cities, Qualified Census Tracts or communities
disproportionately impacted by the COVID-19 pandemic and (ii) the developer or sponsor must
be an individual, or an entity controlled by one or more individuals, that has been socially and
economically disadvantaged or disproportionately impacted by the COVID-19 pandemic, as
defined by a certification process to be developed by the Massachusetts Housing Finance
Agency; provided further, that said financing program may be administered by one or both of the
Massachusetts Housing Finance Agency and the Massachusetts Development Finance Agency;
provided further, that such financial assistance may take the form of a grant, loan, equity
investment or other form of financial assistance as determined by the administering agency;
provided further, that eligible uses of funding may include, but not be limited to, (a)
predevelopment costs such as the costs of permitting, engineering and site planning, traffic
studies, environmental assessment, design and architecture, legal fees, and title and appraisal fees
and (b) financing low- and no-interest loans, grants, subsidies, credit enhancements and the costs
incurred by public instrumentalities of interest rate reductions on permanent financing offerings
or funding a portion of a capital pool or reserve for purposes including, but not limited to,
providing equity and guarantees to eligible projects; provided further, that such financial
assistance shall be awarded, to the extent feasible, in a manner that reflects geographic and
demographic diversity and social, racial and economic equity within the commonwealth; and
provided further, that not more than 5 per cent of this item may be used for the reasonable costs
of administering the program.................................................................$50,000,000

7002-2027  For first-loss loans to small businesses, to be made with the intent of
unlocking new private investment in business entities that may have credit or revenue shortfalls
or otherwise lack access to traditional bank financing; provided, that preference shall be given to
socially and economically disadvantaged small businesses or those in economically-distressed
communities; provided further, that loans may be made through partnerships of community
development financial institutions or community development corporations with commercial
lending institutions that have committed to make capital available to the such business entities;
and provided further, that the program may be administered by the Massachusetts Growth
Capital Corporation, established by chapter 40W of the General Laws.............. $50,000,000

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

Department of Housing and Community Development

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

7004-9323 For grants to local housing authorities for the redevelopment of public
housing; provided, that the grants shall require a local match as determined by the department of
housing and community development; provided further, that up to $50,000,000 shall be
expended for the Mary Ellen McCormack Public Housing Community in the city of Boston;
provided further, that not less than $16,000,000 shall be expended for the Mildred C. Hailey
Apartments in the city of Boston; provided further, that not less than $12,500,000 shall be
expended for Lee Fort Terrace in the city of Salem; provided further, that not less than
$11,000,000 shall be expended for Jefferson Park in the city of Cambridge; provided further, that
not less than $10,500,000 shall be expended for Curtis Apartments in the city of Worcester;
provided further, that the department may exempt a recipient of grants from this item from the
requirements of chapters 7C and 121B of the General Laws upon a showing by the recipient that
such exemptions are necessary to accomplish the effective revitalization of public housing and
shall not adversely affect public housing residents or applicants of any income who are otherwise
eligible; and provided further, that the department may provide to recipients of grants from this
item such additional regulatory relief as may be required to further the objectives of public
housing redevelopment, including pursuit of complementary funding sources to ensure
preservation as permanently affordable housing............................................. $100,000,000

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

EXECUTIVE OFFICE OF EDUCATION

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

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

Department of Early Education and Care

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

For state financial assistance in the form of grants or loans to support and accelerate the creation, expansion or improvement of family child care programs licensed by the department of early education and care; provided, that the Massachusetts Housing Finance Agency, established in chapter 708 of the acts of 1966, in coordination with the executive office of education and the department of early education and care, may administer the financial
assistance; provided further, that priority shall be given to providers that are (i) located in a
community disproportionately impacted COVID-19 or where there is a lack of child care
options, (ii) are committed to serving low and moderate-income families, and (iii) can
demonstrate the ability to remain open following receipt of said financial assistance for a
minimum period of time as determined by the department of early education and care in
consultation with the Massachusetts Housing Finance Agency; and provided further, that all
providers that receive said financial assistance shall maintain or expand their licensed capacity
following receipt of said financial assistance; provided further, that the Massachusetts Housing
Finance Agency, in coordination with the department of early education and care, may establish
additional program requirements through guidelines……………………………… $45,000,000

SECTION 2E. The sums set forth in this section are hereby appropriated for transfer
from the General Fund 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
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. Any transfers under
this section shall be made by the comptroller not later than the close of the fiscal year ending
June 30, 2027.

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Department of Environmental Protection
For the Massachusetts Clean Water Trust for costs associated with planning and implementing water pollution abatement projects undertaken by towns who are members of the Cape Cod and Islands Water Protection Fund and which are subject to the 2015 Section 208 Cape Cod Areawide Water Quality Management Plan Update approved by the United States Environmental Protection Agency or a suitable equivalent plan as determined by the department of environmental protection; provided, that, in order to be eligible for funding in this item, projects must be deemed by the department to be consistent with the 2015 Section 208 Cape Cod Areawide Water Quality Management Plan Update or a suitable equivalent; provided further, that such projects must be included in a watershed permit issued by the department, or must be necessary to restore and protect water quality in impaired watersheds that are subject to a United States Environmental Protection Agency Total Maximum Daily Load allocation or alternative Total Daily Maximum Load prepared in accordance with United States Environmental Protection Agency guidelines, or an alternative load allocation identified in a Massachusetts Estuaries Technical Report or approved by the department based on a watershed specific scientific study; provided further, that funding shall be expended to support the Barnstable County Community Septic Management Loan program to provide 50% principal forgiveness to qualified borrowers whose income does not exceed 120% of area median income as defined by the latest census and 25% for qualified borrowers whose income does not exceed 180% of area median income as defined by the latest census ......................... $200,000,000

TRANSPORTATION

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

Commonwealth Transportation Fund……..100%

For an operating transfer to the Massachusetts Transportation Trust Fund, established under section 4 of chapter 6C of the General Laws, or such other fund as necessary to achieve the purposes of this line item or maximize federal revenue; provided, that if the secretary of administration and finance, in consultation with the secretary of transportation, determines that a transfer to such other fund is advisable, the secretary of administration and finance shall make that determination in writing and direct the comptroller to transfer funds accordingly; provided further, that funds may be expended to match the grants awarded towards eligible projects in the federal highway system, federal transit system, federal aviation administration system, or federal rail system; provided further, that funds may be expended for the nonparticipating portions of these projects and the costs of engineering and other services essential to these projects; provided further, that not less than $105,000,000 shall be expended for roadway improvements at Kosciuszko Circle and along Morrissey Boulevard; provided
further, that not less than $85,000,000 shall be expended for reliability and modernization
improvements at Auburndale, West Newton and Newtonville Stations; provided further, that not
less than $30,000,000 shall be expended for the demolition of Brightman Street Bridge; provided
further, that not less than $15,000,000 shall be expended for the design of rehabilitation of
Storrow Drive Tunnels in Boston; provided further, that funds may be expended for the costs of
projects and programs provided for in the Infrastructure and Investment in Jobs Act of 2021
(IIJA) also known as the Bipartisan Infrastructure Law (BIL), Public Law No. 117-58; and
provided further, that funds appropriated in this line item shall be available through the fiscal
year ending June 30, 2027………………………………………………………………………… $430,000,000

Commonwealth Transportation Fund………100%

SECTION 3. 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 4. 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. 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 5. 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 6. Section 53 of chapter 44 of the General Laws, as so appearing, 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 7. 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 8. 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 9. Section 2 of chapter 70 of the General Laws, as appearing in the 2020
Official Edition, is hereby amended by striking out, in line 70, the words “or (vii)” and inserting
in the place thereof the following words:- (vii) early college / innovation pathways; or (viii).
SECTION 10. Table 1 of paragraph (a) of section 3 of said chapter 70, as so appearing, is hereby amended by inserting after row “high school”, the following row:-

<table>
<thead>
<tr>
<th>Early college/innovation pathways</th>
<th>Administration</th>
<th>Instructional Leadership</th>
<th>Classroom and Specialist Teachers</th>
<th>Other Teaching Services</th>
<th>Professional Development</th>
<th>Instructional Equipment &amp; Tech</th>
<th>Guidance and Psychologic al</th>
<th>Pupil Services</th>
<th>Operation s and Maintenance</th>
<th>Employee Benefits/Fixed Charges</th>
<th>Speci al Ed Tuition</th>
<th>Total, all categories</th>
</tr>
</thead>
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<td>947.43</td>
<td>1,610.72</td>
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<td>11,030.05</td>
</tr>
</tbody>
</table>

SECTION 11. Chapter 94C of the General Laws is hereby amended by inserting after section 19D the following section:-

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

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

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

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

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

(g) The department, the board of registration in medicine and the board of registration in pharmacy may adopt regulations to implement this section.
SECTION 12. Section 16 of chapter 120 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:- The department may continue to provide for any person covered in this chapter under 22 years of age for specific education, rehabilitative or transitional services and supports, under conditions agreed upon by both the department and such persons and terminable by either.

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

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

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

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

“Group Capital Calculation instructions”, the group capital calculation instructions as adopted by the National Association of Insurance Commissioners and as amended by the National Association of Insurance Commissioners from time to time in accordance with the procedures adopted by the National Association of Insurance Commissioners.
SECTION 16. Said section 206 of said chapter 175, as so appearing, is hereby further amended by inserting after the definition of “Internationally active insurance group”, the following definition:-

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

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

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

SECTION 18. Section 206C of said chapter 175, as so appearing, is hereby amended by inserting at the end of subsection (d) the following sentence:-
The definition of materiality provided in this subsection shall not apply for purposes of the Group Capital Calculation or the Liquidity Stress Test Framework.

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

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

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

(7) all records and data of the insurer held by an affiliate are and remain the property of the insurer, are subject to control of the insurer, are identifiable, and are segregated or readily capable of segregation, at no additional cost to the insurer, from all other persons’ records and
data. This includes all records and data that are otherwise the property of the insurer, in whatever form maintained, including, but not limited to, claims and claim files, policyholder lists, application files, litigation files, premium records, rate books, underwriting manuals, personnel records, financial records or similar records within the possession, custody or control of the affiliate. At the request of the insurer, the affiliate shall provide that the receiver can obtain a complete set of all records of any type that pertain to the insurer’s business; obtain access to the operating systems on which the data is maintained; obtain the software that runs those systems either through assumption of licensing agreements or otherwise; and restrict the use of the data by the affiliate if it is not operating the insurer’s business. The affiliate shall provide a waiver of any landlord lien or other encumbrance to give the insurer access to all records and data in the event of the affiliate’s default under a lease or other agreement; and

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

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

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

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

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

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

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

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

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

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

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

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

(3) In order to assist in the performance of the commissioner’s duties, the commissioner:
(i) may share documents, materials or other information, including the confidential and
privileged documents, materials or information subject to paragraph (1) of this subsection
including proprietary and trade secret documents with other state, federal and international
regulatory agencies, the National Association of Insurance Commissioners and its affiliates and
subsidiaries, the International Association of Insurance Supervisors, the Bank for International
Settlements, the Federal Insurance Office and state, federal and international law enforcement
authorities, including members of any supervisory college described in subsection (x) provided
that the recipient agrees in writing to maintain the confidentiality and privileged status of the
document, material or other information and has verified in writing the legal authority to
maintain confidentiality;

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

(iii) shall enter into written agreements with the National Association of Insurance
Commissioners and any third-party consultant designated by the commissioner governing
sharing and the use of information provided pursuant to this subsection that shall:
(A) specify procedures and protocols regarding the confidentiality and security of information shared with the National Association of Insurance Commissioners and any third-party consultant designated by the commissioner pursuant to this section, including procedures and protocols for sharing by the National Association of Insurance Commissioners with other state, federal or international regulators;

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

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

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

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

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

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

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

(7) The group capital calculation and resulting group capital ratio required under paragraph (2) of subsection (z) and the liquidity stress test along with its results and supporting disclosures required under paragraph (3) of said subsection (z) are regulatory tools for assessing group risks and capital adequacy and group liquidity risks, respectively, and are not intended as a means to rank insurers or insurance holding company systems generally. Therefore, except as otherwise may be required under the provisions of this section, the making, publishing, disseminating, circulating or placing before the public in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or
television station or any electronic means of communication available to the public, or in any
other way as an advertisement, announcement or statement containing a representation or
statement with regard to the group capital calculation, group capital ratio, the liquidity stress test
results, or supporting disclosures for the liquidity stress test of any insurer or any insurer group,
or of any component derived in the calculation by any insurer, broker, or other person engaged in
any manner in the insurance business would be misleading and is therefore prohibited; provided,
however, that if any materially false statement with respect to the group capital calculation,
resulting group capital ratio, an inappropriate comparison of any amount to an insurer’s or
insurance group’s capital calculation or resulting group capital ratio, liquidity stress test result,
supporting disclosures for the liquidity stress test, or an inappropriate comparison of any amount
to an insurer’s or insurance group’s liquidity stress test result or supporting disclosures is
published in any written publication and the insurer is able to demonstrate to the commissioner
with substantial proof the falsity of such statement or the inappropriateness, as the case may be,
then the insurer may publish announcements in a written publication if the sole purpose of the
announcement is to rebut the materially false statement.

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

(z)(1) The ultimate controlling person of every insurer subject to registration shall also
file an annual enterprise risk report. The report shall, to the best of the ultimate controlling
person’s knowledge and belief, identify the material risks within the insurance holding company
system that could pose enterprise risk to the insurer. The report shall be filed with the lead state
commissioner of the insurance holding company system as determined by the procedures within
the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners;

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

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

(ii) An insurance holding company system that is required to perform a group capital calculation specified by the United States Federal Reserve Board. The lead state commissioner shall request the calculation from the Federal Reserve Board under the terms of information sharing agreements in effect. If the Federal Reserve Board cannot share the calculation with the lead state commissioner, the insurance holding company system is not exempt from the group capital calculation filing;
(iii) An insurance holding company system whose non-U.S. group-wide supervisor is located within a Reciprocal Jurisdiction as described in section 20A that recognizes the U.S. state regulatory approach to group supervision and group capital; and

(iv) An insurance holding company system:

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

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

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

(vi) Notwithstanding the exemptions from filing the group capital calculation stated in clauses (i) to (iv), inclusive, of paragraph (2) of this subsection, the lead state commissioner has
the discretion to exempt the ultimate controlling person from filing the annual group capital
calculation or to accept a limited group capital filing or report in accordance with criteria as
specified by the commissioner in regulation.

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

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

(i) The National Association of Insurance Commissioners Liquidity Stress Test
Framework includes Scope Criteria applicable to a specific data year. These Scope Criteria are
reviewed at least annually by the Financial Stability Task Force or its successor. Any change to
the National Association of Insurance Commissioners Liquidity Stress Test Framework or to the
data year for which the Scope Criteria are to be measured shall be effective on January 1 of the
year following the calendar year when such changes are adopted. Insurers meeting at least one
threshold of the Scope Criteria are considered scoped into the National Association of Insurance
Commissioners Liquidity Stress Test Framework for the specified data year unless the lead state
insurance commissioner, in consultation with the National Association of Insurance
Commissioners Financial Stability Task Force or its successor, determines the insurer should not
be scoped into the Framework for that data year. Similarly, insurers that do not trigger at least
one threshold of the Scope Criteria are considered scoped out of the National Association of
Insurance Commissioners Liquidity Stress Test Framework for the specified data year, unless the
lead state insurance commissioner, in consultation with the National Association of Insurance
Commissioners Financial Stability Task Force or its successor, determines the insurer should be
scoped into the Framework for that data year.

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

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

SECTION 25. 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 26. Subsection (a) of section 60 of chapter 46 of the acts of 2013 is hereby
amended by inserting after the words “in fiscal year 2018” the following words:- and each fiscal
year thereafter.

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

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

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

4003-0122……………………………………..$10,000,000.

SECTION 30. Notwithstanding the provisions of Section 11 of chapter 70 of the General
Laws, if a district under spends its budget in fiscal years 2022, 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. Any unexpended funds up to 10 per
cent of the amount required to be appropriated shall be deposited into a reserve created by the
municipality or regional district and be available for public education, including spending
deemed eligible as net school spending by the board, for the period of eligible withdrawals from
the reserve. Withdrawals from the reserve shall be made at the discretion of the school
committee. Funds deposited to the reserve shall be eligible for withdrawal and expenditure
through fiscal year 2027 and the board of elementary and secondary education shall issue
regulations to implement the provisions of this section.

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

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

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

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

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

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

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