

SENATE No. 3018

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

SENATE, July 18, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill relating to economic growth and relief for the commonwealth (House, No. 5034),- reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3018. (This legislation has a cost of \$2,913,120,941 in operating resources and \$1,386,800,000 in capital authorizations.)

For the committee,
Michael J. Rodrigues

SENATE No. 3018

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

SECTION 1. The sums set forth in sections 2 and 2A are hereby appropriated from the federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General Laws and the General Fund for the several purposes and subject to the conditions specified in this act, and subject to the laws regulating the disbursement of public funds for the fiscal year in which the sums are disbursed. 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 until June 30, 2027.

SECTION 2.

OFFICE OF THE COMPTROLLER

Office of the Comptroller

1599-3384	Judgments Settlements and Legal Fees	\$12,000,000
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EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

1599-4448	Collective Bargaining Contract Costs	\$12,720,941
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15 1599-2051 Federal Funds Oversight \$5,000,000

16 SECTION 2A.

17 SECRETARY OF THE COMMONWEALTH

18 0524-2023 For the implementation of chapter 92 of the acts of 2022 for calendar year
19 2022 elections; provided, that funds shall be expended to: (i) send a vote by mail ballot
20 application to each registered voter in the commonwealth; (ii) prepay return postage for said
21 applications; (iii) mail a ballot to each registered voter in the commonwealth for every regularly
22 scheduled primary election and general election; (iv) print the envelopes required for voting by
23 mail; and (v) prepay return postage for vote by mail ballots.....\$14,000,000

24 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

25 Reserves

26 1599-6062 For a reserve to support grants to hotels throughout the commonwealth;
27 provided, that any hotel property that: (i) received funds from the Massachusetts Growth Capital
28 Corporation in a previous round of small business grants; or (ii) was eligible to receive said
29 funds but did not apply for said grants shall not be eligible to receive funds under this item;
30 provided further, that any hotel property whose revenues in calendar year 2021 exceeded that
31 property's gross revenues in calendar year 2019 shall not be eligible to receive funds under this
32 item; provided further, that the preceding proviso shall not apply to nascent hotels or hotel
33 properties which were under major renovation or construction during calendar year 2019;
34 provided further, that funds from this item shall be distributed in a geographically equitable
35 manner; and provided further, that in distributing grants from this item, the corporation shall take

36 into account the number of jobs and economic activity generated by each
37 applicant.....\$75,000,000

38 1599-6064 For a reserve for investments in nursing facilities and rest homes to
39 support costs including, but not limited to, those related to the 2019 novel coronavirus pandemic
40 and subsequent variants; provided, that funds shall be administered by the executive office of
41 health and human services in consultation with the executive office for administration and
42 finance; provided further, that not less than \$30,000,000 shall be expended for rest homes for
43 2019 novel coronavirus pandemic related costs including, but not limited to, testing, personal
44 protective equipment and reimbursement for said costs; provided further, that not less than
45 \$165,000,000 shall be expended for payments to nursing facilities pursuant to either: (i) efforts to
46 recognize updated base year costs and a cost adjustment factor in setting the nursing standard
47 payments and operating cost standard payments for the period from October 1, 2022 to
48 September 30, 2023; or (ii) the executive office of health and human services' administrative
49 bulletin 22-02 entitled 101 CMR 206:00: Standard Payments to Nursing Facilities, effective
50 January 15, 2022, to provide a Medicaid supplemental payment to nursing facilities consistent
51 with said bulletin and with CMR 206.00 in order to offset increased costs of providing care not
52 accounted for in the nursing facility's prospective payment system rates during the 2019 novel
53 coronavirus pandemic including workforce related costs; provided further, that funds may be
54 expended for the previous proviso and efforts to support nursing facilities in fiscal years
55 thereafter; and provided further, that not later than September 1, 2022, the executive office of
56 health and human services shall submit notice to the house and senate committees on ways and
57 means detailing its proposed methodology for distributing funds in this item to nursing
58 facilities.....\$195,000,000

1599-6066 For a reserve to enhance payments to providers whose rates are subject to review and implementation under chapter 257 of the acts of 2008; provided, that not less than \$100,000,000 shall be provided in fiscal year 2023 to human service providers whose rates are subject to said chapter 257; provided further, that said payments in fiscal year 2023 shall be provided solely to increase payments to direct care, front-line and medical and clinical staff, which may include, but shall not be limited to, hourly rate increases, wraparound benefits, shift differentials, overtime, hiring and retention bonuses or recruitment, as defined by the executive office of health and human services; provided further, that human service providers shall, as a condition of receiving any funds under this item, attest compliance with the conditions established herein, in writing, and submit an attestation confirming their compliance to the executive office of health and human services; provided further, that not later than December 15, 2022, the executive office of health and human services, in consultation with the executive office for administration and finance, shall report to the joint committee on health care financing and the house and senate committees on ways and means on the: (i) methodology used to distribute said funds; and (ii) distribution of funds, delineated by provider; provided further, that not less than \$150,000,000 shall be used to increase rates for service providers at a sustainable level above the fiftieth percentile of the Bureau of Labor Statistics benchmark for the commonwealth; provided further, that the executive office of health and human services shall develop a methodology to increase said rates above the fiftieth percentile for service groups reviewed under said chapter 257 beginning in fiscal year 2024; provided further, that said methodology shall be developed in consultation with the executive office for administration and finance, representatives of organized labor and representatives from each of the trade associations representing human service providers subject to rate review and implementation under said

chapter 257; provided further, that not later than April 15, 2023, the executive office of health and human services shall submit a report to the executive office for administration and finance, the joint committee on health care financing and the house and senate committees on ways and means including, but not limited to, the: (a) proposed percentage increase above the fiftieth percentile of the Bureau of Labor Statistics benchmark for the commonwealth; (b) estimated fiscal impact to implement said increase over the subsequent 2 and 4 fiscal years; and (c) a summary of the review process undertaken to develop the new methodology; and provided further, that a human service provider receiving said enhanced rates shall use not less than 80 per cent of received funds for compensation for their direct care, front-line and medical and clinical staff, which may include, but shall not be limited to, hourly rate increases, wraparound benefits, shift differentials, overtime, hiring and retention bonuses or recruitment, as defined by the executive office of health and human services.....\$250,000,000

1599-6067 For a reserve to address the needs of community health centers; provided, that not less than \$10,000,000 shall be expended for addressing deferred care as a result of the 2019 novel coronavirus pandemic and subsequent variants; provided further, that said funds may be expended for hiring and retention of the workforce; provided further, that not less than \$70,000,000 shall be expended for community health centers receiving grants under 42 U.S.C. section 254(b) for financing capital improvements and expansions at community health centers including, but not limited to, technology upgrades and maintenance; provided further, that of said funds, not less than 75 per cent of said funds shall be expended for competitive grants of not less than \$5,000,000 and not more than \$12,000,000; provided further, that up to 25 per cent of said funds shall be expended for grants of not more than \$5,000,000; provided further, that preference shall be given to projects leveraging multiple funding sources; provided further, that said grants

105 shall be administered by the secretary of health and human services, who may adjust the
106 percentages in the proceeding provisions based on application demand; provided further, that up
107 to 3 per cent of funding made available for grants may be expended to a nonprofit technical
108 assistance provider based in the commonwealth with expertise in federally-qualified health
109 center capital project finance to assist grantees in planning projects and leveraging funding from
110 a variety of sources; and provided further, that the secretary may award funds through multiple
111 grant cycles.....\$80,000,000

112 1599-6069 For the distribution of funds to fiscally strained hospitals; provided, that
113 not less than \$300,000,000 shall be distributed to eligible hospitals pursuant to section 144;
114 provided further, that not less than \$100,000,000 shall be distributed by the secretary of health
115 and human services as grants to independent community hospitals, hospitals designated as high
116 public payer hospitals by the center for health information and analysis and non-acute hospitals
117 not otherwise eligible for funding pursuant to said section 144; and provided further, that the
118 secretary shall prioritize grants for hospitals: (i) operating on significant negative margins; (ii)
119 experiencing increased costs, reduced capacity or lost revenue due to workforce shortages; (iii)
120 serving high percentages of COVID-19 patients; (iv) demonstrating a commitment to historically
121 underserved populations and addressing health disparities and social determinants of health; or
122 (v) that have not been awarded significant funds authorized by this item or grants administered
123 through the COVID-19 Public Health Emergency Hospital Relief Trust Fund established in
124 section 71 of chapter 102 of the acts of 2021.....\$400,000,000

125 1599-6072 For a reserve to address reproductive and family planning service needs in
126 the commonwealth; provided, that funds shall be expended for grants to providers offering
127 services including, but not limited to, pregnancy termination, contraception and prenatal and

128 perinatal services; provided further, that said grants may be provided for costs related to
129 providing care including, but not limited to, security, hiring, training and retention and
130 informational materials to educate patients; provided further, that not less than \$1,000,000 shall
131 be expended for a public awareness campaign to educate providers and the public about so called
132 crisis pregnancy centers and pregnancy resource centers and their lack of medical services;
133 provided further, that said campaign shall include information on the availability of providers
134 across the commonwealth that provide legitimate medical and family planning services; and
135 provided further, that said campaign shall be linguistically diverse and culturally
136 competent.....\$17,500,000

137 1599-6074 For a reserve to reduce gun violence and related trauma throughout the
138 commonwealth; provided, that funds shall be expended for competitive grants to nonprofits and
139 community-based organizations focused on reducing gun violence and related trauma on
140 communities and individuals; provided further, that grants shall be administered by the executive
141 office of health and human services; provided further, that in distributing grants, the executive
142 office prioritize nonprofits and community-based organizations that: (i) serve communities that
143 are disproportionately impacted by community violence and gun violence; (ii) utilize evidence-
144 based and evidence-informed approaches to address gun violence and the impacts of gun
145 violence-related trauma on individuals and communities; (iii) focus on practices to interrupt
146 cycles of violence, trauma and retaliation in order to reduce gun violence, particularly in
147 communities made up of historically marginalized and underrepresented groups; and (iv) provide
148 violence intervention services to segments of the community identified as having the highest risk
149 of perpetuating or being victimized by gun violence; provided further, that grant uses shall
150 include, but not be limited to: (a) capacity-building initiatives, including diversity, equity and

151 inclusion initiatives, training and professional development; (b) evidence-based or evidence-
152 informed pilot programs to provide innovative practices in reducing gun violence; (c) impact
153 studies, policy innovations and grassroots organizing supports; and (d) direct intervention
154 services and support services for survivors of gun violence, including emergency housing and
155 transportation services; provided further, that not less than \$5,000,000 shall be made available
156 for a grant program administered in consultation with the department of elementary and
157 secondary education to support school safety infrastructure improvements meant to protect
158 against acts of gun violence; provided further, that not less than \$2,500,000 shall be made
159 available for a grant program administered in consultation with the department of elementary and
160 secondary education, the department of public health and the department of mental health to
161 provide behavioral health-related supports and resources in schools to reduce instances of gun
162 violence; provided further, that not less than \$1,000,000 shall be expended for a public
163 awareness campaign on the commonwealth's red flag laws pursuant to sections 131R to 131Y,
164 inclusive, of chapter 140 of the General Laws; and provided further, that said campaign shall be
165 administered in consultation with the department of public health and the department of mental
166 health.....\$22,500,000

167 1599-6075 For a reserve for investments in publicly-owned lands and lands otherwise
168 protected and conserved for public access including, but not limited to: reservations, parks, trails,
169 rivers, lakes, ponds, streams and other waterways, trails, beaches, fishing piers, boat ramps,
170 community gardens, urban farms, working farms and forests and other recreational facilities and
171 open spaces; provided further, that the executive office of energy and environmental affairs shall
172 administer the funds in this item in consultation with the executive office for administration and
173 finance; provided further, that funds shall be expended for municipalities and nonprofit

174 organizations to dramatically increase new open space projects including, but not limited to,
175 waterfront parks, trails, bike paths, playgrounds, urban farms, community gardens and green
176 space; provided further, that funds shall be expended for the acquisition of new conservation
177 land and the conservation and agricultural preservation restrictions on working farms and forests,
178 particularly in critical headwater, wetland and estuarine areas; provided further, that funds shall
179 be expended for the removal of obsolete or unwanted dams across the commonwealth; provided
180 further, that funds shall be expended for the protection and restoration of headwaters land and
181 wetlands on cranberry farmlands taken out of production by owners; provided further, that funds
182 shall be expended for the restoration of coastal and tidal wetlands, including salt marshes;
183 provided further, that not less \$50,000,000 shall be expended for projects in qualified census
184 tract communities and communities disproportionately impacted by the 2019 novel coronavirus;
185 provided further, that funds shall be distributed from this item in a geographically equitable
186 manner; and provided further, that grants may include a requirement for matching
187 funds.....\$125,000,000

188 1599-6079 For the Massachusetts Clean Water Trust for the purpose of reducing the
189 principal or interest costs of water quality improvement projects; provided, that eligible projects
190 shall include, but not be limited to: improvements to drinking water systems, per- and
191 polyfluoroalkyl substances remediation and combined sewer overflow projects; provided further,
192 that preference shall be given to projects related to per- and polyfluoroalkyl substances
193 remediation; provided further, that not less than 25 per cent of funding shall be expended for
194 grants to qualified census tract communities and communities disproportionately impacted by the
195 2019 novel coronavirus; provided further, that funds shall be distributed from this item in a

196 geographically equitable manner; and provided further, that grants may include a requirement for
197 matching funds.....\$150,000,000

198 1599-6080 For investments in and improvements to ports and port infrastructure to
199 support emerging clean energy industry clusters; provided, that not less than \$45,000,000 shall
200 be expended for the port of the city of Salem; provided further, that not less than \$30,000,000
201 shall be expended for the port of the city of New Bedford; and provided further, that not less than
202 \$20,000,000 shall be expended for the redevelopment of the Brayton Point Commerce Center in
203 the town of Somerset.....\$100,000,000

204 1599-6081 For the Massachusetts clean energy center to promote the advancement of
205 and investments in clean energy to accelerate the clean energy transition, formation, growth,
206 expansion and retention within the commonwealth of preeminent clusters of renewable energy
207 and related enterprises, institutions and projects, including funding to higher education
208 institutions and vocational-technical education institutions for workforce development and
209 technical training programs; provided, that the center shall make expenditures from this item for
210 the purposes of multi-year efforts for: (i) advancing clean energy research and technologies to
211 commonwealth-based investors, entrepreneurs and institutions that are involved in the clean
212 energy industry; (ii) providing workforce development and technical training programs for
213 public higher education and vocational-technical education institutions in the clean energy
214 industry; (iii) developing a regional strategy in collaboration with regional employment boards to
215 support the development of the clean energy industry; (iv) supporting infrastructure development
216 including, but not limited to, port infrastructure development, related to supporting clean energy
217 industry in the commonwealth; (v) matching funds to secure future federal funding to support the
218 clean energy industry and clean energy research in the commonwealth; (vi) supporting research

219 and development in the clean energy industry including, but not limited to, the interrelationship
220 between clean energy infrastructure and existing natural habitats, ecosystems and dependent
221 species; (vii) supporting improved outcomes from the development of clean energy resources;
222 (viii) supporting the long-term coexistence and sustainability of the fishing and clean energy
223 industries; (ix) supporting programs that advance clean transportation or result in a reduction in
224 greenhouse gas emissions from the transportation sector; (x) supporting programs that advance
225 the reduction of greenhouse gas emissions from the building sector consistent with requirements
226 set by chapter 21N of the General Laws; and (xi) providing for the necessary and reasonable
227 administrative and personnel costs of the center or of the executive office of energy and
228 environmental affairs related to administering this item; provided further, that funds may be
229 expended for the expansion of the Wind Technology Testing Center; provided further, that not
230 later than March 1, 2023, the center shall submit a report to executive office for administration
231 and finance and the house and senate committees on ways and means that shall include, but not
232 be limited to: (a) a comprehensive multi-year strategic plan for the promotion and advancement
233 of clean energy initiatives from this item, including a proposed breakdown of funding available
234 for each initiative; (b) a proposed timeline for expending funds from this item for each initiative;
235 and (c) proposed plan to ensure regional and demographic equity in the promotion and
236 advancement of clean energy initiatives\$125,000,000

237 1599-6082 For a reserve to promote and accelerate the adoption of electric vehicles;
238 provided, that funds in this item shall be administered by the department of energy resources, in
239 consultation with the executive office for administration and finance, for the electric vehicle
240 incentive program under section 95 of chapter 142 of the acts of 2019, as amended, or any
241 similar program established by the general court.....\$50,000,000

242 1599-6083 For a reserve to promote and accelerate the deployment of electric vehicle
243 charging infrastructure; provided, that funds in this item shall be administered by the department
244 of energy resources, in consultation with the executive office for administration and finance, the
245 executive office of energy and environmental affairs and the Massachusetts Department of
246 Transportation; provided further, that the funds in this item shall be focused on creating a
247 statewide, comprehensive electric vehicle charging network accessible to the public; provided
248 further, that funds from this item shall be distributed in a geographically equitable manner; and
249 provided further, that not later than March 1, 2023, the department shall submit a report to the
250 joint committee on telecommunications, utilities and energy and the house and senate
251 committees on ways and means detailing its proposed plan for deploying funds from this item,
252 including efforts to promote geographically equitable access to electric vehicle charging
253 infrastructure.....\$50,000,000

254 1599-6084 For a reserve to be administered by the Massachusetts Housing Finance
255 Agency to support the creation of affordable for-purchase and rental housing; provided, that not
256 less than \$100,000,000 shall be expended for the Commonwealth Builder Program to support
257 the production of for-sale, below market housing to expand homeownership opportunities for
258 first-time homebuyers and socially disadvantaged individuals in communities disproportionately
259 impacted by the 2019 novel coronavirus pandemic; provided further, that grants and loans to
260 developers shall be used to facilitate production of affordable homeownership units for
261 households earning between 70 per cent and 120 per cent of the area median income; provided
262 further, that projects with units restricted to households earning 70 per cent of the area median
263 income shall receive preference; provided further, that not less than \$150,000,000 shall be
264 expended for a workforce housing program to provide grants, loans or other financial assistance

265 to support the production of rental or for-sale housing that is affordable for households with
266 incomes between 60 per cent and 120 per cent of the area median income; provided further, that
267 projects shall be required to ensure that not less than 20 per cent of units be affordable for
268 households earning at or below 80 per cent of the area median income; provided further, that not
269 less than \$150,000,000 shall be transferred to the Affordable Housing Trust Fund established in
270 chapter 121D of the General Laws to support the creation and preservation of affordable housing
271 units with a particular focus on very low income and extremely low income households;
272 provided further, that projects supported from this item that include clean energy and
273 sustainability initiatives, such as electric heat pumps, net-zero developments, Passive House or
274 equivalent energy efficiency certification and all-electric buildings, shall receive preference;
275 provided further, that considerations in awarding funds from this item shall be given to
276 communities disproportionately impacted by the 2019 novel coronavirus; provided further, that
277 considerations in awarding funds from this item shall be given to creating equitable housing
278 opportunities for historically marginalized and underrepresented groups; provided further, that
279 the Massachusetts Housing Finance Agency shall submit biannual reports to the joint committee
280 on housing and the house and senate committees on ways and means on expenditures made from
281 this item to support the creation of affordable housing, including a breakdown of projects by
282 municipality; and provided further, that the first report shall include a strategic plan for
283 increasing the availability of affordable housing in all regions of the commonwealth for low-to-
284 moderate income households including efforts to promote equitable homeownership opportunity
285 for historically marginalized or underrepresented populations.....\$400,000,000

286 1599-6085 For a reserve to support scholarships to Massachusetts students enrolled in
287 and pursuing a program of higher education in any approved public or independent college,

288 university, school of nursing or any other institution furnishing a program of higher education
289 and seeking a degree in high demand fields in the commonwealth; provided, that funds in this
290 item shall be administered by the department of higher education and promote access to debt-free
291 higher education for residents of the commonwealth; provided further, that the department of
292 higher education, in consultation with the executive office of labor and workforce development,
293 shall promulgate regulations for the scholarship program establishing eligibility requirements,
294 application criteria and the amount of the scholarship awards; provided further, that in
295 developing the regulations for the program, the department shall prioritize the distribution of
296 scholarship awards to students enrolled in a course of study or training program aligned with
297 regional labor market blueprints to address workforce needs in high-demand fields including, but
298 not limited to, students enrolled in healthcare, including nursing, education, including early
299 education and special education, manufacturing and cybersecurity programs; provided further,
300 that preference in awarding scholarship awards shall be given to first generation students and
301 traditionally underserved student populations; provided further, that preference shall be given to
302 students attending public institutions of higher education; provided further, that not less than 30
303 days prior to obligations being made from this item, the administering entity shall submit a report
304 to the executive office for administration and finance, the joint committee on higher education,
305 the joint committee on labor and workforce development and the house and senate committees
306 on ways and means on any program criteria and guidelines for the distribution of
307 funds.....\$50,000,000

308 1599-6086 For a reserve to support and promote the commonwealth's agricultural,
309 blue economy and cranberry-growing sectors; provided, that not less than \$8,000,000 shall be
310 expended to support blue economy initiatives at the University of Massachusetts at Dartmouth;

311 provided further, that not less than \$250,000 shall be expended for the design, engineering and
312 feasibility study of establishing a cranberry educational center in southeastern Massachusetts;
313 provided further, that not less than \$1,500,000 shall be expended on grants or other financial
314 assistance to support the economic growth and viability of the commonwealth's cranberry-
315 growing industry.....\$10,000,000

316 1599-6087 For a reserve to support economic development in the commonwealth;
317 provided, that not less than \$5,000,000 shall be expended for the Massachusetts Technology Park
318 Corporation established in section 3 of chapter 40J of the General Laws to support start-up costs
319 associated with robotics incubation, testing and innovation for research and development and
320 commercialization activities; provided further, that any award from this funding to a private
321 entity shall result in a significant public benefit and the private benefit is incidental to a
322 legitimate public purpose; provided further, that not less than \$1,000,000 shall be expended to
323 the USS Massachusetts Memorial Committee, Incorporated for capital upgrades, infrastructure
324 improvements and the maintenance and care of historic naval vessels; and provided further, that
325 not less than \$3,400,000 shall be expended for the town of Orange to support the cleanup of the
326 brownfield site on West River street; and provided further, that a lien shall be placed on said site
327 to ensure that the commonwealth is the first recipient of reimbursement if the site is
328 sold.....\$9,400,000

329 EXECUTIVE OFFICE OF EDUCATION

330 Department of Early Education and Care

331 3000-1045 For grants to support and stabilize the early education and care workforce
332 and address varied operational costs at state child care programs supervised by the department of

333 early education and care, especially those related to the 2019 novel coronavirus pandemic and
334 the costs associated with stabilizing capacity during the period of pandemic recovery; provided,
335 that the distribution of stabilization grants shall prioritize equity and early education programs
336 with higher percentages of state subsidized enrollment; provided further, that the department
337 shall collect data from participating programs including, but not limited to, the: (i) number of
338 enrolled children; (ii) number of educators employed; (iii) efforts to recruit and retain
339 employees; and (iv) available demographic data of the families served by participating providers;
340 provided further, that the department shall submit quarterly reports on the distribution of funds
341 from this item to the executive office for administration and finance, the house and senate
342 committees on ways and means and the joint committee on education; provided further, that each
343 report shall include, but not be limited to: (a) a description of the formula through which funding
344 is allocated to providers; (b) an analysis of the incorporation of equity into said formula,
345 including the projected disbursement of funding to state subsidized and non-state subsidized
346 childcare programs; (c) an analysis of the data collected by the department from participating
347 programs; and (d) a description of the efforts undertaken to improve the distribution of funds to
348 providers serving high-needs populations; provided further, that all funding distributed in this
349 item shall be in accordance with the terms of the supplemental Child Care and Development
350 Fund Discretionary Funds in the federal American Rescue Plan Act of 2021, Public law 117-2,
351 and any state plans filed under that act; provided further, that funds may be expended for
352 departmental technical assistance related to the administration and distribution of funding; and
353 provided further, that the department shall provide technical assistance to providers to assist
354 them in planning expenditures so as to avoid any fiscal cliffs in future fiscal years, prior
355 appropriation continued.....\$150,000,000

SECTION 3A. To provide for a program of economic development and job creation, the sums set forth in sections 3A to 3C, inclusive, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds; provided, however, that the amounts specified in an item or for a particular project may be adjusted in order to facilitate projects authorized in this act. These sums shall be in addition to any amounts previously authorized and made available for these purposes.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary

6720-1352 For a grant program to coastal communities to be administered by the Seaport Economic Council; provided, that funds shall be used for community planning and investment activities that stimulate economic development and create jobs in the maritime economy sector and to construct, improve, repair, maintain and protect coastal assets that are vital to achieving these aims; and provided further, that the planning, prioritization, selection and implementation of projects shall consider climate change impacts in furtherance of the goals of climate change mitigation and adaptation and consistent with the integrated state hazard mitigation and climate change adaptation plan.....\$10,000,000

7002-8041 For the Massachusetts Technology Park Corporation, established in section 3 of chapter 40J of the General Laws, for a matching grant program that enables academic institutions, nonprofits, industry consortiums, federally funded research and development centers and other technology-based economic development organizations to compete for federal grants in technology and innovation fields including, but not limited to: (i) artificial intelligence and machine learning; (ii) cybersecurity, data storage and data

378 management; (iii) quantum computing and information systems; (iv) robotics and advanced
379 automation; (v) high performance computing, semiconductors and advanced computer hardware;
380 (vi) blockchain; (vii) supply chain; (viii) energy storage and batteries; (ix) food security; and (x)
381 advanced materials; provided, that the matching grant program may also enable participation of
382 these entities in associated workforce development federal grant
383 programs.....\$200,000,000

384 7002-8042 For the Massachusetts Broadband Incentive Fund, established in section
385 6C of chapter 40J of the General Laws, for capital repairs and improvements to broadband
386 infrastructure owned by the Massachusetts Technology Park Corporation established in section 3
387 of chapter 40J of the General Laws.....\$12,000,000

388 7002-8043 For the Massachusetts Technology Park Corporation, established in
389 section 3 of chapter 40J of the General Laws, for matching grants that support collaboration
390 among manufacturers located in the commonwealth and institutions of higher education,
391 nonprofits and other public or quasi-public entities; provided, that eligible grantees shall include
392 private businesses; provided further, that grants shall be awarded and administered consistent
393 with the strategic goals and priorities of the Massachusetts advanced manufacturing collaborative
394 established in section 10B of chapter 23A of the General Laws; provided further, that grants
395 made for the purchase of equipment to be owned by, leased to or located within the premises of a
396 private business shall be made in support of a partnership with an institution of higher education
397 or nonprofit corporation with a mission of supporting manufacturing in the commonwealth;
398 provided further, that a private university or business entity shall not be eligible for a grant
399 unless the corporation has made a finding that a grant to such university or entity will result in a
400 significant public benefit and the private benefit is incidental to a legitimate public purpose; and

401 provided further, that grants shall be awarded in a manner that promotes geographic, social,
402 racial and economic equity.....\$23,000,000

403 7002-8044 For projects receiving assistance from the Scientific and Technology
404 Research and Development Matching Grant Fund established in section 4G of chapter 40J of the
405 General Laws; provided, that grants shall be awarded in a manner that promotes geographic,
406 social, racial and economic equity\$24,000,000

407 7002-8046 For the Massachusetts Technology Park Corporation, established in
408 section 3 of chapter 40J of the General Laws, to establish a competitive and secure future
409 innovation program that promotes partnerships between academic institutions, federally funded
410 research and development centers, industry and the venture community that drive innovation in
411 technology fields in the commonwealth including, but not limited to, the defense, health,
412 commercial and public sectors; provided, that nonprofit and private business entities shall be
413 eligible to receive funding from the program; and provided further, that any award to a private
414 entity shall result in a significant public benefit and the private benefit is incidental to a
415 legitimate public purpose.....\$50,000,000

416 7002-8047 For matching grants to support advanced manufacturing projects in
417 partnership with institutions of higher education, including state and municipal colleges and
418 universities, nonprofits and other public or quasi-public entities; provided, that such projects
419 shall be in alignment with a Manufacturing USA institute.....\$30,000,000

420 7002-8048 For the MassWorks infrastructure program established in section 63 of
421 chapter 23A of the General Laws\$400,000,000

422 7002-8049 For public entities and other eligible entities within the commonwealth to
423 provide matching funds necessary to receive federal funding for broadband infrastructure, access
424 and deployment in unserved or underserved locations and for adoption, digital equity and other
425 eligible uses consistent with federal guidelines; provided, that funds may be made available to
426 assist municipalities with debt service payments related to broadband infrastructure
427 projects.....\$50,000,000

428 7002-8051 For a program to provide assistance to projects that will improve,
429 rehabilitate or redevelop blighted, abandoned, vacant or underutilized properties to achieve the
430 public purposes of eliminating blight, increasing housing production, supporting economic
431 development projects, increasing the number of commercial buildings accessible to persons with
432 disabilities and conserving natural resources through the targeted rehabilitation and reuse of
433 vacant and underutilized property; provided, that such assistance shall take the form of a grant or
434 a loan provided to a municipality or other public entity, a community development corporation,
435 nonprofit entity or for-profit entity; provided further, that eligible uses of funding shall include,
436 but not be limited to: (i) improvements and additions to or alterations of structures and other
437 facilities necessary to comply with requirements of building codes; (ii) fire or other life safety
438 codes and regulations pertaining to accessibility for persons with disabilities; (iii) where such
439 code or regulatory compliance is required in connection with a new commercial residential or
440 civic use of such structure or facility; and (iv) the targeted removal of existing underutilized
441 structures or facilities to create or activate publicly-accessible recreational or civic spaces;
442 provided further, that funding shall be awarded on a competitive basis in accordance with
443 guidelines developed by the agency; provided further, that financial assistance offered pursuant
444 to this line item may be administered by the executive office through a contract with the

Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws; provided further, that the executive office or the Massachusetts Development Finance Agency may establish additional program requirements through regulations or policy guidelines; provided further, that financial assistance offered pursuant to this item 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 program funds may be used for the reasonable costs of administering the program not to exceed 5 per cent of the total assistance made during the fiscal year.....\$50,000,000

7002-8052 For grants and technical assistance to be made to municipalities and regional applicants to support planning and locally-driven initiatives related to community development, housing production, workforce training and economic opportunity, child care and early education initiatives and climate resilience initiatives, including nature-based solutions projects, that incorporate these elements, across the commonwealth within individual communities, regions or a defined subset of communities therein; provided, that funds may be expended for culturally competent and multilingual technical assistance and training to small businesses; provided further, that preference for these funds shall be given to businesses located in low- or moderate-income areas and owned by women, veterans, minorities or immigrants; and provided further, that grants shall be awarded in a manner that promotes geographic equity.....\$5,000,000

7002-8053 For the Commonwealth Zoological Corporation, established in section 2 of chapter 92B of the General Laws, for costs associated with the preparation of plans, studies and specifications, repairs, construction, renovations, improvements, maintenance, asset

468 management and demolition and other capital improvements, including those necessary for the
469 operation of facilities operated by Zoo New England, including the Franklin Park Zoo and the
470 Walter D. Stone Memorial Zoo; provided, that not less than \$2,500,000 shall be used for
471 construction and be required to have a 1-to-1 match; provided further, that grants shall be
472 awarded in a manner that promotes geographic equity; and provided further, that Zoo New
473 England shall provide a matching amount equal to \$1 for every \$1 disbursed from this
474 item..... \$9,000,000

475 7002-8054 For a competitive program of grants or other financial assistance to
476 support economic development, job creation and housing and climate resilience initiatives,
477 including nature-based solutions projects that incorporate these elements for the public purpose
478 of promoting economic growth in rural areas of the commonwealth; provided, that such financial
479 assistance may be offered to a municipality or other public entity, a community development
480 corporation, nonprofit entity or for-profit entity; provided further, that such financial assistance
481 shall support a project located in a municipality with a population of not more than 7,000 year-
482 round residents or a population density of not more than 500 persons per square mile; provided
483 further, that financial assistance offered pursuant to this line item may be administered by the
484 executive office through a contract with the Massachusetts Development Finance Agency
485 established in section 2 of chapter 23G of the General Laws; provided further, that grants shall
486 be awarded in a manner that promotes geographic, social, racial and economic equity; and
487 provided further, that the administering agency may establish additional program requirements
488 through regulations or policy guidelines.....\$10,000,000

489 7002-8056 For a competitive grant program administered by the office of travel and
490 tourism; provided, that funds may be used to improve facilities and destinations visited by in-

491 state and out-of-state travelers, with the goals of increasing visitation, enticing repeat visitation
492 and increasing the direct and indirect economic impacts of the tourism industry in all regions of
493 the commonwealth; provided further, that grants shall support the design, repair, renovation,
494 improvement, expansion and construction of facilities owned by municipalities or nonprofit
495 entities; provided further, that all grantees to improve facilities and destinations visited by in-
496 state and out-of-state travelers shall provide a match based on a graduated formula determined by
497 the office of travel and tourism; provided further, that grant recipients shall be required to
498 measure and report on return on investment data after the expenditure of grant funds; provided
499 further, that the program shall prioritize socially or economically disadvantaged businesses,
500 which may include, but shall not be limited to, minority-owned, women-owned, veteran-owned
501 and immigrant-owned small businesses, that have historically faced obstacles accessing capital;
502 and provided further, that grants shall be awarded in a manner that promotes geographic
503 equity..... \$10,000,000

504 7002-8057 For the Massachusetts Technology Park Corporation established in section
505 3 of chapter 40J of the General Laws to create a capital program to support facilities, equipment
506 and systems that support robotics incubation, testing and innovation for research and
507 development and commercialization activities; provided, that for a facility to be eligible for
508 funding it shall be capable of serving multiple sectors within the robotics ecosystem; and
509 provided further, that any award to a private entity shall result in a significant public benefit and
510 the private benefit is incidental to a legitimate public purpose.....\$75,000,000

511 7002-8058 For capital improvements to the college of visual and performing arts at
512 the University of Massachusetts at Dartmouth to promote economic development in southeastern
513 Massachusetts.....\$30,000,000

514 7002-8059 For a competitive grant program administered by Massachusetts
515 Technology Development Corporation established in section 2 of chapter 40G of the General
516 Laws, and doing business as MassVentures, pursuant to section 12 of chapter 40G to promote
517 startups owned or operated by individuals from historically underrepresented
518 groups.....\$25,000,000

519 7002-8060 For local and regional economic development capital projects; provided,
520 that not less than \$1,000,000 shall be expended for the construction of the cranberry educational
521 center in southeastern Massachusetts.....\$1,000,000

522 SECTION 3B.

523 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

524 Department of Housing and Community Development

525 7004-0070 For state financial assistance in the form of loans for the development of
526 community-based housing or supportive housing for individuals with mental health needs and
527 individuals with intellectual disabilities; provided, that the loan program shall be administered by
528 the department of housing and community development through contracts with the
529 Massachusetts Development Finance Agency established in chapter 23G of the General Laws,
530 the Community Economic Development Assistance Corporation established in chapter 40H of
531 the General Laws, operating agencies established pursuant to chapter 121B of the General Laws
532 and the Massachusetts Housing Finance Agency established in chapter 708 of the acts of 1966;
533 provided further, that those agencies may develop or finance community-based housing or
534 supportive housing or may enter into subcontracts with nonprofit organizations, established
535 pursuant to chapter 180 of the General Laws, or organizations in which such nonprofit

536 corporations have a controlling financial or managerial interest or for-profit organizations;
537 provided further, that preference for the subcontracts shall be given to nonprofit organizations;
538 provided further, that the department shall consider a balanced geographic plan for such
539 community-based housing or supportive housing when issuing the loans; provided further, that
540 the department shall consider development of a balanced range of housing models by prioritizing
541 funds for integrated housing as defined by the appropriate housing and service agencies
542 including, but not limited to, the department of housing and community development, the
543 Massachusetts rehabilitation commission, the department of mental health and the department of
544 developmental services, in consultation with relevant and interested clients, clients' families,
545 advocates and other parties as necessary; provided further, that loans issued pursuant to this item
546 shall: (i) not exceed 50 per cent of the financing of the total development costs; (ii) not be issued
547 unless a contract or agreement for the use of the property for such housing provides for
548 repayment to the commonwealth at the time of disposition of the property in an amount equal to
549 the commonwealth's proportional contribution from the Facilities Consolidation Fund to the cost
550 of the development through payments made by the state agency making the contract; (iii) not be
551 issued unless the contract or agreement for the use of the property for the purposes of such
552 housing provides for the recording of a deed restriction in the registry of deeds or the registry
553 district of the land court of the county in which the real property is located, for the benefit of the
554 departments, running with the land, that the land shall be used to provide community-based
555 housing or supportive housing for eligible individuals as determined by the department of mental
556 health and the department of developmental services; provided further, that the property shall not
557 be released from such restriction until the balance of the principal and interest for the loan has
558 been repaid in full or until a mortgage foreclosure deed has been recorded; (iv) be issued for a

559 term not to exceed 30 years, during which time repayment may be deferred by the loan issuing
560 authority; provided further, that if on the date the loans become due and payable to the
561 commonwealth, an outstanding balance exists and if, on such date, the department, in
562 consultation with the executive office of health and human services, determines that there still
563 exists a need for such housing and that there is continued funding available for the provision of
564 services to such development, the department may, by agreement with the owner of the
565 development, extend the loans for such periods, each period not to exceed 10 years, as the
566 department shall determine; provided further, that the project shall remain affordable housing for
567 the duration of the loan term, including any extension thereof, as set forth in the contract or
568 agreement entered into by the department; provided further, that in the event the terms of
569 repayment detailed in this item would cause a project authorized by this item to become
570 ineligible to receive federal funds which would otherwise assist in the development of that
571 project, the department may waive the terms of repayment which would cause the project to
572 become ineligible; and (v) have interest rates fixed at a rate, to be determined by the department,
573 in consultation with the state treasurer; provided further, that the loans shall be provided only for
574 projects conforming to this item; provided further, that the loans shall be issued in accordance
575 with a facilities consolidation plan prepared by the secretary of health and human services,
576 reviewed and approved by the department and filed with the secretary of administration and
577 finance, the house and senate committees on ways and means, the house and senate committees
578 on bonding, capital expenditures and state assets and the joint committee on housing; provided
579 further, that no expenditure shall be made from this item without the prior approval of the
580 secretary of administration and finance; provided further, that the department of housing and
581 community development, the department of mental health and the Community Economic

582 Development Assistance Corporation may identify appropriate financing mechanisms and
583 guidelines for grants or loans from this item to promote private development to produce housing,
584 to provide for independent integrated living opportunities, to write down building and operating
585 costs and to serve households at or below 15 per cent of area median income for the benefit of
586 department of mental health clients; provided further, that not more than \$5,000,000 may be
587 expended from this item for a pilot program of community-based housing or supportive housing
588 loans to serve mentally ill homeless individuals in the current or former care of the department of
589 mental health; provided further, that in implementing the pilot program, the department shall
590 consider a balanced geographic plan when establishing community-based residences; provided
591 further, that the housing services made available pursuant to such loans shall not be construed as
592 a right or an entitlement for any individual or class of persons to the benefits of the pilot
593 program; provided further, that eligibility for the pilot program shall be established by
594 regulations promulgated by the department; and provided further, that the department shall
595 promulgate regulations under chapter 30A of the General Laws to implement, administer and
596 enforce this item, consistent with the facilities consolidation plan prepared by the secretary of
597 health and human services and after consultation with the secretary and the commissioner of
598 capital asset management and maintenance.....\$32,100,000

599 7004-0073 For state financial assistance in the form of grants or loans for the Housing
600 Stabilization and Investment Trust Fund, established in section 2 of chapter 121F of the General
601 Laws, and awarded only pursuant to the criteria established in said section 2 of said chapter
602 121F; provided, that not less than 25 per cent shall be used to fund projects which preserve and
603 produce housing for families and individuals with incomes of not more than 30 per cent of the
604 area median income, as defined by the United States Department of Housing and Urban

605 Development; and provided further, that if the department of housing and community
606 development has not spent the amount authorized under the bond cap for this program, at the end
607 of each year following the effective date of this act, the department may award the remaining
608 funds to projects that serve households earning more than 30 per cent of the area median income,
609 as defined by the United States Department of Housing and Urban
610 Development..... \$73,100,000

611 7004-0075 For state financial assistance in the form of grants for a 5-year
612 demonstration program, administered by the department of housing and community development
613 to demonstrate cost effective revitalization methods for state-aided family and elderly-disabled
614 public housing that seek to reduce the need for future state modernization funding; provided, that
615 housing authorities with state-aided housing developments pursuant to chapter 200 of the acts of
616 1948, chapter 667 of the acts of 1954, chapter 705 of the acts of 1966, chapter 689 of the acts of
617 1974 or chapter 167 of the acts of 1987 shall be eligible to participate in the demonstration
618 program; provided further, that the department may exempt a recipient of demonstration grants
619 from the requirements of chapters 7C and 121B of the General Laws upon a showing by the
620 recipient that such exemptions are necessary to accomplish the effective revitalization of public
621 housing and shall not adversely affect public housing residents or applicants of any income who
622 are otherwise eligible; provided further, that the department may provide to recipients of
623 demonstration grants such additional regulatory relief as may be required to further the
624 objectives of the demonstration program; provided further, that funds shall be made available for
625 technical assistance provided by the Community Economic Development Assistance Corporation
626 established in chapter 40H of the General Laws or the Massachusetts Housing Partnership Fund
627 established in section 35 of chapter 405 of the acts of 1985 to recipients of demonstration grants

628 and for evaluation of the demonstration projects; provided further, that the department shall
629 promulgate regulations for the implementation, administration and enforcement of this item that
630 shall: (i) require that selected housing authorities demonstrate innovative and replicable solutions
631 to the management, marketing or capital needs of state-aided family and elderly-disabled public
632 housing developments and contribute to the continued viability of the housing as a resource for
633 public housing eligible residents; (ii) encourage proposals that demonstrate regional
634 collaborations among housing authorities; and (iii) encourage proposals that propose new
635 affordable housing units on municipally-owned land, underutilized public housing sites or other
636 land owned by the housing authority; and provided further, that the department shall annually
637 report to the house and senate committees on ways and means, the house and senate committees
638 on bonding, capital expenditures and state assets and the joint committee on housing on the
639 progress of the demonstration program.....\$19,300,000

640 7004-0076 For state financial assistance in the form of grants or loans for the Housing
641 Innovations Trust Fund established in section 2 of chapter 121E of the General Laws; provided,
642 that not less than 25 per cent of the funds made available in this item shall be used to fund
643 projects which preserve and produce housing for families and individuals with incomes of not
644 more than 30 per cent of the area median income, as defined by the United States Department of
645 Housing and Urban Development\$29,500,000

646 7004-0079 For state financial assistance in the form of grants or loans to accelerate
647 and support the creation of low-income and moderate-income housing in close proximity to
648 transit nodes; provided, that the program shall be administered to: (i) maximize the amount of
649 affordable residential and mixed-use space in close proximity to transit nodes, resulting in higher
650 density, compact development and pedestrian-friendly, inclusive and connected neighborhoods;

651 (ii) increase mass transit ridership; (iii) decrease traffic congestion and reduce greenhouse gas
652 emissions; and (iv) increase economic opportunity for disadvantaged populations by making it
653 easier for residents of affordable housing to access public transportation, including transportation
654 supporting commutes to employment centers; provided further, that entities eligible to receive
655 financial assistance shall include governmental bodies, community development corporations,
656 local housing authorities, community action agencies, community-based or neighborhood-based
657 nonprofit housing organizations, other nonprofit organizations and for-profit entities; provided
658 further, that financial assistance provided pursuant to this section shall be made on a competitive
659 basis, with preference for projects in communities disproportionately impacted by the 2019 novel
660 coronavirus pandemic health and economic crisis; provided further, that grants shall be awarded
661 in a manner that promotes geographic, social, racial and economic equity; provided further, that
662 funds may be used to assist units occupied by and affordable to persons with incomes not more
663 than 110 per cent of the area median income, as defined by the United States Department of
664 Housing and Urban Development, with priority given to projects that provide higher and deeper
665 levels of affordability; provided further, that not less than 25 per cent of the occupants of housing
666 in projects assisted by this item shall be persons whose income is not more than 60 per cent of
667 the area median income, as defined by the United States Department of Housing and Urban
668 Development; provided further, that financial assistance offered pursuant to this item may be
669 administered by the department of housing and community development through a contract with
670 the Massachusetts Housing Partnership Fund, established in section 35 of chapter 405 of the acts
671 of 1985, which in turn may directly offer financial assistance for the purposes set forth herein or
672 may enter into subcontracts with nonprofit organizations, established pursuant to chapter 180 of
673 the General Laws for the purposes herein; provided further, that the department may provide

674 financial support to nonprofit and for-profit developers that enter into binding agreements to set
675 aside residential units in market-rate, transit-oriented housing, over and above any units required
676 to be set aside under local zoning or approvals, for rent or sale to income-qualified households at
677 affordable rents or sale prices, as applicable; and provided further, that the department may
678 establish additional program requirements through regulations or policy
679 guidelines...\$11,700,000

680 7004-0081 For state financial assistance in the form of grants for projects undertaken
681 pursuant to clause (j) of section 26 of chapter 121B of the General Laws; provided, that contracts
682 entered into by the department of housing and community development for those projects may
683 include, but shall not be limited to, projects providing for renovation, remodeling, reconstruction,
684 redevelopment and hazardous material abatement, including asbestos and lead paint, and for
685 compliance with state codes and laws and for adaptations necessary for compliance with the
686 federal Americans with Disabilities Act of 1990, the provision of day care facilities, learning
687 centers and teen service centers and the adaptation of units for families and persons with
688 disabilities; provided further, that priority shall be given to projects undertaken for the purpose of
689 compliance with state codes and laws or for other purposes related to the health and safety of
690 residents; provided further, that funds may be expended from this item to make such
691 modifications to congregate housing units as may be necessary to increase the occupancy rate of
692 those units; provided further, that the department shall continue to fund a program to provide
693 predictable funds to be used flexibly by housing authorities for capital improvements to extend
694 the useful life of state-assisted public housing; and provided further, that not less than 25 per cent
695 of the funds made available in this item shall be used to fund projects which preserve or produce
696 housing for families and individuals with incomes of not more than 30 per cent of the area

697 median income, as defined by the United States Department of Housing and Urban
698 Development.....\$95,200,000

699 7004-0084 For financial assistance to accelerate and support the creation and
700 preservation of sustainable and climate resilient affordable multifamily housing; provided, that
701 such financial assistance shall be made to: (i) incorporate efficient, sustainable and climate-
702 resilient design practices in affordable residential development to support positive climate
703 mitigation outcomes; (ii) reduce greenhouse gas emissions and reliance on fossil fuels; (iii)
704 increase resiliency of existing housing developments to mitigate impacts of climate change,
705 including flooding and extreme temperatures; and (iv) enhance emergency preparedness,
706 including sustainable means of power generation to allow for sheltering vulnerable populations
707 in place; provided further, that financial assistance shall be made available on a competitive basis
708 to community development corporations, local housing authorities, community action agencies,
709 community-based or neighborhood-based nonprofit housing organizations, other nonprofit
710 organizations and for-profit entities; provided further, that funds may be used to assist units
711 occupied by and affordable to persons with incomes not more than 110 per cent of the area
712 median income, as defined by the United States Department of Housing and Urban Development
713 with priority given to projects that provide higher and deeper levels of affordability; provided
714 further, that not less than 25 per cent of the occupants of housing in projects assisted by this item
715 shall be persons whose income is not more than 60 per cent of the area median income, as
716 defined by the United States Department of Housing and Urban Development; provided further,
717 that financial assistance shall be awarded in a manner that promotes geographic, social, racial
718 and economic equity provided further, that financial assistance provided pursuant to this section
719 may be administered by the department of housing and community development through

720 contracts with the Massachusetts Housing Partnership Fund, established in section 35 of chapter
721 405 of the acts of 1985, the Massachusetts Housing Finance Agency, established in chapter 708
722 of the acts of 1966, or both, which authorities may directly offer financial assistance for the
723 purposes set forth herein or may enter into subcontracts with nonprofit organizations established
724 pursuant to chapter 180 of the General Laws for those purposes; and provided further, that the
725 administering agency may establish additional program requirements through regulations or
726 policy guidelines.....
727 \$1,000,000

728 7004-8026 For the Smart Growth Housing Trust Fund established in section 35AA of
729 chapter 10 of the General Laws.....\$6,900,000

730 SECTION 3C.

731 TREASURER AND RECEIVER GENERAL

732 0640-1006 For the Massachusetts Clean Water Trust, established in section 2 of
733 chapter 29C of the General Laws, for deposit in the Water Pollution Abatement Revolving Fund,
734 established in section 2L of chapter 29 of the General Laws, for application by the trust to the
735 purposes specified in section 5 of said chapter 29C, any portion of which may be used as a
736 matching grant by the commonwealth to federal capitalization grants received under Title VI of
737 the federal Clean Water Act or for deposit in the Drinking Water Revolving Fund, established in
738 section 2QQ of said chapter 29, for application by the trust to the purposes specified in section
739 18 of said chapter 29C, any portion of which may be used as a matching grant by the
740 commonwealth to federal capitalization grants received under the federal Safe Drinking Water
741 Act; provided, that funds may be used to assist homeowners in complying with the revised title 5

742 of the state environmental code for subsurface disposal of sanitary waste; and provided further,
743 that funds may be expended for the costs of projects and programs included in the federal
744 Infrastructure and Investment in Jobs Act of 2021 also known as the Bipartisan Infrastructure
745 Law, Public Law No. 117-58.....\$104,000,000

746 SECTION 4. Chapter 6 of the General Laws is hereby amended by striking out section
747 204, as appearing in the 2020 Official Edition, and inserting in place thereof the following
748 section:-

749 Section 204. (a) There shall be an advisory board on employee ownership that shall
750 consist of: the director of the Massachusetts office of business development or a designee; the
751 secretary of labor and workforce development or a designee; the president of the Massachusetts
752 Growth Capital Corporation or a designee; the chief executive officer of Associated Industries of
753 Massachusetts, Inc. or a designee; the executive director of the Center for Economic Democracy
754 Inc. or a designee; the chapter president of the New England chapter of the ESOP Association or
755 a designee; the president of the Massachusetts AFL-CIO or a designee; the president of the
756 University of Massachusetts or a designee; and 7 additional members appointed by the governor
757 who shall represent separate and distinct corporations, each with not less than 30 per cent of
758 company stock owned by an employee stock ownership plan or an employee ownership trust and
759 4 additional members appointed by the governor who shall represent separate and distinct
760 industrial or worker cooperatives.

761 (b) Each appointed member shall serve for a term of 4 years. Upon expiration of the term,
762 a successor shall be appointed in the same manner. Any member shall be eligible for
763 reappointment but shall not serve for longer than 8 consecutive years. Vacancies shall be filled in

the same manner as the original appointment for the remainder of the unexpired term. Any member may be removed from their appointment by a vote of the majority of the advisory board.

(c) Ten members of the board shall constitute a quorum and the affirmative vote of 10 members shall be necessary and sufficient for any action to be taken by the board. The board shall meet not less than 3 times annually; provided, however, that remote participation in meetings shall be allowed. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board. Any action taken by the board may be authorized by resolution at any regular or special meeting and shall take effect immediately unless otherwise provided in the resolution.

(d) There shall be a chair and a vice chair of the board elected annually at the first meeting of the advisory board. The board may elect such other officers as it deems necessary.

(e) The board shall advise the governor and the executive director of the Massachusetts Center for Employee Ownership on issues and policy matters pertaining to employee involvement and ownership in the commonwealth. Staff members of the Massachusetts Center for Employee Ownership shall support the administrative functions of the board.

(f) The board shall advise the director of the Massachusetts office of business development on the selection of a director of the Massachusetts center for employee ownership.

(g) The board shall adopt by-laws, operating rules, procedures and a mission statement.

SECTION 5. Chapter 6A of the General Laws is hereby amended by inserting after section 18Z the following section:-

Section 18AA. The Massachusetts emergency management agency shall consider and develop, in all emergency preparedness planning efforts, plans for supporting agricultural, seafood, and processed food production in order to mitigate the impacts of food supply chain disruptions. Plans shall be developed in coordination with the department of agricultural resources, the department of public health, and the department of transitional assistance and shall include consideration for production, transportation, storage and distribution.

SECTION 6. Chapter 20 of the General Laws is hereby amended by inserting after section 6C the following section:-

Section 6D. There shall be a circuit rider program within the department to provide on-site guidance to businesses that are regulated by the department of agricultural resources about state programs, regulations and funding opportunities. Subject to appropriation, the commissioner shall designate a program director. The director shall establish a process by which a farmer may make a request for a farm visit by program staff at no cost. Program staff shall coordinate with state agencies as necessary to assist farmers with compliance. Farm visits under the circuit rider program shall not be made for enforcement purposes.

SECTION 7. Chapter 18 of the General Laws is hereby amended by adding the following section:-

Section 40. (a) The department, in collaboration with the department of agricultural resources and the department of public health, shall operate a healthy incentives program. The program shall require a participating vendor to accept supplemental nutrition assistance program benefits for fruit and vegetable purchases, whether fresh, canned, dried or frozen, and shall

805 provide matching benefit reimbursed on a benefit recipient's electronic benefit transfer card for
806 such purchases, subject to limitations established by the department.

807 (b) There shall be a Healthy Incentives Trust Fund to be administered by the
808 commissioner for the purpose of supporting the operation of the healthy incentives program
809 established in subsection (a). The fund shall consist of money authorized by the general court
810 and specifically designated to be credited to the fund and any gifts, grants, private contributions,
811 investment income earned by the fund's assets and any designated funds from other sources. The
812 department may apply for any available federal program, including, but not limited to, the Gus
813 Schumacher Nutrition Incentive Program administered by the United States Department of
814 Agriculture, to provide matching benefits to be deposited in the fund. No expenditures from the
815 fund shall cause the fund to be deficient at the close of the fiscal year. Any money in the fund at
816 the end of the fiscal year shall not revert to the General Fund, shall be available for expenditure
817 in the subsequent year and shall not be subject to section 5C of chapter 29.

818 (c) The department shall the promulgate rules and regulations necessary to implement
819 this section.

820 SECTION 8. Section 16 of chapter 23D of the General Laws, as so appearing in the 2020
821 Official Edition, is hereby amended by striking out, in line 9, the words "industrial services
822 program" and inserting in place thereof the following words:- Massachusetts center for employee
823 ownership.

824 SECTION 9. Said chapter 23D is hereby further amended by striking out section 17, as
825 appearing in the 2020 Official Edition, and inserting in place thereof the following section:-

Section 17. (a) There is hereby established a Massachusetts center for employee ownership within the Massachusetts office of business development established pursuant to section 1 of chapter 23A. The Massachusetts center for employee ownership shall provide education, conduct outreach and promote efforts to create an overall environment in the commonwealth to: (i) expand and enhance employee ownership; (ii) increase the number of employee-owned companies; (iii) publicize and promote the benefits of employee involvement and ownership to policy makers and the general public; (iv) encourage collaborative outreach efforts regarding involvement and ownership in the workplace; (v) research and evaluate employee involvement and employee ownership in the commonwealth; (vi) showcase employee ownership initiatives in the commonwealth; (vii) facilitate and coordinate the sharing of existing information and resources; and (viii) provide grants pursuant to this chapter.

(b)(1) The director of the Massachusetts center for employee ownership shall have the power to hire staff, appoint any specific committee or task force and contract with consultants, agents or advisors deemed necessary to further the purposes of this section.

(2) The director may accept gifts or grants of money or property from any source to further the work of the center; provided, however, that any money received shall be deposited with the state treasurer to be kept in a separate fund in the treasury to be named the Massachusetts Center for Employee Ownership Fund dedicated to the center and for expenditure without appropriation by the director of the center in accordance with the conditions of such a gift or grant. Amounts remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in subsequent fiscal years.

(3) The director shall issue rules, regulations and procedures governing the application for and delivery of services which are deemed necessary for the proper performance of the duties of the center.

(4) Annually, the director shall file a report with the clerks of the senate and house of representatives, including an inventory of employee-owned businesses in the state and the specific activities taken by the center to support and promote the transition of traditionally structured companies to an employee ownership model.

(5) The director shall be a full-time employee of the Massachusetts office of business development and shall be appointed by and report directly to the director of the Massachusetts office of business development.

SECTION 10. Subsection (b) of section 29A of chapter 23G of the General Laws, as so appearing, is hereby amended by striking out the definition of “Economically distressed area”.

SECTION 11. Said section 29A of said chapter 23G, as so appearing, is hereby further amended by striking out, in line 29, the words “located within an economically distressed area”.

SECTION 12. Said section 29A of said chapter 23G, as so appearing, is hereby further amended by inserting after the word “made”, in line 34, the following words:- or will make.

SECTION 13. Said section 29A of said chapter 23G, as so appearing, is hereby further amended by striking out, in lines 44 and 45, the words “economically distressed areas of”.

SECTION 14. Said section 29A of said chapter 23G, as so appearing, is hereby further amended by striking out, in lines 55 and 56, the words “within an economically distressed area as defined in section 2 of chapter 21E”.

868 SECTION 15. Said section 29A of said chapter 23G, as so appearing, is hereby further
869 amended by striking out, in line 66, the figure “\$500,000” and inserting in place thereof the
870 following figure:- \$750,000.

871 SECTION 16. Said section 29A of said chapter 23G, as so appearing, is hereby further
872 amended by striking out, in line 69, the figure “\$100,000” and inserting in place thereof the
873 following figure:- \$250,000.

874 SECTION 17. Said section 29A of said chapter 23G, as so appearing, is hereby further
875 amended by inserting after the word “applied”, in line 78, the following words:- ; provided,
876 however, that the required contribution may be in the form of in-kind services or other non-cash
877 contribution as the agency may determine in its reasonable discretion.

878 SECTION 18. Said section 29A of said chapter 23G, as so appearing, is hereby further
879 amended by striking out, in line 84, the word “and”.

880 SECTION 19. Said section 29A of said chapter 23G, as so appearing, is hereby further
881 amended by striking out, in lines 87 and 88, the words “corporation or an economic development
882 authority” and inserting in place thereof the following words:- corporation, economic
883 development authority or a nonprofit entity in connection with a project that has a demonstrable
884 public benefit; provided, however, that the agency shall establish guidelines for nonprofit
885 eligibility; and.

886 SECTION 20. Subsection (d) of said section 29A of said chapter 23G, as so appearing, is
887 hereby further amended by adding the following clause:-

888 (12) preference shall be given to projects located within 1 mile of a qualified census tract,
889 as defined in Section 42(d)(5) of the Internal Revenue Code.

890 SECTION 21. Said section 29A of said chapter 23G, as so appearing, is hereby further
891 amended by striking out, in lines 97 and 98, the words “economically distressed”.

892 SECTION 22. Said section 29A of said chapter 23G, as so appearing, is hereby further
893 amended by striking out, in lines 128 and 129 and in lines 129 and 130, the words “economically
894 distressed area” and inserting in place thereof, in each instance, the following word:-
895 municipality.

896 SECTION 23. Said section 29A of said chapter 23G, as so appearing, is hereby further
897 amended by striking out, in lines 189 and 190, the words “director of economic development or
898 his” and inserting in place thereof the following words:- secretary of housing and economic
899 development or the secretary’s.

900 SECTION 24. Said section 29A of said chapter 23G, as so appearing, is hereby further
901 amended by striking out, in lines 208 to 210, inclusive, the words “in economically distressed
902 areas that are considered by the ombudsman and the department of economic development” and
903 inserting in place thereof the following words:- that are considered by the ombudsman and the
904 secretary of housing and economic development.

905 SECTION 25. Section 20 of chapter 32B of the General Laws, as so appearing, is hereby
906 amended by striking out, in line 158, the words “governing boards” and inserting in place thereof
907 the following words:- governing body.

SECTION 26. 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 2 types of stabilization funds. One shall be known as the general purpose stabilization fund and the 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 may alter any time thereafter, the purpose of the fund, which may be for any lawful purpose, including, but not limited to, 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 the city, town or district charter. Appropriation of funds from a special purpose stabilization fund shall be approved by a majority vote.

SECTION 27. Section 10 of chapter 40G of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

Any documentary materials or data whatsoever made or received by any member or employee of the corporation and consisting of, or to the extent that such material or data consist of, trade secrets or commercial or financial information regarding the operation of any business conducted by an applicant for, or recipient of, any form of assistance which the corporation is empowered to render or regarding the competitive position of such applicant in a particular field of endeavor

930 shall not be deemed public records of the corporation and shall not be subject to section 10 of
931 chapter 66.

932 SECTION 28. Chapter 40J of the General Laws is hereby amended by inserting after
933 section 6I the following 2 sections:-

934 Section 6J. (a) There shall be established within the corporation a Massachusetts
935 cybersecurity center. The purpose of the center shall be to enhance the conditions for economic
936 growth through outreach to the cybersecurity industry cluster in the commonwealth and to foster
937 cybersecurity resiliency through communication, collaboration and outreach with state agencies,
938 municipalities, educational institutions and private partners.

939 (b) The center shall carry out the purposes of the fund established in section 4H.

940 (c) The center shall be responsible for convening state and local officials and private
941 sector participants to recommend actions needed to address the cybersecurity resiliency of the
942 commonwealth. The center may also convene regional hubs for business development to support
943 cybersecurity entrepreneurs that are establishing innovative technologies to support resiliency.

944 (d) The center shall work in collaboration with private sector entities, educational
945 institutions and state and local government to address cybersecurity issues, including, but not
946 limited to: (i) improving the cybersecurity of organizations, particularly municipalities, small
947 businesses and non-profits, without access to affordable resources to defend against
948 cybersecurity threats and to maintain cyber resiliency; (ii) the shortage of trained workers
949 available to meet the cybersecurity industry's workforce demands, with a particular focus on
950 increasing the diversity of the cybersecurity workforce; and (iii) the lack of affordable
951 cybersecurity training for employees in all types of businesses.

952 Section 6K. (a) There shall be established within the corporation a center for advanced
953 manufacturing. The purpose of the center shall be to support companies engaged in
954 manufacturing in the commonwealth and shall be administered in a manner that considers the
955 needs of manufacturers in all regions of the commonwealth and supports growth in the
956 manufacturing sector statewide. The corporation shall design and implement the activities of the
957 center, in consultation with the secretary of housing and economic development and the
958 Massachusetts advanced manufacturing collaborative established pursuant to section 10B of
959 chapter 23A.

960 (b) The center shall facilitate the growth and competitiveness of the advanced
961 manufacturing sector in the commonwealth by: (i) aligning investments and programs with the
962 commonwealth's priorities for advanced manufacturing; (ii) leveraging existing state and federal
963 programs that support manufacturers to increase the regional impact of advanced manufacturing;
964 (iii) fostering collaboration throughout the manufacturing ecosystem; (iv) aligning programs and
965 investments in support of federal programs to scale critical and secure supply chains; (v)
966 supporting, coordinating and developing advanced manufacturing workforce training programs;
967 and (vi) creating initiatives that advance the commonwealth's manufacturing plan established
968 pursuant to section 10B of chapter 23A.

969 SECTION 29. Section 2 of chapter 40R of the General Laws, as appearing in the 2020
970 Official Edition, is hereby amended by striking out the definition of "Approved starter home
971 zoning district".

972 SECTION 30. Said section 2 of said chapter 40R, as so appearing, is hereby further
973 amended by striking out, in line 38, the words "or starter home zoning".

974 SECTION 31. Said section 2 of said chapter 40R, as so appearing, is hereby further
975 amended by striking out, in line 56, the words “or starter home zoning districts”.

976 SECTION 32. Said section 2 of said chapter 40R, as so appearing, is hereby further
977 amended by striking out, in lines 78 and 79, the words “or starter home zoning”.

978 SECTION 33. Said section 2 of said chapter 40R, as so appearing, is hereby further
979 amended by striking out, in line 91, the words “under the underlying zoning” and inserting in
980 place thereof the following words:- without the smart growth zoning district.

981 SECTION 34. Said section 2 of said chapter 40R, as so appearing, is hereby further
982 amended by striking out the definitions of “Production bonus payment” to “Starter home zoning
983 district certificate of compliance”, inclusive, and inserting in place thereof the following 3
984 definitions:-

985 “Project”, a proposed residential or mixed-use development within a smart growth zoning
986 district.

987 “Smart growth zoning district”, a zoning district adopted by a city or town under this
988 chapter that replaces or is superimposed over 1 or more zoning districts in an eligible location,
989 within which a developer may elect to either develop a project in accordance with requirements
990 of the smart growth zoning district ordinance or by-law or, where superimposed over 1 or more
991 zoning districts, develop a project in accordance with requirements of the underlying zoning
992 district.

993 “Smart growth zoning district certificate of compliance”, a written certification by the
994 department in accordance with section 7.

995 SECTION 35. Section 3 of said chapter 40R, as so appearing, is hereby amended by
996 striking out, in lines 2, 8 and 19 and 20, each time they appear, the words “or starter home
997 zoning district”.

998 SECTION 36. Said section 3 of said chapter 40R, as so appearing, is hereby further
999 amended by striking out, in line 16, the words “or starter home zoning districts”.

1000 SECTION 37. Section 4 of said chapter 40R, as so appearing, is hereby amended by
1001 striking out, in line 3, the words “or starter home”.

1002 SECTION 38. Said section 4 of said chapter 40R, as so appearing, is hereby further
1003 amended by striking out, in line 15, the words “or starter home zoning district”.

1004 SECTION 39. Section 5 of said chapter 40R, as so appearing, is hereby amended by
1005 striking out, in lines 2, 7, 9, and 18 and 19, each time they appear, the words “or starter home
1006 zoning district”.

1007 SECTION 40. Said section 5 of said chapter 40R, as so appearing, is hereby further
1008 amended by striking out, in line 10, the words “as to smart growth zoning districts only,”.

1009 SECTION 41. Section 6 of said chapter 40R, as so appearing, is hereby amended by
1010 striking out, in lines 1 and 2, the words “or starter home zoning district”.

1011 SECTION 42. Clause (3) of subsection (a) of said section 6 of said chapter 40R, as so
1012 appearing, is hereby amended by striking out the second sentence.

1013 SECTION 43. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
1014 is hereby further amended by striking out clause (5).

1015 SECTION 44. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
1016 is hereby further amended by striking out, in line 40, the figure “(6)” and inserting in place
1017 thereof the following figure:- (5).

1018 SECTION 45. Said subsection (a) of said section 6 of said chapter 40R, as so appearing,
1019 is hereby further amended by striking out clause (7) and inserting in place thereof the following
1020 clause:-

1021 (6) A proposed smart growth zoning district shall not be subject to limitation of the
1022 issuance of building permits for residential uses or a local moratorium on the issuance of such
1023 permits.

1024 SECTION 46. Said section 6 of said chapter 40R, as so appearing, is hereby further
1025 amended by striking out, in lines 56 and 57, the words “(8) A proposed smart growth zoning
1026 district or starter home zoning district” and inserting in place thereof the following words:- (7) A
1027 proposed smart growth zoning district.

1028 SECTION 47. Said section 6 of said chapter 40R, as so appearing, is hereby further
1029 amended by striking out, in lines 70 and 71, the words “(9) Housing in a smart growth zoning
1030 district or starter home zoning district” and inserting in place thereof the following words:- (8)
1031 Housing in a smart growth zoning district.

1032 SECTION 48. Said section 6 of said chapter 40R, as so appearing, is hereby further
1033 amended by striking out, in lines 73 and 74, the words “(10) A proposed smart growth zoning
1034 district or starter home zoning district” and inserting in place thereof the following words:- (9) A
1035 proposed smart growth zoning district.

1036 SECTION 49. Said section 6 of said chapter 40R, as so appearing, is hereby further
1037 amended by striking out, in lines 78 and 79, the words “(11) The aggregate land area of all
1038 approved smart growth zoning districts and starter home zoning district” and inserting in place
1039 thereof the following words:- (10) The aggregate land area of all approved smart growth zoning
1040 districts.

1041 SECTION 50. Said section 6 of said chapter 40R, as so appearing, is hereby further
1042 amended by striking out, in line 84, the figure “(12)” and inserting in place thereof the following
1043 figure:- (11).

1044 SECTION 51. Said section 6 of said chapter 40R, as so appearing, is hereby further
1045 amended by striking out, in lines 88 and 89, the words “(13) A proposed smart growth zoning
1046 district or starter home zoning district” and inserting in place thereof the following words:- (12)
1047 A proposed smart growth zoning district.

1048 SECTION 52. Subsection (b) of said section 6 of said chapter 40R, as so appearing, is
1049 hereby amended by striking out the first sentence and inserting in place thereof the following
1050 sentence:- A smart growth zoning district ordinance or by-law may modify or eliminate the city
1051 or town’s dimensional standards in order to support desired densities, mix of uses and physical
1052 character.

1053 SECTION 53. Said section 6 of said chapter 40R, as so appearing, is hereby further
1054 amended by striking out, in lines 101 and 102, 103, 105 and 106, 110 and 111, 116 and 117, 122,
1055 125 and 126, 131, 149 and 150 and in lines 165 and 166, each time they appear, the words “or
1056 starter home zoning district”.

1057 SECTION 54. Subsection (c) of said section 6 of said chapter 40R, as so appearing, is
1058 hereby amended by striking out the second sentence.

1059 SECTION 55. Section 7 of said chapter 40R, as so appearing, is hereby amended by
1060 striking out, in lines 3 and 4, the words “or starter home zoning district certificate of compliance,
1061 as applicable,”.

1062 SECTION 56. Said section 7 of said chapter 40R, as so appearing, is hereby further
1063 amended by striking out, in line 9, the words “or a starter home zoning district, as applicable”.

1064 SECTION 57. Said section 7 of said chapter 40R, as so appearing, is hereby further
1065 amended by striking out, in lines 16 and 17, the words “or starter home zoning district ordinance
1066 or by-law, as applicable,”.

1067 SECTION 58. Said section 7 of said chapter 40R, as so appearing, is hereby further
1068 amended by striking out, in lines 29 and 30, the words “or starter home zoning district ordinance
1069 or by-law, as applicable,”.

1070 SECTION 59. Section 8 of said chapter 40R, as so appearing, is hereby amended by
1071 striking out, in lines 7 and 11, each time they appear, the words “or starter home zoning district”.

1072 SECTION 60. Section 9 of said chapter 40R, as so appearing, is hereby amended by
1073 striking out, in line 2, lines 16 and 17 and line 20, each time they appear, the words:- or starter
1074 home zoning district.

1075 SECTION 61. Said section 9 of said chapter 40R, as so appearing, is hereby further
1076 amended by striking out, in lines 24 to 26, inclusive, the words “and a one-time production
1077 bonus payment to each city or town with an approved starter home zoning district”.

1078 SECTION 62. Said section 9 ` of said chapter 40R, as so appearing, is hereby further
1079 amended by striking out, in lines 27 to 29, inclusive, the words “and \$3,000 for each housing
1080 unit of new construction created in the starter home zoning district”.

1081 SECTION 63. Said section 9 of said chapter 40R, as so appearing, is hereby further
1082 amended by striking out, in line 38, the words “or starter home zoning districts”.

1083 SECTION 64. Section 10 of said chapter 40R, as so appearing, is hereby amended by
1084 striking out, in line 5 and lines 21 and 22, each time they appear the words “or starter home
1085 zoning district”.

1086 SECTION 65. Said section 10 of said chapter 40R, as so appearing, is hereby further
1087 amended by striking out, in line 12, the words “In a smart growth zoning district, the” and
1088 inserting in place thereof the following word:- The.

1089 SECTION 66. Section 11 of said chapter 40R, as so appearing, is hereby amended by
1090 striking out, in lines 2, 12, 18, 71 and 76 and lines 130 and 131, each time they appear, the words
1091 “or starter home zoning district”.

1092 SECTION 67. Section 12 of said chapter 40R, as so appearing, is hereby amended by
1093 striking out, in line 3, the words “and starter home zoning district programs” and inserting in
1094 place thereof the following word:- program.

1095 SECTION 68. Said section 12 of said chapter 40R, as so appearing, is hereby further
1096 amended by striking out, in lines 7 and 8, the words “or starter home zoning districts”.

1097 SECTION 69. Said section 12 of said chapter 40R, as so appearing, is hereby further
1098 amended by striking out, in lines 14 and 15, the words “and starter home zoning districts”.

1099 SECTION 70. Said section 12 of said chapter 40R, as so appearing, is hereby further
1100 amended by striking out, in line 16 and lines 23 and 24, each time they appear, the words “and
1101 one-time production bonus payments”.

1102 SECTION 71. Section 14 of said chapter 40R, as so appearing, is hereby amended by
1103 striking out, in lines 2 and 3, 5 and 6, 8, 15 and 16 and in line 24, each time they appear, the
1104 words “or starter home zoning district”.

1105 SECTION 72. Said section 14 of said chapter 40R, as so appearing, is hereby further
1106 amended by striking out, in lines 21 and 22, the words “or starter home zoning”.

1107 SECTION 73. The General Laws are hereby further amended by inserting after chapter
1108 40X the following chapter:-

1109 CHAPTER 40Y.

1110 STARTER HOME ZONING DISTRICTS

1111 Section 1. As used in this chapter, the following words shall have the following meanings
1112 unless the context clearly requires otherwise:

1113 “Department”, the department of housing and community development.

1114 “Developable land area”, area within an approved starter home zoning district that can be
1115 feasibly developed into residential or mixed-use developments, which may include the land area
1116 occupied by or associated with underutilized residential, commercial, industrial or institutional
1117 buildings or uses that have the potential to be recycled or converted into residential or mixed-use
1118 developments, all as determined in accordance with regulations of the department; provided,
1119 however, that “developable land area” shall not include: (i) land area that is already substantially

1120 developed, including existing parks and dedicated, perpetual open space within such
1121 substantially developed land area; (ii) open space designated by the city or town as provided in
1122 section 3; or (iii) areas exceeding 1/2 acre of contiguous land that are unsuitable for development
1123 because of topographic features or for environmental reasons, including wetlands.

1124 “Historic district”, a local historic district established under chapter 40C.

1125 “Open space”, without limitation, land to protect existing and future well fields, aquifers
1126 and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and
1127 saltwater marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches,
1128 dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve
1129 and land for recreational use.

1130 “Plan approval authority”, the board or other unit of municipal government designated by
1131 the city or town to conduct site plan review of proposed starter home projects.

1132 “Production bonus payment”, a 1-time payment to a municipality from the trust fund for
1133 each starter home created in a starter home zoning district.

1134 “Starter home”, a single-family home not exceeding 1,850 square feet of heated living
1135 area.

1136 “Starter home zoning district”, a base or overlay zoning district established by a zoning
1137 ordinance or by-law that complies with the requirements of section 3.

1138 “Sustainable development standards”, provisions in the zoning ordinance or by-law
1139 including, but not limited to, requirements that new development projects: (i) minimize site
1140 disturbance and permanently preserve undeveloped open space to the greatest extent practicable;

1141 and (ii) collect and manage storm water runoff in accordance with low impact development
1142 practices.

1143 “Trust fund”, the Smart Growth Housing Trust Fund established in section 35AA of
1144 chapter 10.

1145 “Zoning incentive payment”, a 1-time payment to a municipality from the trust fund
1146 payable upon the municipality’s adoption, and the department’s approval, of an approved starter
1147 home zoning district.

1148 Section 2. (a) A city or town may, by zoning ordinance or by-law, establish a starter
1149 home zoning district in any area deemed suitable by the city or town. A starter home zoning
1150 district ordinance or by-law, or any amendment thereto or repeal thereof, shall be adopted in
1151 accordance with section 5 of chapter 40A; provided, however, that the ordinance or by-law, or
1152 any amendment thereto or repeal thereof, shall be adopted by a majority vote of all of the
1153 members of the city council or of the town council in a town having a town council form and
1154 town manager form of government or by a majority vote of the town meeting in all other towns.

1155 (b) Prior to the adoption of a proposed starter home zoning district ordinance or by-law, a
1156 city or town shall request a preliminary determination by the department as to whether the
1157 proposed starter home zoning district will comply with the requirements of this chapter. A
1158 request for a preliminary determination of eligibility shall be submitted by the chief executive of
1159 a city or town on a form prescribed by the department and shall include: (i) the boundaries of the
1160 proposed starter home zoning district; (ii) a map and description of the developable land area
1161 within the proposed starter home zoning district; (iii) a copy of the proposed starter home zoning
1162 district ordinance or by-law; (iv) a narrative and any exhibits needed to establish the elements set

1163 forth in section 3; and (v) any additional information the department may require in order to
1164 make a preliminary determination of eligibility. The department shall respond any such request
1165 within 45 days after receipt of all information required to make a preliminary determination.

1166 (c) After the adoption of a proposed starter home zoning district ordinance or by-law, the
1167 city or town shall request from the department a final approval of the starter home zoning
1168 district. The department shall issue a final approval upon finding that the starter home zoning
1169 district as established complies with the requirements of this chapter, subject to any conditions
1170 imposed by the department as a condition of its approval. The department's final approval shall
1171 be required prior to the disbursement of a zoning incentive payment as set forth in section 6.

1172 (d) The city or town shall provide written notice to the department not less than 45 days
1173 before a vote taken to adopt any amendment to the zoning ordinance or by-law as it applies to an
1174 approved starter home zoning district. The notice shall state the number of starter homes that
1175 have been built within the district since its establishment and shall include an evaluation of the
1176 number of projected starter homes, if any, that will remain developable within the starter home
1177 district after the adoption of the proposed amendment.

1178 Section 3. (a) A starter home zoning district shall comply with the requirements of this
1179 section

1180 (b) Starter homes shall be a use permitted as of right at a density of not fewer than 4 units
1181 per acre of developable land area. No other single-family residential uses shall be permitted as of
1182 right or by special permit in the starter home zoning district, except the zoning ordinance may
1183 permit construction of an accessory dwelling unit of 600 square feet or less on the same lot as a

1184 starter home. Accessory commercial and other nonresidential uses may be allowed in a starter
1185 home district with the approval of the department.

1186 (c) Each starter home zoning district shall incorporate sustainable development standards
1187 that apply to all starter home developments.

1188 (d) Not less than 50 per cent of the starter homes to be developed in a proposed starter
1189 home zoning district, excluding accessory dwelling units, shall contain not less than 3 bedrooms.

1190 (e) The zoning ordinance or by-law shall provide that for each proposed starter home
1191 zoning district in which a proposed development is for more than 12 starter homes, not less than
1192 10 per cent of the starter homes shall be affordable to and occupied by individuals and families
1193 whose annual income is less than 110 per cent of the area median income as determined by the
1194 United States Department of Housing and Urban Development. The zoning ordinance or by-law
1195 shall specify the mechanism by which the city or town shall ensure that a project complies with
1196 the affordability requirements, when applicable, and may require the execution and recording of
1197 an affordable housing restriction as defined in section 31 of chapter 184.

1198 (f) A proposed starter home zoning district shall not be subject to limitation of the
1199 issuance of building permits for residential uses or a local moratorium on the issuance of such
1200 permits. Further, a proposed starter home zoning district shall not be subject to any municipal
1201 environmental or health ordinances, by-laws or regulations that exceed applicable requirements
1202 of state law or regulation that would render infeasible the development contemplated under the
1203 application for the district, as determined by the department.

1204 (g) A starter home zoning district ordinance or by-law shall not impose restrictions on
1205 age or any other occupancy restrictions on the district as a whole or any portion thereof or
1206 project therein.

1207 (h) Housing in a starter home zoning district shall comply with federal, state and local
1208 fair housing laws.

1209 (i) The total land area of all starter home zoning districts in a city or town shall not
1210 exceed 15 per cent of the total land area in the city or town. Upon request, the department may
1211 approve a larger land area if such approval serves the goals and objectives of this chapter.

1212 Section 4. (a) The starter home zoning district ordinance or by-law may require
1213 individual projects to design site plans in a manner that preserves developable land area as open
1214 space; provided, however, that the zoning ordinance or by-law shall allow for 4 starter homes per
1215 acre, including the developable land area preserved as open space. The zoning ordinance or by-
1216 law may provide for such open space to be preserved through a conservation restriction as
1217 defined in section 31 of chapter 184 by the grant of an easement or restriction to the municipal
1218 conservation commission or by such other means as is authorized by the General Laws.

1219 (b) A local historic district may overlap with a starter home zoning district in whole or in
1220 part and the local historic district shall not render the city or town noncompliant with this
1221 chapter, as determined by the department.

1222 (c) The zoning ordinance or by-law applicable to a starter home zoning district may
1223 include reasonable design standards applicable to individual starter home projects, to ensure that
1224 the physical character of development within the starter home zoning district is complementary
1225 to adjacent buildings and structures. Such standards may address the scale and proportions of

buildings, the alignment, the width and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage entrances, off-street parking, the protection of significant natural site features, the location and design of on-site open spaces, exterior signs and buffering in relation to adjacent properties. A design standard shall not be adopted if it will add unreasonable costs to starter home developments or unreasonably impair the economic feasibility of proposed starter home projects.

(d)(1) The starter home zoning district zoning ordinance or by-law may provide for site plan review of proposed starter home projects; provided, however, that such review shall be consistent with and subject to the limitations in this subsection.

(2) The ordinance or by-law may require the applicant to pay for reasonable consulting fees to provide peer review of the applications for the benefit of the plan approval authority; provided, however, that fees shall be held by the municipality in a separate interest-bearing account and used solely for expenses associated with the review of the development application by outside consultants. Any surplus remaining after the completion of the review, including any interest accrued, shall be returned to the applicant.

(3) The starter home zoning district ordinance or by-law may provide for the referral of the plan to municipal officers, agencies or boards other than the plan approval authority for comment; provided, however, that any such board, agency or officer shall provide its comments to the plan approval authority within 60 days after its receipt of a copy of the plan.

(4) Notwithstanding any provision in the zoning code or by-law to the contrary, the decision of the plan approval authority shall be made, and a written notice of the decision filed with the city or town clerk, not later than 120 days after the receipt of a complete application by

1248 the city or town clerk, unless such timeframe for decision is extended by written agreement
1249 between the applicant and the plan approval authority. Failure of the plan approval authority to
1250 take action within 120 days or any such extended time, shall be deemed to be an approval of the
1251 plan. An applicant who seeks approval of a plan by reason of the failure of the plan approval
1252 authority to act within the 120-day period shall notify the city or town clerk, in writing, within 14
1253 days after the expiration of the 120-day period or any such extended time. Such notice to the city
1254 or town clerk shall specify relevant details of the application timeline demonstrating the lack of
1255 decision.

1256 (5) Notwithstanding any provision of the starter home zoning district ordinance or by-law
1257 to the contrary, the plan approval authority may approve a site plan subject only to those
1258 conditions that are necessary to: (i) ensure substantial compliance of the proposed project with
1259 the requirements of the starter home zoning district ordinance or by-law; (ii) ensure public safety
1260 or the safety of persons living in or visiting the proposed project; or (iii) mitigate any
1261 extraordinary adverse impacts of the project on nearby properties.

1262 (6) The department may establish additional standards or limitations for site plan review
1263 pursuant to this section.

1264 Section 5. At least once annually, on or before a date specified by the department, each
1265 city or town with at least 1 approved starter home zoning district shall submit the following
1266 information to the department:

1267 (i) whether the city or town has repealed or amended, or proposed to amend or repeal,
1268 any of the requirements applicable to any starter home zoning district;

1269 (ii) whether there are any pending proposals to construct starter homes within a starter
1270 home zoning district; and

1271 (iii) whether any starter homes have been constructed within a starter home zoning
1272 district and, if so, whether those projects comply with the zoning requirements applicable to that
1273 district.

1274 Section 6. Subject to any conditions imposed by the department as a condition of
1275 approving a starter home zoning district, each city or town with an approved starter home zoning
1276 district shall be entitled to a 1-time zoning incentive payment upon approval of the district by the
1277 department in accordance with the schedule set forth in subsection (a) of section 9 of chapter
1278 40R and a production bonus payment of \$3,000 for each starter home created in the starter home
1279 zoning district.

1280 Section 7. (a) The department may revoke its approval of an approved starter home
1281 zoning district if, at any time, the department determines that:

1282 (i) a city or town with an approved starter home zoning district has not complied with the
1283 requirements of this chapter;

1284 (ii) The zoning ordinance or by-law applicable to an approved starter home zoning
1285 district no longer complies with the requirements of this chapter;

1286 (iii) The zoning ordinance or by-law applicable to an approved starter home zoning
1287 district has been amended in such a way that the number of starter homes that can be developed
1288 within the starter home zoning district is reduced; or

1289 (iv) No building permits have been issued for any starter homes within the starter home
1290 zoning district within 5 years from the date of the department's approval of the district.

1291 The department may revoke the approval of an approved starter home zoning district only
1292 after conducting a hearing in accordance with chapter 30A unless the municipality waives its
1293 right to a hearing, in writing. The department's revocation of approval shall not affect the
1294 validity of the starter home zoning district ordinance or by-law, as applicable, or the application
1295 of such ordinance or by-law to land, development or proposed development within the starter
1296 home zoning district.

1297 (b) If the department revokes its approval of an approved starter home zoning district, the
1298 affected city or town shall repay to the department the zoning incentive payment or such portion
1299 thereof as the department may specify. All money repaid to the department under this section
1300 shall be credited to the funding source from which the payment originated.

1301 Section 8. The department may promulgate regulations for the administration and
1302 enforcement of this chapter.

1303 SECTION 74. Section 1B of chapter 41 of the General Laws, as appearing in the 2020
1304 Official Edition, is hereby amended by adding the following paragraph:-

1305 In any town that accepts this paragraph, the positions of appointed town treasurer and
1306 appointed collector of taxes shall be combined into 1 position and become an appointed position
1307 in the manner provided in this section. Any incumbent serving in either such position at the time
1308 of acceptance shall continue to hold office and perform the duties thereof until the expiration of
1309 the term for which the person was appointed or until the person otherwise vacates such office.

1310 SECTION 75. Section 53 of chapter 44 of the General Laws, as so appearing, is hereby
1311 amended by striking out clauses (2) and (3) and inserting in place thereof the following 4
1312 clauses:- (2) sums not in excess of \$150,000 to be recovered under the terms of a fire or physical
1313 damage insurance policy or received as restitution for damage done to such city, town or district
1314 property may, with the approval of the chief executive officer, be spent by the officer or
1315 department having control of the city, town or district property for the restoration or replacement
1316 of such property without specific appropriation during the fiscal year in which the damage occurs
1317 or within 120 days after the end of that fiscal year, whichever is later; provided, however, that
1318 any insurance or restitution received by the city, town or district shall be applied to finance the
1319 restoration or replacement of the damaged property and any such expenditures outstanding at the
1320 close of the fiscal year after the fiscal year in which the damage occurred shall be reported by the
1321 auditor or accountant of the city, town or district, or other officer having similar duties, or by the
1322 treasurer if there is no such officer, to the assessors, who shall include the amount so reported in
1323 the determination of the next annual tax rate unless the city, town or district has otherwise made
1324 provision therefor; (3) sums recovered from pupils in the public schools for loss of or damage to
1325 school books, materials, electronic devices or other learning aids provided by the school
1326 committee, or paid by pupils for materials used in the industrial arts projects, may be used by the
1327 school committee for the restoration or replacement of such books or materials without specific
1328 appropriation; (4) nonrecurring, unanticipated sums received by multiple cities, towns or districts
1329 and not otherwise provided for by a general or special law may, upon the approval of the director
1330 of accounts, be expended at the direction of the chief executive officer without further
1331 appropriation solely for the purpose for which the money was received; and (5) nonrecurring,
1332 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, by appropriation, solely for the purposes for which the money was received.

SECTION 76. 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 77. 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 city or town treasury a separate revenue account into which shall be deposited any money received from: (i) 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 (ii) 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 111, chapter 138 or any other municipal permitting or licensing law or under any ordinance, by-law, rule or regulations promulgated by a municipal permit or license-approving or license-granting officer or board when exercising any authority conferred by any such law, ordinance, by-law, rule or regulation. Any such special revenue account shall be established by the municipal treasurer and shall be kept separate and apart from other funds. Money in such account shall be

1355 expended at the direction of the chief executive officer without further appropriation solely for
1356 the purposes for which the money was received.

1357 SECTION 78. Section 2 of chapter 61 of the General Laws, as so appearing, is hereby
1358 amended by striking out, in line 40, the word "October" and inserting in place thereof the
1359 following word:- December.

1360 SECTION 79. Said section 2 of said chapter 61, as so appearing, is hereby further
1361 amended by striking out the seventh paragraph and inserting in place thereof the following
1362 paragraph:-

1363 If, in the judgment of the assessors, land which is classified as forest land or which is the
1364 subject of an application for such classification is not being managed under a program, is being
1365 used for purposes incompatible with forest production or does not otherwise qualify under this
1366 chapter, the assessors may, not later than February 1 in any year, file an appeal in writing, which
1367 shall be sent by certified mail, to the state forester requesting a denial of the application or, in the
1368 case of classified forest land, requesting removal of the land from such classification. The appeal
1369 shall state the reasons for the request. A copy of the appeal shall be sent by the assessors by
1370 certified mail to the owner of the land. The state forester may initiate, not later than December 1
1371 of any year, a proceeding to remove the land from classification and shall send notice of the
1372 action by certified mail to the assessors and the owner of the land. The state forester may deny
1373 the owner's application, may withdraw all or part of the land from classification or may grant the
1374 application, imposing terms and conditions that the state forester deems reasonable to carry out
1375 this chapter and shall notify the assessors and the owner of that decision not later than March 1
1376 of the following year. If the owner or the assessors are aggrieved by a decision of the state

1377 forester, such aggrieved party may, not later than June 15, give notice to the state forester of a
1378 notice of appeal. Not later than 30 days after receipt of a notice of appeal, the state forester shall
1379 convene a panel in the region in which the land is located. The panel shall consist of 3 persons, 1
1380 of whom shall be selected by the state forester, 1 of whom shall be selected by the assessors and
1381 1 of whom shall be selected jointly by the state forester and the assessors. The panel shall give
1382 written notice of the date, time and place of the hearing to the parties not less than 7 days before
1383 the date of that hearing. The panel shall provide written notice to the parties, of its decision not
1384 later than 10 days after the adjournment of the hearing. Decisions of the panel shall be by
1385 majority vote of its members. If the owner or the assessors are aggrieved by a decision of the
1386 panel, the aggrieved party may, not later than 45 days after receipt of the decision, petition the
1387 superior court in the county in which the land is located for a review of the decision pursuant to
1388 chapter 30A or petition the appellate tax board pursuant to chapter 58A; provided, however, that
1389 the land shall not be classified or withdrawn from classification until the final determination of
1390 the petition. The state forester may adopt such regulations as the state forester deems necessary
1391 to carry out this chapter.

1392 SECTION 80. Section 2 of chapter 61A of the General Laws, as so appearing, is hereby
1393 amended by inserting after the word “products”, in line 5, the following words:- or any products
1394 derived from such products.

1395 SECTION 81. Said section 2 of said chapter 61A of the General Laws, as so appearing, is
1396 hereby further amended by inserting after the word “them”, in line 13, the words: and any
1397 products derived therefrom.

SECTION 82. Said chapter 61A is hereby further amended by striking out section 6, as so appearing, and inserting in place thereof the following section:-

Section 6. The eligibility of land for valuation, assessment and taxation pursuant to section 4 shall be determined separately for each tax year. An application for eligibility shall be submitted to the board of assessors in the city or town in which the land is situated by not later than December 1 preceding each tax year for which the valuation, assessment and taxation are being sought, and once submitted, the application shall not be withdrawn. An application shall be made on a form prescribed by the commissioner of revenue and provided to applicants by the board of assessors. The form shall provide for the reporting of information pertinent to this chapter and to Article XCIX of the Amendments to the Constitution of the Commonwealth and for certification by the applicant that the applicant will immediately, but not later than December 1 of the following year, notify the board of assessors in writing of any subsequently developing circumstance within the applicant's control or knowledge which may cause a change in use of the land covered by the form. An application submitted pursuant to this section for leased land shall be accompanied by a written statement of the lessee's intent to use the land for the purposes in the application and shall be signed by the lessee. The landowner shall certify, in a manner prescribed by the commissioner, that under the penalties of perjury the information in the landowner's application is true. If the application is allowed pursuant to section 9, then the classification of the land as actively devoted to agricultural, horticultural or agricultural and horticultural use shall take effect on the January 1 preceding the beginning of the tax year to which the application relates and taxation pursuant to this chapter shall commence with that tax year.

1420 SECTION 83. Section 7 of said chapter 61A, as so appearing, is hereby amended by
1421 striking out, in line 3, the words “October first and June thirtieth of the year” and inserting in
1422 place thereof the following words:- December 1 and June 30.

1423 SECTION 84. Said chapter 61A is hereby further amended by striking out section 8, as
1424 so appearing, and inserting in place thereof the following section:-

1425 Section 8. Notwithstanding any provision of this chapter to the contrary, in any tax year
1426 for which a city or town has undertaken and completed a program of revaluation of all property
1427 in that city or town and the commissioner of revenue has certified that the revalued property is
1428 assessed by the board of assessors at full and fair cash valuation, applications by landowners for
1429 the valuation, assessment and taxation of their lands on the basis of being actively devoted to
1430 agricultural, horticultural or agricultural and horticultural use that are filed with the board of
1431 assessors by not later than the last day for filing an application for abatement of the tax assessed
1432 on the new valuation, shall be deemed to have been timely made for the tax year of the
1433 revaluation program. If the application is approved and the lands qualify for valuation,
1434 assessment and taxation as lands actively devoted to agricultural, horticultural or agricultural and
1435 horticultural use in that tax year, then the portion of any tax assessed for that year which is in
1436 excess of the tax that would have been assessed on the lands, if the application had been timely
1437 made and approved, shall be abated.

1438 SECTION 85. Section 14 of said chapter 61A, as so appearing, is hereby amended by
1439 striking out, in lines 113 to 116, inclusive, the words “no less than 70 per cent of the land in use
1440 as forest land as defined in section 1, as agricultural and horticultural land as defined in sections
1441 1 and 2 of chapter 61A or as recreation” and inserting in place thereof the following words:- not

less than 70 per cent of the land in use as forest land as defined in section 1 of chapter 61, as land in agricultural or horticultural use as defined in sections 1 and 2 or as recreational.

SECTION 86. Chapter 61B of the General Laws is hereby amended by striking out section 3, as so appearing, and inserting in place thereof the following section:-

Section 3. The eligibility of land for valuation, assessment and taxation pursuant to this chapter shall be determined separately for each tax year. An application for eligibility shall be submitted to the board of assessors in the city or town in which the land is situated by not later than December 1 of the preceding tax year for which the valuation, assessment and taxation is being sought. The application shall be made on a form prescribed by the commissioner of revenue and provided to applicants by the board of assessors. The form shall provide for the reporting of information pertinent to this chapter and for certification by the applicant that the applicant will immediately, but not later than the December 1 of the following year, notify the board of assessors in writing of any subsequent circumstance within the applicant's control or knowledge which may cause a change in use of the land covered by the form. An application submitted pursuant to this section for leased land shall be accompanied by a written statement of the lessee's intent to use the land for the purposes in the application and shall be signed by the lessee. The landowner shall certify, in a manner prescribed by the commissioner, that under the penalties of perjury the information in the landowner's application is true. If the application is allowed pursuant to section 6, then the classification of the land as recreational land shall take effect on January 1 preceding the beginning of the tax year to which the application relates and taxation pursuant to this chapter shall commence with that tax year.

1463 SECTION 87. Section 4 of said chapter 61B of the General Laws, as so appearing, is
1464 hereby amended by striking out, in lines 2 and 3, the words “October first and June thirtieth” and
1465 inserting in place thereof the following words:- December 1 and June 30.

1466 SECTION 88. Said chapter 61B of the General Laws is hereby further amended by
1467 striking out section 5, as so appearing, and inserting in place thereof the following section:-

1468 Section 5. Notwithstanding any provision of this chapter to the contrary, in any tax year
1469 for which a city or town has undertaken and completed a program of revaluation of all property
1470 in that city or town and the commissioner of revenue has certified that revalued property is
1471 assessed by the board of assessors at full and fair cash valuation, applications by landowners for
1472 the valuation, assessment and taxation of their lands on the basis of being maintained in
1473 recreational use, if filed with the board of assessors by not later than the last day for filing an
1474 application for abatement of the tax assessed on the new valuation, shall be deemed to have been
1475 timely made for the tax year of the revaluation program. If the application is approved and the
1476 lands qualify for valuation, assessment and taxation as lands actively devoted to agricultural,
1477 horticultural or agricultural and horticultural use in that tax year, then the portion of a tax
1478 assessed for that year which is in excess of the tax which would have been assessed on the lands
1479 if the application had been timely made and approved, shall be abated.

1480 SECTION 89. Section 6 of said chapter 61B of the General Laws, as so appearing, is
1481 hereby amended by striking out, in line 13, the word “disallowance” and inserting in place
1482 thereof the following words:- an allowance.

1483 SECTION 90. Section 3 of chapter 62 of the General Laws, as so appearing, is hereby
1484 amended by striking out, in line 109, the figure “\$3,000” and inserting in place thereof the
1485 following figure:- \$4,000.

1486 SECTION 91. Section 6 of said chapter 62, as most recently amended by section 33 of
1487 chapter 102 of the Acts of 2021, is hereby further amended by striking out, in lines 245 and 250,
1488 the figure “30” and inserting in place thereof, in each instance, the following figure:- 40.

1489 SECTION 92. Said section 6 of said chapter 62, as so amended, is hereby amended by
1490 striking out, in line 290, the figure “2023” and inserting in place thereof the following figure:-
1491 2028.

1492 SECTION 93. Said section 6 of said chapter 62, as so amended, is hereby further
1493 amended by striking out, in line 296, the figure “2024” and inserting in place thereof the
1494 following figure:- 2029.

1495 SECTION 94. Paragraph (4) of subsection (j) of said section 6 of said chapter 62, as
1496 appearing in the 2020 Official Edition, is hereby amended by adding the following sentence:-
1497 For the purpose of the Brownfields Redevelopment Fund, state financial assistance shall mean
1498 the amount of any grant or principal amount of any loan, but shall not include any loan principal
1499 repaid as of the date the credit application is filed with the commissioner.

1500 SECTION 95. Said section 6 of said chapter 62, as most recently amended by section 33
1501 of chapter 102 of the Acts of 2021, is hereby further amended by striking out, in line 447, the
1502 figure “\$750” and inserting in place thereof the following figure:- \$1,755.

1503 SECTION 96. Said section 6 of said chapter 62, as so amended, is hereby further
1504 amended by striking out, in lines 896 to 898, inclusive, the words “The total amount of credits
1505 that may be authorized by DHCD in a calendar year pursuant to this subsection and section
1506 38BB of chapter 63 shall not exceed \$10,000,000 and” and inserting in place thereof the
1507 following words:- DHCD may authorize not more than \$30,000,000 in credits annually under
1508 this subsection and section 38BB of chapter 63. In addition, DHCD may authorize annually any
1509 credits under this subsection or said section 38BB of said chapter 63 returned to DHCD by a
1510 certified housing development project. The total amount of credits authorized during a year.

1511 SECTION 97. Said section 6 of said chapter 62, as so amended, is hereby further
1512 amended by inserting after the figure “63;”, in line 900, the following word:- and.

1513 SECTION 98. Said section 6 of said chapter 62, as so amended, is hereby further
1514 amended by striking out, in lines 904, inclusive, the figure “\$10,000,000” and inserting in place
1515 thereof the following figure:- \$30,000,000.

1516 SECTION 99. Said section 6 of said chapter 62, as so amended, is hereby further
1517 amended by striking out, in line 906, the word “The” the first time it appears.

1518 SECTION 100. Said section 6 of said chapter 62, as so amended, is hereby further
1519 amended by striking out subsections (x) and (y) and inserting in place thereof the following
1520 subsection:-

1521 (x) A taxpayer who maintains a household that includes as a member: (i) at least 1
1522 individual under the age of 13 who qualifies for exemption as a dependent under section 151 of
1523 the Code; (ii) at least 1 qualifying individual, as defined in said section 21 of the Code; or (iii) at
1524 least 1 individual who is: (A) not less than 65 years of age or who is disabled; and (B) who

qualifies as a dependent under section 152 of the Code, shall be allowed a credit in an amount equal to \$310 for each such dependent or qualifying individual with respect to the taxpayer; provided, however, that if the taxpayer is married at the close of the taxable year, the credit provided in this subsection shall be allowed if the taxpayer and the taxpayer's spouse file a joint return for the taxable year or if the taxpayer qualifies as a head of household under section 2(b) of the Code; and provided further, that for the purposes of this subsection, "maintains a household" shall have the same meaning as in said section 21 of the Code. With respect to a taxpayer who is a non-resident for part of the taxable year, the credit shall be further limited to the amount of allowable credit multiplied by a fraction, the numerator of which shall be the number of days in the taxable year the person resided in the commonwealth and the denominator of which shall be the number of days in the taxable year. A person who is a non-resident for the entire taxable year shall not be allowed the credit. If the amount of the credit allowed under this subsection exceeds the taxpayer's tax liability, the commissioner shall treat the excess as an overpayment and shall pay the taxpayer the entire amount of the excess without interest.

SECTION 101. Section 38Q of chapter 63 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in line 3, the figure "2023" and inserting in place thereof the following figure:- 2028.

SECTION 102. Said section 38Q of said chapter 63, as so appearing, is hereby further amended by striking out, in line 9, the figure "2024" and inserting in place thereof the following figure:- 2029.

SECTION 103. Subsection (d) of said section 38Q of said chapter 63, as so appearing, is hereby amended by adding the following sentence:- For the purpose of the Brownfields

1547 Redevelopment Fund, state financial assistance shall mean the amount of any grant or principal
1548 amount of any loan, but shall not include any loan principal repaid as of the date the credit
1549 application is filed with the commissioner.

1550 SECTION 104. Section 38BB of said chapter 63, as so appearing, is hereby amended by
1551 striking out, in lines 42 to 44, inclusive, the words “The total amount of credits that may be
1552 authorized by DHCD in a calendar year under this section and subsection (q) of section (6) of
1553 chapter 62 shall not exceed \$10,000,000 and” and inserting in place thereof the following
1554 words:- DHCD may authorize up to \$30,000,000 in credits annually under this section and
1555 subsection (q) of section (6) of chapter 62. In addition, DHCD may authorize annually any
1556 credits under this section or said subsection (q) of said section (6) of said chapter 62 returned to
1557 DHCD by a certified housing development project. The total amount of credits authorized during
1558 a year.

1559 SECTION 105. Said section 38BB of said chapter 63, as so appearing, is hereby further
1560 amended by inserting after the words “chapter 62;”, in line 46, the following word:- and.

1561 SECTION 106. Said section 38BB of said chapter 63, as so appearing, is hereby amended
1562 by striking out, in line 50, the figure “\$10,000,000 and inserting in place thereof the following
1563 figure:- \$30,000,000.

1564 SECTION 107. Section 2A of chapter 65C of the General Laws, as so appearing, is
1565 hereby amended by striking out subsection (a) and inserting in place the following subsection:-

1566 (a) A tax is hereby imposed upon the transfer of the estate of each person dying on or
1567 after January 1, 1997 who, at the time of death, was a resident of the commonwealth. The
1568 amount of the tax shall be equal to the credit for state death taxes that would have been allowable

1569 to a decedent's estate as computed under Code section 2011, as in effect on December 31, 2000,
1570 hereinafter referred to as the "credit". If the federal gross estate of a person includes real or
1571 tangible personal property located outside of the commonwealth at the time of death, the tax
1572 shall be reduced by an amount equal to the proportion of such allowable credit as the value of
1573 such real or tangible personal property located outside of the commonwealth bears to the value
1574 of the entire federal gross estate wherever situated, as determined under Code section 2011, as in
1575 effect on December 31, 2000.

1576 SECTION 108. Said section 2A of said chapter 65C, as so appearing, is hereby further
1577 amended by adding the following 2 subsections:-

1578 (f) For the estates of decedents dying on or after September 1, 2022, a credit shall be
1579 allowed against the tax imposed by subsections (a) and (b) equal to the amount of such tax;
1580 provided, however, that the credit shall not exceed \$99,600.

1581 (g) The estates of decedents dying on or after September 1, 2022 shall not be required to
1582 pay any tax under subsections (a) and (b) if the value of the federal taxable estate is not more
1583 than \$2,000,000.

1584 SECTION 109. Chapter 94C of the General Laws is hereby amended by inserting after
1585 section 19D the following section:-

1586 Section 19E. (a) As used in this section and unless the context clearly requires otherwise,
1587 "COVID-19 control measure" shall mean a COVID-19 drug, COVID-19 test or other COVID-19
1588 diagnostic device approved or otherwise authorized by the United States Food and Drug
1589 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 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 under 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 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 in accordance with clinical guidelines as developed by the department. Unless the person purchasing the COVID-19 control measure requests to pay for the prescription out-of-pocket, the pharmacist shall make a reasonable effort to identify the purchaser's insurance coverage and to

1612 submit a claim for the COVID-19 control measure to the insurance carrier prior to dispensing the
1613 COVID-19 control measure.

1614 (f) Except for an act of gross negligence or willful misconduct, the commissioner or a
1615 physician who issues a statewide standing order under subsection (b) and any pharmacist who,
1616 acting in good faith, directly or through the standing order, dispenses a COVID-19 control
1617 measure in accordance with a standing order issued under said subsection (b) shall not be subject
1618 to any criminal or civil liability or any professional disciplinary action.

1619 (g) The department, the board of registration in medicine and the board of registration in
1620 pharmacy may promulgate regulations to implement this section.

1621 SECTION 110. Chapter 100A of the General Laws is hereby amended by adding the
1622 following 2 sections:-

1623 Section 15. There shall be, within the division of insurance, an auto body labor rate
1624 advisory board to address any issues related to auto body labor rates. The advisory board shall
1625 consist of: 1 member appointed by the commissioner of insurance; 1 member appointed by the
1626 attorney general; 1 member appointed by the director of the division of standards; 3 members
1627 from the auto insurance industry appointed by the Automobile Insurers Bureau of Massachusetts,
1628 1 of whom shall be chosen by the 3 members to serve as co-chair; 3 members from the auto
1629 repair industry from different geographic regions of the commonwealth appointed by the
1630 Alliance of Automotive Service Providers of Massachusetts, Inc., 1 of whom shall be chosen by
1631 the 3 members to serve as co-chair; 1 member appointed by the Massachusetts State Automobile
1632 Dealers Association, Inc; and 4 members appointed by the co-chairs, 1 of whom shall be from

1633 vocational-technical schools, 2 of whom shall be from a consumer advocacy group and 1 of
1634 whom shall be an economist with expertise on the insurance industry.

1635 The advisory board shall meet not less than 2 times in a year. The advisory board shall be
1636 responsible for creating, implementing and overseeing an annual survey given to relevant auto
1637 body shops as determined by the advisory board. The survey should compile data pertaining to
1638 contracted hourly labor rates, posted hourly labor rates and prevailing hourly labor rates and any
1639 additional information the advisory board deems relevant. The advisory board shall collect
1640 industry data including, but not limited to: (i) labor rates in neighboring states; (ii) auto body
1641 shop costs; (iii) total labor costs; (iv) inflation data; (v) work force data; (vi) vocational school
1642 trends; (vii) insurance premiums; and (viii) any additional information as requested by the
1643 advisory board. The results of the survey and the data collected shall be reviewed and analyzed
1644 by the advisory board annually and the board shall make a recommendation for a fair and
1645 equitable labor rate.

1646 Annually, not later than December 31, the advisory board shall file a report of its
1647 findings, conclusions and any recommendations with the clerks of the senate and house of
1648 representatives, the joint committee on financial services, the senate and house committees on
1649 ways and means and the division of insurance.

1650 Section 16. Not more than 30 days after receiving the annual report from the auto body
1651 labor rate advisory board under section 15, the commissioner of insurance shall set a minimum
1652 hourly labor rate that insurers shall pay on insured claims for repairs made by registered motor
1653 vehicle repair shops; provided, however, that the minimum hourly labor rate shall not be less

1654 than \$55. The minimum hourly labor rate shall go into effect 30 days after it is set by the
1655 commissioner.

1656 SECTION 111. Section 1 of chapter 121B of the General Laws, as appearing in the 2020
1657 Official Edition, is hereby amended by inserting after the definition of “Blighted open area” the
1658 following definition:-

1659 “Capital funds”, funds advanced by the department to a housing authority to finance
1660 capital outlays for housing production or preservation from proceeds of a bond authorization as
1661 defined in section 1 of chapter 29.

1662 SECTION 112. Said section 1 of said chapter 121B, as so appearing, is hereby further
1663 amended by inserting, after the definition of “Relocation project” the following definition:-

1664 “Replacement units”, low-rent housing created to replace an existing housing project that
1665 is demolished or disposed of under subsection (k) of section 26; provided, however, that such
1666 units may be included within a privately-owned mixed-income development that also includes
1667 dwellings that are not low-rent housing; and provided further, that the use and occupancy of the
1668 replacement units is subject to a binding legal contract and land use restriction under paragraph
1669 (7) of subsection (k) of section 26.

1670 SECTION 113. Section 26 of said chapter 121B, as amended by section 72 of chapter 39
1671 of the acts of 2021, is hereby further amended by inserting after the word “sale”, in line 91, the
1672 following words:- or other disposition.

SECTION 114. Subsection (k) of said section 26 of said chapter 121B, as so amended, is hereby further amended by striking out paragraphs (1) to (4), inclusive, and inserting in place thereof the following 4 paragraphs:-

(1) found that all or a substantial portion of such existing housing project or part thereof requires such substantial modernization or rehabilitation to continue to provide decent, safe and sanitary housing and that, in the judgment of the department, the required substantial modernization or rehabilitation cannot feasibly be executed by the housing authority pursuant to this chapter;

(2) approved the proposed project, including a relocation plan for occupants of the existing project and a plan to make housing available on the land where the existing project is situated, in which the number of replacement units restricted as low-rent housing for occupancy by low-income persons or families shall be the same as the number of low-rent housing units in the existing housing project or part thereof that is subject to demolition or disposition, unless the department determines that: (i) a shortage of low-rent housing no longer exists in the applicable city or town; or (ii) the reduction in the number of units is necessary to increase the number of units that are accessible for persons with disabilities, which project may include plans to use a portion of such land for market-rate housing or for a public purpose ancillary to such development and approved by the department;

(3) approved the sale or other disposition and the terms thereof, which shall be at a value determined through procedures customarily accepted by the appraising profession as valid, unless the department determines that a below-market disposition would be in the public interest

1694 in order to support the continued occupancy of dwelling units in the new development by low-
1695 income families;

1696 (4) determined that the availability of funds to the housing authority for such project is
1697 conditioned upon the occurrence of the initial mortgage loan closing for the development of new
1698 or rehabilitated housing on the land where the existing project is situated, and the housing
1699 authority has selected, through a qualifications-based competitive procurement process approved
1700 by the department, a developer best qualified to develop, own and operate the new or
1701 rehabilitated housing on the existing land, to provide for such development of the new housing
1702 within a reasonable time in accordance with department-approved contracts, and to assure
1703 continued occupancy of the required number of replacement units in the new development by
1704 low-income families in accordance with this chapter.

1705 SECTION 115. Said subsection (k) of said section 26 of said chapter 121B, as so
1706 amended, is hereby further amended by adding the following paragraph:-

1707 (7) approved a binding legal contract and land use restriction to be entered into by the
1708 transferee of the property in favor of the local housing authority and the department that requires
1709 compliance with this chapter and the department's regulations if this chapter and the
1710 department's regulations apply to tenancy in and application to public housing, as determined by
1711 the department, with respect to the replacement units in the same manner and to the same effect
1712 as if the transferee were a housing authority; provided, however, that the department may waive
1713 this requirement as may be necessary to secure financing. The contract shall require compliance
1714 in perpetuity unless the department determines that the project financing requires the use of
1715 federal low-income housing tax credits and that compliance in perpetuity would make it

1716 infeasible to comply with Internal Revenue Service requirements with respect to the low-income
1717 housing tax credit program.

1718 SECTION 116. Said section 26 of said chapter 121B, as so amended , is hereby further
1719 amended by striking out, in line 243, the words “this section or section 34” and inserting in place
1720 thereof the following words:- this chapter.

1721 SECTION 117. Said section 26 of said chapter 121B, as so amended, is hereby further
1722 amended by inserting after the words “feasible to”, in line 248, the following words:- maintain or
1723 to.

1724 SECTION 118. Said section 26 of said chapter 121B, as so amended, is hereby further
1725 amended by inserting after the word “demolition”, in line 252, the following words:- or other
1726 disposition.

1727 SECTION 119. Said section 26 of said chapter 121B, as so amended, is hereby further
1728 amended by striking out, in line 254, the words “as of November 1, 2012”, and inserting in place
1729 thereof the following words:- for reasons the department has determined not to be the fault of the
1730 housing authority for not less than 2 years.

1731 SECTION 120. Said section 26 of said chapter 121B, as so amended, is hereby further
1732 amended by adding the following subsection:-

1733 (q) Notwithstanding any general or special law to the contrary, including, without
1734 limitation, section 16 of chapter 30B, a housing authority may dispose of property pursuant to
1735 this section or section 34 to a developer selected by competitive, qualifications-based
1736 procurement without separately soliciting proposals for the property disposition; provided,

1737 however, that the developer procurement declares the property available for disposition and that,
1738 in the case of a disposition of property pursuant to subsection (k), the number of replacement
1739 units required under paragraph (2) of said subsection (k) are provided. Without limiting the
1740 generality of the foregoing:

1741 (1) A housing authority shall not be required to determine the value of the property prior
1742 to soliciting proposals for selection of a developer best qualified to develop, own and operate the
1743 new or rehabilitated housing on the land. Prior to disposition of property by deed or other
1744 instrument, the housing authority shall determine the value of the property through procedures
1745 customarily accepted by the appraising profession as valid prior to the sale or other disposition of
1746 the property and if, with the approval of the department, the housing authority decides to dispose
1747 of the property at a price less than the value as so determined, the housing authority shall publish
1748 notice of its decision in the central register, explaining the reasons for its decision and disclosing
1749 the difference between such value and the price to be received; and

1750 (2) A housing authority shall not be required to specify all the restrictions that may be
1751 placed on the subsequent use of property prior to selecting a developer through a qualifications-
1752 based competitive procurement process; provided, that the developer procurement shall identify
1753 the minimum number of dwelling units in the new development that shall be occupied by low-
1754 income families. In the case of a disposition pursuant to subsection (k), such minimum number
1755 shall conform to the requirements of paragraph (2) of said subsection (k).

1756 SECTION 121. Section 29 of said chapter 121B, as appearing in the 2020 Official
1757 Edition, is hereby amended by adding the following paragraph:-

Notwithstanding any provision in this chapter to the contrary, if a housing authority does not own, lease or manage any housing project eligible to receive ongoing capital or operating assistance under section 32 or section 34, the department shall not investigate such housing authority's budgets, finances, dealings, transactions and relationships or other affairs, nor shall the department require periodic reporting by any such housing authority. Without limiting the generality of the foregoing, a housing authority that does not own, lease or manage any housing project eligible to receive ongoing capital or operating assistance under said section 32 or 34 shall not be required to: (i) participate in a training program under section 5B; (ii) submit contracts with its executive director to the department for review pursuant to section 7A; (iii) participate in the performance-based monitoring program established pursuant to section 26B; (iv) participate in the regional capital assistance team program established pursuant to section 26C; (v) prepare and submit an annual plan pursuant to section 28A and this section; or (vi) prepare and submit, or make available, a written report and agreed upon procedures for review of housing authority financial records pursuant to this section.

SECTION 122. Section 34 of said chapter 121B, as so appearing, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:-

The proceeds of any sale or other disposition of such project in excess of the total of all obligations of the housing authority with respect to such project shall, after the payment of all bonds issued by the housing authority to finance the cost of such project and payment of the costs of the sale or disposition, be retained by the housing authority for the preservation, modernization and maintenance of its public housing assisted under this chapter as approved by the department, or where the housing authority has no public housing assisted pursuant to this

chapter, such proceeds shall be paid to the department to fund capital improvements for the preservation, modernization and maintenance of state-aided public housing.

SECTION 123. Said section 34 of said chapter 121B, as so appearing, is hereby further amended by striking out the tenth paragraph and inserting in place thereof the following paragraph:-

Whenever a housing authority shall determine that land acquired by it pursuant to clause (d) of section 11 for the purpose of this section is in excess of or no longer required for such purpose it may, upon approval by the department, sell or otherwise dispose of such land by deed or instrument approved as to form by the attorney general. If the housing authority is disposing of such land for purposes of housing development, it may do so in accordance with section 26. So long as any bonds issued by a housing authority to finance the cost of a project under this section or section 35 and guaranteed by the commonwealth are outstanding, funds received from a disposition of land as provided in this chapter shall be applied in accordance with the fourth paragraph of this section. After the payment of all bonds issued by the housing authority to finance the cost of such project, funds received shall be applied in accordance with the fifth paragraph of this section.

SECTION 124. Said section 34 of said chapter 121B, as so appearing, is hereby further amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, construction and development activity related to redevelopment of state-aided or federally-aided public housing projects where the land, buildings or structures associated with the housing project have been conveyed or transferred to an affiliated non-profit or private entity for purposes of completing the

1802 redevelopment shall not be subject to any general or special law related to the procurement and
1803 award of contracts for the planning, design, construction management, construction,
1804 reconstruction, installation, demolition, maintenance or repair of buildings by a public agency;
1805 provided, however, that the department shall review and approve the procurement processes used
1806 to undertake this redevelopment in accordance with subsection (q) of section 26; and provided
1807 further, that all construction, reconstruction, alteration, installation, demolition, maintenance or
1808 repair shall be subject to sections 26 to 27F, inclusive, and section 29 of chapter 149. The
1809 department shall request rates and updates from the division of labor standards for these projects.

1810 SECTION 125. Section 206 of chapter 175 of the General Laws, as so appearing, is
1811 hereby amended by inserting after the definition of “Control” the following 2 definitions:-

1812 “Division”, the division of insurance.

1813 “Enterprise risk”, any activity, circumstance, event or series of events involving 1 or
1814 more affiliates of an insurer that, if not remedied promptly, is likely to have a material adverse
1815 effect upon the financial condition or liquidity of the insurer or its insurance holding company
1816 system as a whole, including, but not limited to, anything that would cause the insurer’s risk-
1817 based capital to fall into company action level as set forth by the commissioner by regulation or
1818 would cause the insurer to be in hazardous financial condition as set forth in section 3 of chapter
1819 175J.

1820 SECTION 126. Said section 206 of said chapter 175, as so appearing, is hereby further
1821 amended by inserting after the definition of “Group-wide supervisor” the following definition:-

1822 “Group capital calculation instructions”, the group capital calculation instructions as
1823 adopted by the National Association of Insurance Commissioners and as amended by the

1824 National Association of Insurance Commissioners from time to time in accordance with the
1825 procedures adopted by the National Association of Insurance Commissioners.

1826 SECTION 127. Said section 206 of said chapter 175, as so appearing, is hereby further
1827 amended by inserting after the definition of “Internationally active insurance group” the
1828 following definition:-

1829 “National Association of Insurance Commissioners liquidity stress test framework” or
1830 “Framework”, a publication from the National Association of Insurance Commissioners that
1831 includes a history of the National Association of Insurance Commissioners’ development of
1832 regulatory liquidity stress testing, the scope criteria applicable for a specific data year and the
1833 liquidity stress test instructions and reporting templates for a specific data year, such scope
1834 criteria, instructions and reporting template as adopted by the National Association of Insurance
1835 Commissioners and as amended by the National Association of Insurance Commissioners from
1836 time to time in accordance with the procedures adopted by the National Association of Insurance
1837 Commissioners.

1838 SECTION 128. Said section 206 of said chapter 175, as so appearing, is hereby further
1839 amended by inserting after the definition of “Person” the following definition:-

1840 “Scope criteria”, the designated exposure bases, along with minimum magnitudes thereof
1841 for the specified data year, used to establish a preliminary list of insurers considered scoped into
1842 the National Association of Insurance Commissioners liquidity stress test framework for that
1843 data year, as detailed in the National Association of Insurance Commissioners liquidity stress test
1844 framework.

1845 SECTION 129. Subsection (d) of section 206C of said chapter 175, as so appearing, is
1846 hereby amended by adding the following sentence:- The determination of materiality in this
1847 subsection shall not apply for purposes of the group capital calculation or the liquidity stress test
1848 framework.

1849 SECTION 130. Subsection (m) of said section 206C of said chapter 175, as so appearing,
1850 is hereby amended by striking out paragraphs (4) and (5) and inserting in place thereof the
1851 following 5 paragraphs:-

1852 (4) the books, accounts and records of each party to all such transactions shall be so
1853 maintained as to clearly and accurately disclose the nature and details of the transactions
1854 including such accounting information as is necessary to support the reasonableness of the
1855 charges or fees to the respective parties;

1856 (5) the insurer's surplus as regards policyholders following any dividends or distributions
1857 to shareholder affiliates shall be reasonable in relation to the insurer's outstanding liabilities and
1858 adequate to its financial needs;

1859 (6) if an insurer subject to this section is deemed by the commissioner to be in a
1860 hazardous financial condition as described in section 3 of chapter 175J or a condition that would
1861 be grounds for supervision, conservation or a delinquency proceeding, the commissioner may
1862 require the insurer to secure and maintain either a deposit held by the commissioner or a bond, as
1863 determined by the insurer at the insurer's discretion, for the protection of the insurer for the
1864 duration of the contract or agreement, or the existence of the condition for which the
1865 commissioner required the deposit or the bond. In determining whether a deposit or a bond is
1866 required, the commissioner shall consider whether concerns exist with respect to the affiliated

1867 person's ability to fulfill the contract or agreement if the insurer were to be put into liquidation.
1868 Once the insurer is deemed to be in a hazardous financial condition or a condition that would be
1869 grounds for supervision, conservation or a delinquency proceeding and a deposit or bond is
1870 deemed necessary by the commissioner, the commissioner may determine the amount of the
1871 deposit or bond, not to exceed the value of the contract or agreement in any 1 year, and whether
1872 such deposit or bond should be required for a single contract, multiple contracts or a contract
1873 only with a specific person;

1874 (7) all records and data of the insurer held by an affiliate are and remain the property of
1875 the insurer, are subject to control of the insurer, are identifiable and are segregated or readily
1876 capable of segregation, at no additional cost to the insurer, from all other persons' records and
1877 data. This shall include all records and data that are otherwise the property of the insurer, in
1878 whatever form maintained, including, but not limited to, claims and claim files, policyholder
1879 lists, application files, litigation files, premium records, rate books, underwriting manuals,
1880 personnel records, financial records or similar records within the possession, custody or control
1881 of the affiliate. At the request of the insurer, the affiliate shall provide that the receiver can: (i)
1882 obtain a complete set of all records of any type that pertain to the insurer's business; (ii) obtain
1883 access to the operating systems on which the data is maintained; (iii) obtain the software that
1884 runs those systems either through assumption of licensing agreements or otherwise; and (iv)
1885 restrict the use of the data by the affiliate if it is not operating the insurer's business. The affiliate
1886 shall provide a waiver of any landlord lien or other encumbrance to give the insurer access to all
1887 records and data in the event of the affiliate's default under a lease or other agreement; and

1888 (8) premiums or other funds belonging to the insurer that are collected by or held by an
1889 affiliate are the exclusive property of the insurer and are subject to the control of the insurer. Any

1890 right of offset in the event an insurer is placed into receivership shall be subject to sections 180A
1891 to 180L1/2, inclusive.

1892 SECTION 131. Said section 206C of said chapter 175, as so appearing, is hereby further
1893 amended by inserting after subsection (q) the following subsection:-

1894 (q^{1/2})(1) Any affiliate that is party to an agreement or contract with a domestic insurer that
1895 is subject to paragraph (4) of subsection (n) shall be subject to the jurisdiction of any
1896 supervision, seizure, conservatorship or receivership proceedings against the insurer and to the
1897 authority of any supervisor, conservator, rehabilitator or liquidator for the insurer appointed
1898 pursuant to sections 180A to 180L1/2, inclusive, for the purpose of interpreting, enforcing and
1899 overseeing the affiliate's obligations under the agreement or contract to perform services for the
1900 insurer that:

1901 (i) are an integral part of the insurer's operations, including, but not limited to
1902 management, administrative, accounting, data processing, marketing, underwriting, claims
1903 handling, investment or any other similar functions; or

1904 (ii) are essential to the insurer's ability to fulfill its obligations under insurance policies.

1905 (2) The commissioner may require that an agreement or contract that is subject to
1906 paragraph (4) of subsection (n) for the provision of services described in clauses (i) and (ii) of
1907 paragraph (1) specify that the affiliate consents to the jurisdiction as set forth in this subsection.

1908 SECTION 132. Subsection (v) of said section 206C of said chapter 175, as so appearing,
1909 is hereby amended by striking out paragraph (1) and inserting in place thereof the following
1910 paragraph:-

(1) Documents, materials or other information in the possession or control of the division 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 pursuant to this section shall be recognized as being proprietary and containing trade secrets, 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; provided, however, that 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 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 United States group-wide supervisor.

(ii) For purposes of the information reported and provided to the division 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

1934 received from an insurance holding company supervised by the Federal Reserve Board and non-
1935 United States group-wide supervisors.

1936 SECTION 133. Said subsection (v) of said section 206C of said chapter 175, as so
1937 appearing, is hereby further amended by striking out paragraph (3) and inserting in place thereof
1938 the following paragraph:-

1939 (3) In order to assist in the performance of the commissioner's duties, the commissioner:

1940 (i) may share documents, materials or other information, including the confidential and
1941 privileged documents, materials or information subject to paragraph (1), including proprietary
1942 and trade secret documents with other state, federal and international regulatory agencies, the
1943 National Association of Insurance Commissioners and its affiliates and subsidiaries, the
1944 International Association of Insurance Supervisors, the Bank for International Settlements, the
1945 Federal Insurance Office and state, federal and international law enforcement authorities,
1946 including members of any supervisory college described in subsection (x); provided, however,
1947 that the recipient agrees in writing to maintain the confidentiality and privileged status of the
1948 document, material or other information and has verified in writing the legal authority to
1949 maintain confidentiality;

1950 (ii) may receive documents, materials or information, including otherwise confidential
1951 and privileged documents, materials or information, including proprietary and trade-secret
1952 information from the National Association of Insurance Commissioners and its affiliates and
1953 subsidiaries, the International Association of Insurance Supervisors, the Bank for International
1954 Settlements, the Federal Insurance Office and from regulatory and law enforcement officials of
1955 other foreign or domestic jurisdictions and shall maintain as confidential and privileged any

1956 document, material or information received with notice or the understanding that it is
1957 confidential or privileged under the laws of the jurisdiction that is the source of the document,
1958 material or information; and

1959 (iii) shall enter into written agreements with the National Association of Insurance
1960 Commissioners and any third-party consultant designated by the commissioner governing
1961 sharing and the use of information provided pursuant to this subsection that shall:

1962 (A) specify procedures and protocols regarding the confidentiality and security of
1963 information shared with the National Association of Insurance Commissioners and any third-
1964 party consultant designated by the commissioner pursuant to this section, including procedures
1965 and protocols for sharing by the National Association of Insurance Commissioners with other
1966 state, federal or international regulators;

1967 (B) provide within the agreement that the recipient agrees in writing to maintain the
1968 confidentiality and privileged status of the documents, materials or other information and has
1969 verified in writing the legal authority to maintain such confidentiality;

1970 (C) specify that ownership of information shared with the National Association of
1971 Insurance Commissioners or a third-party consultant designated by the commissioner pursuant to
1972 this section remains with the commissioner and the National Association of Insurance
1973 Commissioners or the third-party consultant, and that use of the information is subject to the
1974 direction of the commissioner;

1975 (D) excluding documents, materials or information reported pursuant to paragraph (3) of
1976 subsection (z), prohibit the National Association of Insurance Commissioners or a third-party
1977 consultant designated by the commissioner pursuant to this section from storing the information

1978 shared pursuant to this section in a permanent database after the underlying analysis is
1979 completed;

1980 (E) require prompt notice to be given to an insurer whose confidential information is in
1981 the possession of the National Association of Insurance Commissioners or a third-party
1982 consultant designated by the commissioner pursuant to this section and is subject to a request or
1983 subpoena to the National Association of Insurance Commissioners or a third-party consultant
1984 designated by the commissioner for disclosure or production;

1985 (F) require the National Association of Insurance Commissioners or a third-party
1986 consultant designated by the commissioner pursuant to this section to consent to intervention by
1987 an insurer in any judicial or administrative action in which the National Association of Insurance
1988 Commissioners or the third-party consultant may be required to disclose confidential information
1989 about the insurer shared with the National Association of Insurance Commissioners or the third-
1990 party consultant; and

1991 (G) for documents, material or information reporting pursuant to paragraph (3) of
1992 subsection (z), in the case of an agreement involving a third-party consultant designated by the
1993 commissioner pursuant to this section, provide for notification of the identity of the consultant to
1994 the applicable insurers.

1995 SECTION 134. Said subsection (v) of said section 206C of said chapter 175, as so
1996 appearing, is hereby further amended by adding the following paragraph:-

1997 (7) The group capital calculation and resulting group capital ratio required pursuant to
1998 paragraph (2) of subsection (z) and the liquidity stress test along with its results and supporting
1999 disclosures required pursuant to paragraph (3) of said subsection (z) shall be regulatory tools for

2000 assessing group risks and capital adequacy and group liquidity risks, respectively, and are not
2001 intended as a means to rank insurers or insurance holding company systems generally. Except as
2002 otherwise may be required pursuant to this section, the making, publishing, disseminating,
2003 circulating or placing before the public in a newspaper, magazine or other publication, or in the
2004 form of a notice, circular, pamphlet, letter or poster, or over any radio or television station or any
2005 electronic means of communication available to the public, or in any other way as an
2006 advertisement, announcement or statement containing a representation or statement with regard
2007 to the group capital calculation, group capital ratio, the liquidity stress test results or supporting
2008 disclosures for the liquidity stress test of any insurer or any insurer group, or of any component
2009 derived in the calculation by any insurer, broker, or other person engaged in any manner in the
2010 insurance business shall be deemed misleading and shall be prohibited; provided, however, that
2011 if any materially false statement with respect to the group capital calculation, resulting group
2012 capital ratio, an inappropriate comparison of any amount to an insurer's or insurance group's
2013 capital calculation or resulting group capital ratio, liquidity stress test result, supporting
2014 disclosures for the liquidity stress test or an inappropriate comparison of any amount to an
2015 insurer's or insurance group's liquidity stress test result or supporting disclosures is published in
2016 any written publication and the insurer is able to demonstrate to the commissioner with
2017 substantial proof the falsity of such statement or the inappropriateness, the insurer may publish
2018 announcements in a written publication if the sole purpose of the announcement is to rebut the
2019 materially false statement.

2020 SECTION 135. Said section 206C of said chapter 175, as so appearing, is hereby further
2021 amended by adding the following subsection:-

2022 (z)(1) The ultimate controlling person of every insurer subject to registration shall also
2023 file an annual enterprise risk report. The report shall, to the best of the ultimate controlling
2024 person's knowledge and belief, identify the material risks within the insurance holding company
2025 system that could pose enterprise risk to the insurer. The report shall be filed with the lead state
2026 commissioner of the insurance holding company system as determined by the procedures within
2027 the financial analysis handbook adopted by the National Association of Insurance
2028 Commissioners.

2029 (2) Except as otherwise provided by this paragraph, the ultimate controlling person of
2030 every insurer subject to registration pursuant to this section shall concurrently file with the
2031 registration statement an annual group capital calculation as directed by the lead state
2032 commissioner. The report shall be completed in accordance with the National Association of
2033 Insurance Commissioner's group capital calculation instructions, which may permit the lead state
2034 commissioner to allow a controlling person that is not the ultimate controlling person to file the
2035 group capital calculation. The report shall be filed with the lead state commissioner of the
2036 insurance holding company system as determined by the commissioner in accordance with the
2037 procedures within the financial analysis handbook adopted by the National Association of
2038 Insurance Commissioners. Insurance holding company systems described below are exempt
2039 from filing the group capital calculation:

2040 (i) An insurance holding company system that has only 1 insurer within its holding
2041 company structure, that only writes business and is only licensed in its domestic state and
2042 assumes no business from any other insurer;

2043 (ii) An insurance holding company system that is required to perform a group capital
2044 calculation specified by the United States Federal Reserve Board. The lead state commissioner
2045 shall request the calculation from the Federal Reserve Board under the terms of information
2046 sharing agreements in effect. If the Federal Reserve Board cannot share the calculation with the
2047 lead state commissioner, the insurance holding company system is not exempt from the group
2048 capital calculation filing;

2049 (iii) An insurance holding company system whose non-United States group-wide
2050 supervisor is located within a reciprocal jurisdiction as described in section 20A that recognizes
2051 the United States regulatory approach to group supervision and group capital; and

2052 (iv) An insurance holding company system:

2053 (A) That provides information to the lead state that meets the requirements for
2054 accreditation under the National Association of Insurance Commissioners financial standards and
2055 accreditation program, either directly or indirectly through the group-wide supervisor, who has
2056 determined such information is satisfactory to allow the lead state to comply with the National
2057 Association of Insurance Commissioners group supervision approach, as detailed in the National
2058 Association of Insurance Commissioners financial analysis handbook; and

2059 (B) Whose non-United States group-wide supervisor that is not in a reciprocal
2060 jurisdiction recognizes and accepts, as specified by the commissioner in regulation, the group
2061 capital calculation as the world-wide group capital assessment for United States insurance groups
2062 who operate in that jurisdiction.

2063 (3)(i) Notwithstanding clauses (iii) and (iv) of paragraph (2), a lead state commissioner
2064 shall require the group capital calculation for United States operations of any non-United States

2065 based insurance holding company system where, after any necessary consultation with other
2066 supervisors or officials, it is deemed appropriate by the lead state commissioner for prudential
2067 oversight and solvency monitoring purposes or for ensuring the competitiveness of the insurance
2068 marketplace.

2069 (ii) Notwithstanding the exemptions from filing the group capital calculation stated in
2070 clauses (i) to (iv), inclusive, of paragraph (2), the lead state commissioner shall have the
2071 discretion to exempt the ultimate controlling person from filing the annual group capital
2072 calculation or to accept a limited group capital filing or report in accordance with criteria as
2073 specified by the commissioner in regulation.

2074 (iii) If the lead state commissioner determines that an insurance holding company system
2075 no longer meets 1 or more of the requirements for an exemption from filing the group capital
2076 calculation under this subsection, the insurance holding company system shall file the group
2077 capital calculation at the next annual filing date unless given an extension by the lead state
2078 commissioner based on reasonable grounds shown.

2079 (4) The ultimate controlling person of every insurer subject to registration pursuant to this
2080 section and scoped into the National Association of Insurance Commissioners liquidity stress test
2081 Framework shall file the results of a specific year's liquidity stress test. The filing shall be made
2082 to the lead state insurance commissioner of the insurance holding company system as determined
2083 by the procedures within the financial analysis handbook adopted by the National Association of
2084 Insurance Commissioners.

2085 (i) The National Association of Insurance Commissioners liquidity stress test Framework
2086 includes scope criteria applicable to a specific data year. The scope criteria are reviewed at least

2087 annually by the financial stability task force or its successor. Any change to the National
2088 Association of Insurance Commissioners liquidity stress test framework or to the data year for
2089 which the scope criteria are to be measured shall be effective on January 1 of the year following
2090 the calendar year when such changes are adopted. Insurers meeting at least 1 threshold of the
2091 scope criteria are considered scoped into the National Association of Insurance Commissioners
2092 liquidity stress test framework for the specified data year unless the lead state insurance
2093 commissioner, in consultation with the National Association of Insurance Commissioners
2094 financial stability task force or its successor, determines the insurer should not be scoped into the
2095 framework for that data year. Similarly, insurers that do not trigger at least 1 threshold of the
2096 scope criteria are considered scoped out of the National Association of Insurance Commissioners
2097 liquidity stress test framework for the specified data year, unless the lead state insurance
2098 commissioner, in consultation with the National Association of Insurance Commissioners
2099 financial stability task force or its successor, determines the insurer should be scoped into the
2100 framework for that data year.

2101 (A) The lead state insurance commissioner, in consultation with the financial stability
2102 task force or its successor, shall take into consideration how best to avoid having insurers scoped
2103 in and out of the National Association of Insurance Commissioners liquidity stress test
2104 framework on a frequent basis as part of the determination for an insurer.

2105 (ii) The performance of, and filing of the results from, a specific year's liquidity stress
2106 test shall comply with the National Association of Insurance Commissioners liquidity stress test
2107 framework's instructions and reporting templates for that year and any lead state insurance
2108 commissioner determinations, in consultation with the financial stability task force or its
2109 successor, provided within the framework.

2110 SECTION 136. Subsection (a) of section 60 of chapter 46 of the acts of 2013 is hereby
2111 amended by inserting after the words “in fiscal year 2018” the following words:- and each fiscal
2112 year thereafter.

2113 SECTION 137. Sections 46, 48, 61, 63 and 124A of chapter 287 of the acts of 2014 are
2114 hereby repealed.

2115 SECTION 138. Section 67 of Chapter 102 of the Act of 2021 is hereby amended by
2116 striking out the section and inserting in place thereof the section:-

2117 SECTION 67. Item 8200-0200 of said section 2 of said chapter 24 is hereby amended by
2118 adding the following words:- ; provided further, that not less than \$750,000 shall be expended
2119 for a need-based scholarship pilot program to provide financial assistance to student officers who
2120 actively enroll in a full-time police academy conducted by the municipal police training
2121 committee; provided further, that scholarships shall be used to: (i) promote diversity, equity and
2122 inclusion in the hiring of student officers; (ii) defray the upfront costs for qualified
2123 underrepresented and economically-disadvantaged individuals enrolled as student officers in a
2124 full-time police academy; and (iii) increase municipal police employment opportunities for
2125 underrepresented and economically-disadvantaged individuals; provided further, that the amount
2126 of any scholarship awarded under this item shall be \$7,000 per eligible student officer; provided
2127 further, that funds in this item shall be used to directly fund or reimburse student officers
2128 enrolled in the full-time police academy and such funds shall be made available until June 30,
2129 2023; provided further, that scholarships shall be disbursed to eligible student officers under this
2130 item in a regionally equitable manner; provided further, that not later than April 15, 2022, the
2131 executive office of public safety and security shall submit a report to the house and senate

2132 committees on ways and means and the joint committee on public safety and homeland security
2133 detailing the criteria established for creating the scholarships and providing financial assistance;
2134 and provided further, beginning on June 30, 2023, the executive office shall provide a report to
2135 the house and senate committees on ways and means and the joint committee on public safety
2136 and homeland security not later than June 30 of each fiscal year detailing expenditures from this
2137 item and the status of the scholarship program including, but not limited to: (i) the number of
2138 scholarship applications; (ii) the number of successful scholarship applicants; and (iii) the criteria
2139 used to determine successful applications.

2140 SECTION 139. Section 2 of chapter 42 of the acts of 2022 is hereby amended by striking
2141 out item 4003-0100 and inserting in place thereof the following item:-

2142 4003-0122.....\$10,000,000

2143 SECTION 140. Notwithstanding any general or special law to the contrary, the
2144 commissioner of conservation and recreation may amend and extend for a 30-year period the
2145 existing lease authorized under chapter 287 of the acts of 1977.

2146 SECTION 141. The Massachusetts Convention Center Authority, established in section
2147 33 of chapter 190 of the acts of 1982, shall update and supplement the report entitled “BCEC
2148 Expansion 2019 Project Report”, dated January 2020, to account for changes in the convention,
2149 venue management and hospitality industry that have developed since January 2020, including,
2150 but not limited to, changes resulting from the outbreak of the 2019 novel coronavirus, also
2151 known as COVID-19, and subsequent variants; provided, however, that the update and
2152 supplement shall include, but not be limited to, an analysis of: (i) the competitiveness of the city
2153 of Boston and the commonwealth nationally and globally as a destination for conventions,

2154 gatherings and similar public meetings; (ii) the needs of the Boston Convention and Exhibition
2155 Center to accommodate conventions, gatherings and public meetings; (iii) how conventions,
2156 gatherings and public meetings will take place going forward, including safety and public health
2157 considerations for COVID-19 and possible future public health crises; and (iv) technology, air
2158 filtration and any other physical plant enhancements. The Massachusetts Convention Center
2159 Authority shall file the update and supplement with the clerks of the senate and house of
2160 representatives, the senate and house committees on ways and means, the joint committee on
2161 economic development and emerging technologies and the joint committee on state
2162 administration and regulatory oversight.

2163 SECTION 142. (a) The secretary of administration and finance, the secretary of housing
2164 and economic development, 1 person appointed by the president of the senate, 1 person
2165 appointed by the speaker of the house of representatives and 1 person appointed by mayor of the
2166 city of Boston shall jointly study and report on the feasibility of the sale, lease, transfer or other
2167 disposition of the land and improvements comprising the Hynes convention center, or any
2168 interest therein, to determine whether it would be in the best interest of the commonwealth to
2169 retain the Hynes convention center and shall make recommendations on attracting more business
2170 and events to the Hynes convention center. The study shall include, but not be limited to: (i) the
2171 economic effects on the property of a sale, lease, transfer or other disposition; (ii) the economic
2172 effects on the businesses of the Back Bay neighborhood of the city of Boston of a sale, lease,
2173 transfer or other disposition; (iii) the economic effects on the city of Boston of a sale, lease,
2174 transfer or other disposition; (iv) the number of jobs that might be lost as a result of a sale, lease,
2175 transfer or other disposition; (v) plans to mitigate the effects of jobs lost as a result of a sale,
2176 lease, transfer or other disposition; and (vi) the economic effects the current operation of the

2177 Hynes convention center has to the Back Bay neighborhood, the city of Boston and the
2178 commonwealth.

2179 (b) The report shall be filed with the clerks of the house of representatives and the senate,
2180 the house and senate committees on ways and means and the joint committee on economic
2181 development and emerging technologies not later than December 31, 2023.

2182 SECTION 143. (a) There shall be a special legislative commission on agricultural equity
2183 to develop recommendations for supporting investments, policies and practices designed to
2184 promote racial equity in agriculture in the commonwealth.

2185 (b) The commission shall consist of: the commissioner of agricultural resources or a
2186 designee; the chairs of the committee on environment, natural resources and agriculture or their
2187 designees; 1 member appointed by the Massachusetts Black and Latino legislative caucus; 1
2188 member appointed by the Massachusetts Asian legislative caucus; 2 members appointed by the
2189 Massachusetts food system legislative caucus, to be selected through an open nomination process
2190 under criteria developed by the caucus; 2 members appointed by the commissioner of
2191 agricultural resources who shall represent Buy Local organizations funded by the department; 2
2192 members appointed by the Massachusetts Food System Collaborative; 1 member appointed by
2193 the commission on the status of African Americans; 1 member appointed by the commission on
2194 the status of Latinos and Latinas; 1 member appointed by the commission on the status of Asian
2195 Americans and Pacific Islanders; 1 member appointed by the commission on Indian affairs; 1
2196 member appointed by Massachusetts Farm Bureau Federation; and 1 member appointed by the
2197 Center for Agriculture, Food and the Environment at the University of Massachusetts at
2198 Amherst. The appointing authorities shall appoint members generally familiar with agriculture

2199 and who represent a diversity of knowledge of urban and rural agricultural practices and
2200 experiences. The commission shall be co-chaired by the commissioner of agricultural resources
2201 and a member of the commission chosen by the members.

2202 (b) The commission shall investigate and study ways to increase equity in agriculture in
2203 the commonwealth, and shall prepare a report that shall include, but not be limited to,
2204 recommendations for: (i) data collection and dissemination; (ii) benchmark development and
2205 targeting areas of need; (iii) transparency for grantmaking to promote equitable access to grant
2206 programs and equitable distribution of funds; (iv) generating greater equity in the laws,
2207 regulations and other policies that regulate and support agriculture in the commonwealth,
2208 including, but not limited to, legislative, regulatory and sub-regulatory processes; (v) improving
2209 equity in the programs and services offered by the department of agricultural resources
2210 including, but not limited to, those programs regarding land access and protection, farmer
2211 technical assistance and education, marketing and others; (iv) the ongoing role of the
2212 commission or another representative body in supporting the implementation and monitoring of
2213 these equity goals; and (v) a plan for implementation, including a timeline.

2214 (c) The department of agricultural resources shall furnish reasonable staff and other
2215 support for the work of the commission. Members of the commission may receive
2216 reimbursement for the reasonable expenses incurred in carrying out their responsibilities as
2217 members of the commission under procedures established by the department.

2218 (d) The commission shall hold 3 or more public hearings in various regions of the
2219 commonwealth, including 1 in a rural area and 1 in an urban area with potential for increased
2220 urban agriculture. Not more than 12 months after the effective date of this act, the commission

2221 shall file a report on the results of its investigation and study together with its findings and
2222 recommendations, including any drafts of legislation necessary to carry out those
2223 recommendations, with the clerks of the senate and house of representatives, the senate and
2224 house committees on ways and means and the joint committee on environment, natural resources
2225 and agriculture. The report shall be posted on the website of the department of agricultural
2226 resources.

2227 SECTION 144. (a) For the purposes of this section, the following words shall have the
2228 following meanings unless the context clearly requires otherwise:

2229 “Net patient service revenue”, the sum of inpatient and outpatient net patient service
2230 revenue for fiscal year 2020 as published by the center for health information and analysis in
2231 April 2022 in its databook titled Massachusetts Hospital Profiles.

2232 “Net patient service revenue adjustment”, an amount equal to a hospital’s net patient
2233 service revenue: (i) multiplied by 1, in the case of a tier 1 hospital; (ii) multiplied by 2 in the case
2234 of a tier 2 hospital; (iii) multiplied by 3 in the case of a tier 3 hospital; and (iv) multiplied by 4 in
2235 the case of a tier 4 hospital.

2236 “Public payer mix”, the public payer mix for fiscal year 2020 calculated using data
2237 available from the center for health information and analysis hospital cost reports.

2238 “Statewide median relative price”, the statewide median cross-payer relative price for
2239 calendar year 2019 as determined by the center for health information and analysis.

2240 “Statewide relative price”, the statewide cross-payer relative price for calendar year 2019
2241 as published in March 2022 by the center for health information and analysis in its databook
2242 titled Relative Price and Provider Price Variation in the Massachusetts Commercial Market.

2243 “Tier 1 hospital”, an acute care hospital licensed under section 51 of chapter 111 of the
2244 General Laws that has: (i) a statewide relative price less than 145 per cent of the statewide
2245 median relative price; and (ii) a public payer mix that is greater than 50 per cent.

2246 “Tier 2 hospital”, an acute care hospital licensed under said section 51 of said chapter 111
2247 that has: (i) a statewide relative price less than 125 per cent of the statewide median relative
2248 price; and (ii) a public payer mix that is greater than 60 per cent.

2249 “Tier 3 hospital”, an acute care hospital licensed under said section 51 of said chapter 111
2250 that has: (i) a statewide relative price less than 110 per cent of the statewide median relative
2251 price; and (ii) a public payer mix that is greater than 65 per cent.

2252 “Tier 4 hospital”, an acute care hospital licensed under said section 51 of said chapter 111
2253 that has: (i) a statewide relative price less than 90 per cent of the statewide median relative price;
2254 and (ii) a public payer mix that is greater than 70 per cent.

2255 “Total acute hospital distribution amount”, an amount equal to \$300,000,000.

2256 “Total adjustment amount”, an amount equal to the sum of all tier 1, tier 2, tier 3 and tier
2257 4 hospitals’ net patient service revenue adjustments.

2258 (b) The secretary of health and human services shall direct funds to acute care hospitals
2259 licensed under section 51 of chapter 111 of the General Laws according to the following
2260 formula:

2261 (i) A tier 1 hospital shall receive a pro rata share of the total acute hospital distribution
2262 amount, which shall be calculated by dividing the hospital's net patient service revenue
2263 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
2264 amount;

2265 (ii) A tier 2 hospital shall receive a pro rata share of the total acute hospital distribution
2266 amount, which shall be calculated by dividing the hospital's net patient service revenue
2267 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
2268 amount;

2269 (iii) A tier 3 hospital shall receive a pro rata share of the total acute hospital distribution
2270 amount, which shall be calculated by dividing the hospital's net patient service revenue
2271 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
2272 amount; and

2273 (iv) A tier 4 hospital shall receive a pro rata share of the total acute hospital distribution
2274 amount, which shall be calculated by dividing the hospital's net patient service revenue
2275 adjustment by the total adjustment amount, multiplied by the total acute hospital distribution
2276 amount.

2277 (c) No hospital shall receive an award amount greater than \$30,000,000. A hospital that
2278 has a relative price that is equal to or greater than 145 per cent of the statewide median relative
2279 price or that has a public payer mix that is equal to or less than 50 per cent shall not be eligible to
2280 receive funds under this section.

2281 SECTION 145. Notwithstanding any general or special law to the contrary, the office of
2282 Medicaid shall review the wage payment rates established by home health agencies that provide

continuous skilled nursing care, as defined in 101 CMR 350.02 and 130 CMR 403.402, for the providers of those services. The office shall provide: (i) an aggregated overview of the wage payment rates paid by home health agencies to staff or contracted nurses providing continuous skilled nursing care, including any increases in said wage rates resulting from increases in Medicaid rates paid to home health agencies for continuous skilled nursing care in state fiscal years 2020, 2021 and 2022; (ii) an aggregated breakdown of said wage rates as applied to the acuity level of patients receiving continuous skilled nursing care; (iii) an aggregated breakdown of said wage rates as applied to the licensure level of the providers of continuous skilled nursing care; and (iv) recommendations on criteria to be included in any future reporting by home health agencies receiving an increase of continuous skilled nursing care rates provided by the office. The office shall provide this report not later than March 1, 2023 to the clerks of the senate and house of representatives, the joint committee on health care financing and the senate and house committees on ways and means. Home health agencies providing continuous skilled nursing care shall provide all information and documentation requested by the office of Medicaid to compile the required report under this section.

SECTION 146. Notwithstanding any general or special law to the contrary, in calendar year 2023, the department of housing and community development may authorize up to \$57,000,000 in credits under subsection (q) of section (6) of chapter 62 of the General Laws and section 38BB of chapter 63 of the General Laws.

SECTION 147. There shall be established a fund known as the Taxpayer Energy and Economic Relief Fund to be administered by the executive office for administration and finance. The purpose of the fund shall be to issue 1-time direct financial support to taxpayers for energy costs and increased prices due to inflation. There shall be credited to the fund all amounts that

2306 are transferred or authorized to be transferred thereto or directed to be deposited therein, and all
2307 amounts received as gifts, grants or contributions for the purposes of the fund. Amounts credited
2308 to the fund shall not be subject to appropriation and any money remaining in the fund shall not
2309 revert to the General Fund.

2310 SECTION 148. (a) Notwithstanding any general or special law to the contrary, in order to
2311 address rising energy costs and inflation, the executive office for administration and finance, in
2312 consultation with the department of revenue, shall administer a Taxpayer Energy and Economic
2313 Relief Rebate program to provide 1-time direct financial support to eligible taxpayers, in an
2314 amount of: (i) \$250 for a taxpayer who earns not less than \$38,000 and not more than \$100,000
2315 and files an individual return, as: (A) single; (B) head of household; or (C) married filing
2316 separately; or (ii) \$500 for married taxpayers who file joint returns, who earn not less than
2317 \$38,000 and not more than \$150,000 combined; provided, however, that members of the general
2318 court shall not be considered eligible taxpayers. The executive office for administration and
2319 finance, in consultation with the department of revenue, shall confirm eligibility based on the
2320 adjusted gross income in each taxpayer's tax filing for taxable year 2021. For the purposes of
2321 this section, the term "eligible taxpayer" shall mean a taxpayer who filed an income tax return
2322 for the taxable year beginning on January 1, 2021 and is a resident of the commonwealth.

2323 (b) Rebates to eligible taxpayers shall be issued not later than September 30, 2022, in the
2324 manner in which the taxpayer elected to receive their tax refund for taxable year 2021, if
2325 applicable, or by check.

2326 SECTION 149. Notwithstanding any general or special law to the contrary, for any
2327 taxable year beginning on or after January 1, 2022, any amount received from the Taxpayer

2328 Energy and Economic Relief Rebate program administered by the executive office for
2329 administration and finance, in consultation with the department of revenue, to address rising
2330 energy costs and inflation shall be deducted from federal gross income for the purpose of
2331 determining Massachusetts gross income under section 2 of chapter 62 of the General Laws and
2332 from federal gross income for purposes of determining Massachusetts gross income under
2333 section 30 of chapter 63 of the General Laws.

2334 SECTION 150. Notwithstanding any general or special law to the contrary, not more than
2335 14 days after the effective date of this act, the secretary of administration and finance shall direct
2336 the comptroller to transfer \$510,000,000 from the General Fund or the federal COVID-19
2337 response fund established in section 2JJJJ of chapter 29 of the General Laws to the Taxpayer
2338 Energy and Economic Relief Fund established in section 147.

2339 SECTION 151. Notwithstanding any general or special law to the contrary, not later than
2340 14 days after the effective date of this act the comptroller shall transfer up to \$100,000,000 of the
2341 undesignated fund balance in the General Fund or the federal COVID-19 response fund
2342 established in section 2JJJJ of chapter 29 of the General Laws to the Unemployment
2343 Compensation Fund established in section 48 of chapter 151A.

2344 SECTION 152. Notwithstanding section 5G of chapter 29 of the General Laws or any
2345 other general or special law to the contrary, in fiscal year 2023, the comptroller shall transfer
2346 quarterly the amount of tax revenues the department of revenue estimates to have been collected
2347 from capital gains income that exceeds the threshold established pursuant to said section 5G of
2348 said chapter 29, as follows: (i) 80 per cent shall be transferred to the Commonwealth
2349 Stabilization Fund established in section 2H; (ii) 10 per cent shall be transferred to the State

2350 Retiree Benefits Trust Fund established in section 24 of chapter 32A; and (iii) 10 per cent shall
2351 be transferred to the Commonwealth's Pension Liability Fund established in subsection (e) of
2352 subdivision 8 of section 22 of chapter 32.

2353 SECTION 153. Notwithstanding the provisions of section 11 of chapter 70 of the General
2354 Laws, if a district's actual expenditure for public education in fiscal years 2022, 2023 or 2024, is
2355 less than the amount required to be appropriated for public education, the difference, not more
2356 than 10 per cent shall be deposited into a reserve created by the municipality or regional school
2357 district and be available for public education, including spending deemed eligible as net school
2358 spending by the board. Funds deposited into the reserve shall be eligible for withdrawal and
2359 expenditure through fiscal year 2027. If a district underspends its budget in fiscal years 2022,
2360 2023 or 2024 by more than 10 per cent of the amount required to be appropriated, state school
2361 aid in the following year shall be reduced by the entire difference between those amounts. The
2362 board of elementary and secondary education shall issue regulations to implement the provisions
2363 of this section.

2364 SECTION 154. Notwithstanding section 5C of chapter 29 of the General Laws, the
2365 comptroller shall transfer an amount equal to the fiscal year 2022 consolidated net surplus to the
2366 Transitional Escrow Fund established in section 16 of chapter 76 of the acts of 2021. The
2367 transfer pursuant to this section shall be made from the positive undesignated fund balances in
2368 the budgetary funds. Before certifying the consolidated net surplus under this section, the
2369 comptroller shall, to the extent possible, eliminate deficits in any fund contributing to the surplus
2370 by transferring positive fund balances from any other fund contributing to the surplus.

2371 SECTION 155. Notwithstanding any general or special law to the contrary, items funded
2372 in this act, including appropriations in sections 2 and 2A and all other authorized uses, shall be
2373 supported through resources from the federal COVID-19 response fund established in section
2374 2JJJJ of chapter 29 of the General Laws and the General Fund; provided, however, that the
2375 secretary of administration and finance shall ensure that the coronavirus state fiscal recovery
2376 fund monies received under the American Rescue Plan Act of 2021, 42 U.S.C. 802, comply with
2377 applicable federal law, including statutes, regulations and sub-regulatory guidance; provided
2378 further, that the appropriations in the items funded in said sections 2 and 2A shall not be used to
2379 supplant existing appropriations. The secretary shall continue quarterly reporting consistent with
2380 the quarterly reports required in section 81 of chapter 102 of the acts of 2021 that detail the
2381 source of revenue matched to each item in this act for all expenditures made during that quarter.

2382 SECTION 156. The salary adjustments and other economic benefits authorized by the
2383 following collective bargaining agreements shall be effective for the purposes of section 7 of
2384 chapter 150E of the General Laws:

2385 (1) between the University of Massachusetts and the Massachusetts Society of Professors,
2386 Amherst Campus, Unit A50;

2387 (2) between the University of Massachusetts and the New England Police Benevolent
2388 Association (NEPBA) Local 190, Amherst Campus, Unit A07;

2389 (3) between the Commonwealth of Massachusetts, Essex North and South Registries of
2390 Deeds and the American Federation of State, County and Municipal Employees (AFSCME)
2391 Local 653, Council 93, Administrative Unit;

2392 (4) between the Commonwealth of Massachusetts and the Coalition of Public Safety,
2393 Unit 5; and

2394 (5) between the University of Massachusetts and the MTA/NEA Classified, Boston
2395 Campus, Unit B31 & B32.

2396 SECTION 157. Notwithstanding any general or special law to the contrary, to meet the
2397 expenditures necessary in carrying out section 3A, the state treasurer shall, upon receipt of a
2398 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
2399 by the governor from time to time but not exceeding, in the aggregate, \$1,014,000,000. All
2400 bonds issued by the commonwealth, as aforesaid, shall be designated on their face
2401 “Commonwealth Economic Development Act of 2022”, and shall be issued for a maximum term
2402 of years, not exceeding 30 years, as the governor may recommend to the general court pursuant
2403 to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
2404 such bonds shall be payable not later than June 30, 2057. All interest and payments on account of
2405 principal on such obligations shall be payable from the General Fund. Bonds and interest thereon
2406 issued under the authority of this section shall, notwithstanding any other provision of this act, be
2407 general obligations of the commonwealth.

2408 SECTION 158. Notwithstanding any general or special law to the contrary, to meet the
2409 expenditures necessary in carrying out section 3B, the state treasurer shall, upon receipt of a
2410 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
2411 by the governor from time to time but not exceeding, in the aggregate, \$268,800,000. All bonds
2412 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
2413 Economic Development Act of 2022”, and shall be issued for a maximum term of years, not

2414 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
2415 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall
2416 be payable not later than June 30, 2057. All interest and payments on account of principal on
2417 such obligations shall be payable from the General Fund. Bonds and interest thereon issued
2418 under the authority of this section shall, notwithstanding any other provision of this act, be
2419 general obligations of the commonwealth.

2420 SECTION 159. Notwithstanding any general or special law to the contrary, to meet the
2421 expenditures necessary in carrying out section 3C, the state treasurer shall, upon receipt of a
2422 request by the governor, issue and sell bonds of the commonwealth in an amount to be specified
2423 by the governor from time to time but not exceeding, in the aggregate, \$104,000,000. All bonds
2424 issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth
2425 Economic Development Act of 2022”, and shall be issued for a maximum term of years, not
2426 exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
2427 Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall
2428 be payable not later than June 30, 2057. All interest and payments on account of principal on
2429 such obligations shall be payable from the General Fund. Bonds and interest thereon issued
2430 under the authority of this section shall, notwithstanding any other provision of this act, be
2431 general obligations of the commonwealth.

2432 SECTION 160. To provide for the continued availability of a bond-funded spending
2433 authorization that otherwise would expire, the balance of item 7002-0016 of section 2 of chapter
2434 112 of the acts of 2018, as amended by section 46 of chapter 102 of the acts of 2021 and any
2435 allocations thereof shall be extended to June 30, 2025 for the purposes of and subject to the

2436 conditions stated for the item in the original authorization, and any amendments to such
2437 authorization.

2438 SECTION 161. Sections 90, 91, 95 and 100 shall apply to tax years beginning on or after
2439 January 1, 2022.

2440 SECTION 162. Sections 96 to 99, inclusive, and 104 to 106, inclusive, shall take effect as
2441 of January 1, 2023.

2442 SECTION 163. Section 139 shall take effect as of April 1, 2022.