

**Thursday, July 14, 2022 (at 1:02 o'clock P.M.).**

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

*Papers from the Senate.*

The House Bill expanding protections for reproductive rights (House, No. 4954), came from the Senate, passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3003.

Reproductive  
rights.

Under suspension of the rules, on motion of Mr. Day of Stoneham, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Michlewitz of Boston, Day of Stoneham and Ferguson of Holden were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of  
conference.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Friedman, Creem and Tarr had been joined as the committee on the part of the Senate.

Id.

The Senate Bill relative to extending certain state of emergency accommodations (Senate, No. 2985, amended), came from the Senate with the endorsement that said branch had concurred with the House in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4991, as amended), with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3007.

Covid-19,—  
emergency  
accommodations.

The Senate further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the further amendment was correctly drawn; and it was adopted, in concurrence.

The House Bill authorizing the town of Swansea to enter into a lease agreement for Medeiros Farm (House, No. 4197), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2998.

Swansea,—  
land.

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendment was correctly drawn; and it was adopted, in concurrence.

The House Bill relative to municipal light plant participation in green communities (House, No. 4351), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3006. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Green  
communities,—  
light plants.

A report of the Department of Elementary and Secondary Education (pursuant to Section 1J(a) of Chapter 69 of the General Laws) submitting its amended

DESE  
regulations.

regulations as adopted by the Board to 603 CMR 2.03: Accountability and assistance for school districts and schools (Senate, No. 2999), was referred, in concurrence, to the committee on Education.

*Report of Committees.*

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Angelo L. D’Emilia for legislation to further regulate the transfer and control of certain parcels of land in the town of Bridgewater from the Department of Correction to the Department of Fire Services. Under suspension of the rules, on motion of Mrs. Lipper-Garabedian of Melrose, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Bridgewater,—  
land.

*Emergency Measure.*

The engrossed Bill relative to extending certain state of emergency accommodations (see Senate, No. 2985, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, the question being on adopting the emergency preamble.

COVID-19,—  
emergency  
accommodations.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 22 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

*Engrossed Bill.*

The engrossed Bill establishing the third Saturday in July as Negro Election Day (see Senate, No. 2703, amended) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

*Motions to Discharge Certain Matters in the Orders of the Day.*

The following House bills, having been reported by the committee on Bills in the Third Reading to be correctly drawn, were discharged from their positions in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, in each instance, on motion of Mrs. Lipper-Garabedian of Melrose:

Authorizing Christopher Arrigo to purchase creditable service from the Barnstable County Retirement Board (House, No. 4312); and

Christopher  
Arrigo.

Authorizing the town of Milford to grant an additional license for the sale of all alcoholic beverages not to be consumed on the premises (House, No. 4663);

Milford,—  
liquor license.

And they severally were passed to be engrossed. Severally sent to the Senate for concurrence.

House bills  
Relative to Lottery compliance investigations (House, No. 38);  
Promoting fairness in the rendering of dwelling accommodation services (House, No. 358);  
Relative to license suspensions (House, No. 392);  
Relative to recall elections in the town of Monterey (House, No. 4311); and  
Relative to the transfer of original documents to the Stockbridge-Munsee Community of the Mohican Nation from the town of Stockbridge (House, No. 4627);  
Severally were discharged from their positions in the Orders of the Day and read a second time, under suspension of Rule 47, in each instance, on motion of Mrs. Lipper-Garabedian of Melrose; and they were ordered to a third reading.

Lottery.  
Dwelling accommodations.  
Licenses.  
Monterey.  
Stockbridge,— documents.

The Senate amendment of the House Bill prohibiting discrimination based on natural and protective hairstyles (House, No. 4554), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and considered forthwith, under suspension of Rule 47, on motion of Mrs. Lipper-Garabedian of Melrose.

Hairstyles,— discrimination.

Mr. Day of Stoneham then moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 5028; and the further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

The House Bill authorizing the town of Milford to grant an additional license for the sale of all alcoholic beverages not to be consumed on the premises (House, No. 4668), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mrs. Lipper-Garabedian of Melrose.

Milford,— liquor license.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by adding the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 4668, amended) was passed to be engrossed. Sent to the Senate for concurrence.

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The House then returned to consideration of the House Bill relating to economic growth and relief for the Commonwealth (House, No. 5007).

Economic growth.

Pending the question on passing the bill, as amended, to be engrossed, Ms. Belsito of Topsfield moved to amend it in section 2A, in item 1599-6059, in line 26, by inserting after the word “connection” the following: “; provided, further that no less than \$10,000,000 shall be expended to housing authorities to provide residents of public housing units with broadband internet access at a discounted and affordable rate”; and in said item by striking out the figures: “50,000,000” and inserting in place thereof the figures: “60,000,000”.

After remarks the amendment was rejected.

Mr. Michlewitz of Boston and other members of the House moved to amend the bill in section 2A by inserting after item 1599-6062 the following item:

“1599-6063 For a reserve for local economic recovery efforts and community development projects; provided, that not less than \$125,000 shall be expended for local economic recovery efforts in Shrewsbury; provided further, that not less than \$75,000 shall be expended for Westborough for local economic recovery efforts; provided further, that not less than \$300,000 shall be expended for the repaving of the Gate 43 access road to the Quabbin reservoir; provided further, that not less than \$15,000 shall be expended for the Greater Holyoke Chamber of Commerce for the promotion of Holyoke's 150th anniversary celebration in 2023; provided further, that not less \$60,000 shall be expended for the Brockton Public Library System for needed roof replacement and HVAC improvements; provided further, that not less than \$60,000 shall be expended for the Wakefield Lynnfield Chamber of Commerce; provided further, that not less than \$100,000 shall be expended for The Friends of Norcross Center, Inc. for the restoration and preservation of the Norcross House in East Longmeadow and for a new slate roof, repainting, window repairs and other repairs to the home and carriage house which is used for events, an arts and crafts gallery, an education center and a reception hall; provided further, that not less than \$100,000 shall be expended for Living Local 413 for the completion and launch of a new web application platform, the hiring of a full-time executive director and part-time assistance to support and expand the business community throughout western Massachusetts; provided further, that not less than \$100,000 shall be expended for Melrose for placemaking activities in furtherance of commerce and civic engagement; provided further, that not less than \$100,000 shall be expended for Wakefield for repairs to the Civic Center roof; provided further, that not less than \$100,000 shall be expended for Wakefield for façade improvements to small businesses; provided further, that not less than \$400,000 shall be expended for the Cape Ann Museum for renovations; provided further, that not less than \$50,000 shall be expended for Hyde Park Main Streets for economic development opportunities for businesses located in the Hyde Park Main Streets’ business district; provided further, that not less than \$50,000 shall be expended for Roslindale Village Main Streets in order to further promote economic development opportunities for businesses located in the Roslindale Village Main Streets’ business district; provided further, that not less than \$100,000 shall be expended for The Open Door in Gloucester for capacity expansion to serve people in Essex county; provided further, that not less than \$100,000 shall be expended for the Grace Center of Gloucester for costs associated with renovations of the center’s new location; provided further, that not less than \$750,000 shall be expended for the Massachusetts International Festival of the Arts Victory Theatre Performing Arts Center to support the Pioneer Valley

Economic Revitalization Project; provided further, that not less than \$25,000 shall be expended for the Westfield Chamber of Commerce; provided further, that not less than \$200,000 shall be expended for installation and upgrades of lighting at Brooklawn Park fields in New Bedford; provided further, that not less than \$8,000,000 shall be expended for the city of Revere for riverfront infrastructure improvements; provided further, that not less than \$75,000 shall be expended for the Revere Riverfront District; provided further, that not less than \$250,000 shall be expended for Greenfield for the repair and replacement of the water main in the business district; provided further, that not less than \$50,000 shall be expended for Westfield parks and recreation for revitalization of the downtown area and stimulation of business; provided further, that not less than \$500,000 shall be expended for Pittsfield for the William Stanley business park and the Pittsfield Economic Development Authority Site 9 redevelopment; provided further, that not less than \$8,000,000 shall be expended for the town of Littleton for the Littleton common King street development; provided further, that not less than \$400,000 shall be expended for the repurposing of the Waterford Street school building in Gardner; provided further, that not less than \$125,000 shall be expended for local economic recovery efforts and infrastructure improvements in Bridgewater; provided further, that not less than \$100,000 shall be expended for local economic recovery efforts and infrastructure improvements in Raynham; provided further, that not less than \$1,000,000 shall be expended for traffic mitigation at Main street and South street in Medford; provided further, that not less than \$50,000 shall be expended for Southampton for a study on a new public safety complex; provided further, that not less than \$500,000 shall be expended for Tech Goes Home to support its mission to end the digital divide, ensure digital inclusion for families, adults and seniors within low-income, marginalized communities and provide the support needed to partner with schools, nonprofits and community organizations to provide digital skills training, free devices and access to high-quality internet; provided further, that not less than \$200,000 shall be expended for the historic Chevalier Theatre in Medford to replace the roof and façade; provided further, that not less than \$300,000 shall be expended for the redevelopment, design and construction of Hurld Wyman Elementary School park in Woburn; provided further, that not less than \$100,000 shall be expended for upgrades and improvements to the Halifax Senior Center; provided further, that not less than \$750,000 shall be expended for new athletic fields at Old Rochester Regional High School in Mattapoisett; provided further, that not less than \$200,000 shall be expended for the revitalization of the downtown Village Center area of Westminster and improvements to create a more walkable, business-friendly and aesthetically accommodating Main street; provided further, that not less than \$150,000 shall be expended for a village overlay

district and mixed use redevelopment of the former department of public works building on Main street in Holden; provided further, that not less than \$100,000 shall be expended for renovations and accessibility improvements for Memorial park and other parks in Taunton; provided further, that not less than \$75,000 shall be expended for a reevaluation of the zoning by-laws in Paxton; provided further, that not less than \$125,000 shall be expended for traffic signal infrastructure and drainage improvements at the intersections of Lunenburg street, Main street and Summer street in Fitchburg; provided further, that not less than \$25,000 shall be expended for improving accessibility and expanding the community garden in the town of Reading; provided further, that not less than \$400,000 shall be expended for the replacement of Gath Memorial pool in Newton with a modern, accessible community lap pool with a splash pad; provided further, that not less than \$5,000,000 shall be expended for a grant to the Martin Richard Foundation and Boys and Girls Clubs of Dorchester to support the construction and renovation of the Dorchester Field House in the Harbor Point Neighborhood of Boston; provided further, that not less than \$55,000 shall be expended for History Cambridge for the purposes of developing programming for Cambridge's 400th anniversary; provided further, that not less than \$100,000 shall be expended for outdoor basketball courts with fencing and lights in Sudbury; provided further, that not less than \$100,000 shall be expended for the Provincetown Fine Arts Center to work collaboratively with the Provincetown Art Association and Museum, the Truro Center for the Arts and Twenty Summers to support critical infrastructure upgrades, staff training opportunities, hybrid programming and accessibility measures; provided further, that not less than \$300,000 shall be expended for Cape Cod Village, Inc. to provide residential services and appropriate programming for adults with autism and intellectual and developmental disabilities; provided further, that not less than \$100,000 shall be expended for Helping Our Women in Provincetown for the expansion of services; provided further, that not less than \$50,000 shall be expended for the resurfacing of the basketball court and street hockey rink at the Ipswich River Park in the town of North Reading; provided further, that not less than \$50,000 shall be expended for the restructure, repair and replacement of Kidspot in the town of North Reading; provided further, that not less than \$100,000 shall be expended for improvements to the playground located at Houghton Elementary School in Sterling; provided further, that not less than \$100,000 shall be expended for traffic mitigation measures related to the closure of the Hall-Whitaker bridge in Beverly; provided further, that not less than \$100,000 shall be expended for the Merrimack Valley Public Safety Youth Center in Lawrence for a safe space for structured education, health and recreational programming for at-risk youth throughout the Merrimack Valley and to defer economic loss due to the 2019

novel coronavirus pandemic; provided further, that not less than \$65,000 shall be expended for Mission Hill LINK shuttle bus services that provide safe transit and access to the MBTA, medical campus and shopping for elders and people with disabilities without MBTA access near their homes; provided further, that not less than \$20,000 shall be expended for the Greater Lawrence Boat House for recreational activities for at-risk youth in Lawrence on the Merrimack river and the promotion of economic development through tourism; provided further, that not less than \$100,000 shall be expended for broadband and emissions updates to the North American Indian Center of Boston's headquarters; provided further, that not less than \$50,000 shall be expended for Ateneo Dominicano Del Merrimack Valley to maintain Dominican culture in the Merrimack Valley and promote economic development through tourism; provided further, that not less than \$300,000 shall be expended for Sandwich for the restoration, renovation and reconstruction of the Sandwich boardwalk that provides recreational access to the preserved areas of Old Harbor creek, Mill creek, Dock creek, Town beach and Cape Cod bay; provided further, that not less than \$25,000 shall be expended for the Tobin Community Center in Boston for partnerships and information sharing between organizations and for addressing gun violence and gun violence-related trauma; provided further, that not less than \$25,000 shall be expended for IntenZe 978 Boxing Club in Lawrence to provide at-risk youth with health and wellness programming and promote economic development through tourism and recreation; provided further, that not less than \$1,000,000 shall be expended to the Jewish Family and Children's Service of Greater Boston to provide services to vulnerable populations; provided further, that not less than \$100,000 shall be expended for local economic recovery efforts in Dracut; provided further, that not less than \$100,000 shall be expended for local economic recovery efforts in Tyngsborough; provided further, that not less than \$75,000 shall be expended for the replacement of a deteriorating wooden boardwalk along Plymouth harbor at the town boat ramp with a resilient pedestrian walkway and lighting and rails to improve safety and public access; provided further, that not less than \$400,000 shall be expended for the engineering and associated work to be done on Pond Park culvert on route 117 in Bolton; provided further, that not less than \$50,000 shall be expended for the Stow Acres innovation, conservation, recreation and development partnership; provided further, that not less than \$10,000 shall be expended for the Gloucester Boxing Club; provided further, that not less than \$388,000 shall be expended for the design and installation of heating pumps for the Hudson Public Library; provided further, that not less than \$350,000 shall be expended for HVAC upgrades and improvements at Springfield Technology Park due to the 2019 novel coronavirus pandemic; provided further, that not less than \$500,000 shall be expended

for a matching grant program for minority-owned and women-owned microbusinesses in Springfield; provided further, that not less than \$400,000 shall be expended for traffic signals at South Main street and route 28 and the intersection of North street and Oak street in Randolph; provided further, that not less than \$150,000 shall be expended for improvements to the playing field and playground equipment at Varney playground in Chelmsford; provided further, that not less than \$100,000 shall be expended for The Latino Economic Development Corporation for continued support and assistance for small business; provided further, that not less than \$100,000 shall be expended for the Greater Easthampton Chamber of Commerce; provided further, that not less than \$25,000 shall be expended for the development of Booth playground on South street in Foxborough; provided further, that not less than \$250,000 shall be expended for infrastructure improvements to the historic Brooks Estate in Medford; provided further, that not less than \$250,000 shall be expended for local economic recovery efforts in Arlington; provided further, that not less than \$1,250,000 shall be expended for Christina Street Bridge Preferred Concept Plans for the purposes of installing a bridge and shared-use path across the Charles river connecting to the conservation area along the Charles river in Needham; provided further, that not less than \$300,000 shall be expended for design development work related to the renovation of the Worcester Memorial Auditorium into a state-of-the-art digital innovation, education and skills training, arts and entertainment facility; provided further, that not less than \$75,000 shall be expended for improvements to playgrounds in Rowley to address disability access for equitable use; provided further, that not less than \$100,000 shall be expended for the South Hadley and Granby Chamber of Commerce; provided further, that not less than \$250,000 shall be expended for Courageous Sailing Center in the Charlestown section of Boston; provided further, that not less than \$33,000 shall be expended for local economic recovery efforts in Abington; provided further, that not less than \$33,000 shall be expended for local economic recovery efforts in Whitman; provided further, that not less than \$75,000 shall be expended for the Spirit of Springfield, Inc. for events that provide a sense of community, civic pride and opportunities for celebration of diversity in the Latino community; provided further, that not less than \$33,000 shall be expended for local economic recovery efforts in East Bridgewater; provided further, that not less than \$50,000 shall be expended for AHORA, Inc. for its financial literacy programs in Lynn; provided further, that not less than \$25,000 shall be expended for New North Citizens' Council, Inc. in Springfield for the Latino Health Salsa in the Parks Family Summertime Intervention; provided further, that not less than \$250,000 shall be expended for The Guild in Dorchester; provided further, that not less than \$25,000 shall be expended for the Plymouth Area Chamber of Commerce for the



creation of the Duxbury Chamber Affiliate; provided further, that not less than \$100,000 shall be expended for FalmouthNet, Inc. for professional services and research expenses in support of efforts to build a town-wide, community-based fiber-optic network; provided further, that not less than \$100,000 shall be expended for the design and construction of emergency repairs to the Beachmont Post No. 6712 Veterans of Foreign Wars, Inc. in Revere; provided further, that not less than \$200,000 shall be expended for construction at and improvements to the Pembroke Community Center; provided further, that not less than \$800,000 shall be expended for improving accessibility and reconstructing the east entrance of Mittineague Park in West Springfield; provided further, that not less than \$50,000 shall be expended for the Hyde Park 155 Planning Committee for the furtherance of economic development opportunities for the Hyde Park business community as part of Hyde Park's 155th anniversary; provided further, that not less than \$50,000 shall be expended for the Youth Development Organization in Lawrence for the support of high school juniors and seniors in their path to secondary education and long-term employment through the expansion of the Postsecondary Pathways program; provided further, that not less than \$100,000 shall be expended for the renovation and redevelopment of the historic Strand Theatre in Clinton; provided further, that not less than \$75,000 shall be expended for infrastructure improvements in Duxbury; provided further, that not less than \$150,000 shall be expended for improvements to the Fino Field Athletic and Baseball Field Complex in Milford; provided further, that not less than \$150,000 shall be expended for improvements to the industrial park in Avon; provided further, that not less than \$75,000 shall be expended for expansion of, renovations to and improvements to the Ventress Memorial Library in Marshfield; provided further, that not less than \$175,000 shall be expended for providers of naturally occurring retirement communities for the elderly with whom the department of elder affairs entered into service agreements in fiscal year 2022 and shall maintain proportions of total available funding equal to those provided in fiscal year 2022; provided further, that not less than \$40,000 shall be expended for the Hanson Public Library for expansion, renovations and improvements; provided further, that not less than \$15,000 shall be expended for Prom Angels Foundation Inc.; provided further, that not less than \$25,000 shall be expended for recreation improvements in the Monponsett neighborhood in Hanson; provided further, that not less than \$150,000 shall be expended for targeted economic development and planning work for the West Natick area around the West Natick Commuter rail station to support area redevelopment; provided further, that not less than \$100,000 shall be expended for the restoration and preservation of the historic E.B. Newton School in Winthrop, including the clock tower, room and HVAC system; provided further, that not less than \$50,000 shall be

expended for Franklin for a community wide branding and marketing study; provided further, that not less than \$200,000 shall be expended for seating upgrades and improvements to the Lynn Auditorium; provided further, that not less than \$125,000 shall be expended for revitalization and economic improvements in Grafton; provided further, that not less than \$125,000 shall be expended for revitalization and economic improvements in Northbridge; provided further, that not less than \$125,000 shall be expended for revitalization and economic improvements in Upton; provided further, that not less than \$100,000 shall be expended for Beacon Hill Village to expand its technological improvements and the provision of programming and services for older adults; provided further, that not less than \$150,000 shall be expended for improvements to Charlesgate Park in Boston; provided further, that not less than \$750,000 shall be expended for rebuilding and modernization of the John F. Kennedy Library Foundation's digital infrastructure system to aid in recovery from the negative economic impacts of the 2019 novel coronavirus pandemic; provided further, that not less than \$50,000 shall be expended for East Somerville Main Streets in Somerville; provided further, that not less than \$175,000 shall be expended for improvements to the Needham town common; provided further, that not less than \$150,000 shall be expended for wayfinding and streetscape improvements in Medfield; provided further, that not less than \$125,000 shall be expended for public safety equipment for Billerica; provided further, that not less than \$100,000 shall be expended for bus shelters for commuting employees in the Industrial Park in Fall River to promote economic activity; provided further, that not less than \$100,000 shall be expended for the Fall River Arts and Culture Coalitions' Mural Project to bolster tourism and economic activity in Fall River; provided further, that not less than \$300,000 shall be expended for local economic recovery in Haverhill; provided further, that not less than \$8,000,000 shall be expended for the city of Haverhill for the Downtown Merrimack Street Redevelopment project and the Merrimack Street Public-Private Redevelopment Project design; provided further, that not less than \$100,000 shall be expended for improvements on Water street along the Chicopee river in Springfield; provided further, that not less than \$50,000 shall be expended for the repurposing of the McCloskey School building in Uxbridge; provided further, that not less than \$100,000 shall be expended for the Downtown Hyannis Community Development Corporation for connecting downtown businesses to the OpenCape fiber-optic network; provided further, that not less than \$50,000 shall be expended for the Cotuit Federated Church for maintenance, upgrades and repairs; provided further, that not less than \$50,000 shall be expended for Love Live Local to provide small businesses located in Barnstable with access to capital in order to enlist technical assistance services from local service providers; provided further, that not less than \$5,000,000

shall be expended for debt service obligations incurred by the Edward M. Kennedy Institute for the United States Senate so that the institute may continue offering civic education programming to the public; provided further, that not less than \$50,000 shall be expended for Community Art Center, Inc. in Cambridge; provided further, that not less than \$200,000 shall be expended for renovations to Evans Field in South Boston; provided further, that not less than \$100,000 shall be expended for hazardous materials abatement and demolition of the old primary school building in Lunenburg; provided further, that not less than \$40,000 shall be expended for the operation of the Milton Art Center; provided further, that not less than \$750,000 shall be expended for the Greendale Revitalization Initiative in Worcester; provided further, that not less than \$100,000 shall be expended for the Arlington Historical Society; provided further, that not less than \$25,000 shall be expended for the North Andover Merchants Association; provided further, that not less than \$15,000 shall be expended for the Amesbury Chamber of Commerce; provided further, that not less than \$500,000 shall be expended for the design, construction and implementation of the Downtown Initiative Action Plan in Winchester; provided further, that not less than \$25,000 shall be expended for United Way Franklin Hampshire County to support the creation and implementation of a diaper pantry to serve Franklin and Hampshire counties; provided further, that not less than \$3,000,000 shall be expended for the construction of the Welcome Center and African Experience exhibit at the entrance to the Franklin Park Zoo operated by the Commonwealth Zoological Corporation established in section 2 of chapter 92B of the General Laws; provided further, that not less than \$250,000 shall be expended for traffic signals and roadway improvements at the intersection of Hathaway road and Rockdale avenue located in New Bedford; provided further, that funds may be expended for the Massachusetts Rehabilitation Commission for Work, Inc. to develop and fund an outcomes-based pilot contract measuring and funding services that result in employment and wage gains for individuals with disabilities; provided further, that not less than \$9,000,000 shall be expended for the improvement of the intersection at Western avenue, Soldiers Field road and Birmingham parkway in Brighton; provided further, that not less than \$6,000,000 shall be expended for the replacement and construction of all sidewalks and safety ornamental fencing of all Massachusetts Department of Transportation property along Riverview road, from the Brooks street bridge to the Parsons street bridge, along Newton street past the intersection of Charlesview street, from the North Beacon street bridge, along North Beacon street to Vineland street, along Vineland street to Market street, and the creation of a passive park at the corner of Vineland street and North Beacon street in Brighton; provided further, that not less than \$350,000 shall be expended for HVAC improvements to Walpole high

school in Walpole; provided further, that not less than \$50,000 shall be expended for the historic Ludlow First Church and Meeting House for roof repairs; provided further, that not less than \$500,000 shall be expended for the planning, design and construction of administrative offices for the Stoneham School Department in Stoneham; provided further, that not less than \$50,000 shall be expended for the construction of a playground and recreational area for the children and families of the precinct of Marstons Mills in Barnstable; provided further, that not less than \$500,000 shall be expended for improvements to the former Chicopee municipal library, including but not limited to, improvements complying with building codes such as fire and safety and regulations pertaining to accessibility for persons with disabilities, to further enhance the economic development activity in Chicopee's downtown; provided further, that not less than \$150,000 shall be expended for Norwood to offset the rise in transportation expenses after the closure of Norwood Hospital due to a historic climate hazard occurring during the pandemic; provided further, that not less than \$25,000 shall be expended for the Williamstown Summer Theater youth internship program; provided further, that not less than \$600,000 shall be expended for the design and construction of a new park in Everett Square to improve pedestrian access and safety and create opportunities for outdoor dining, farmers markets and other activities; provided further, that not less than \$75,000 shall be expended for the town of Uxbridge for the Main street initiative and the repurposing of the McMoloskey building; provided further, that not less than \$50,000 shall be expended for the town of Millville for demolition and site preparation of the Millville Old Town Hall; provided further, that not less than \$1,000,000 shall be expended for the Basketball Hall of Fame in the city of Springfield for repairs and upgrades; provided further, that not less than \$200,000 shall be expended for the Springfield Symphony Orchestra for a series of educational initiatives and concerts aimed at local school communities and concerts created for minority, diverse, economically challenged neighborhoods and non-traditional audiences; provided further, that not less than \$280,000 shall be expended for New England Public Media for new a Community Engagement & Outreach Center for downtown Springfield to provide inner city youth and adult programming and services; and provided further, that not less than \$5,000,000 shall be expended for the city of Boston for the repair and maintenance of aquatic facilities ... \$85,002,000"; and

By inserting after section 23 the following two sections:

"SECTION 23A. Section 1 of chapter 25C of the General Laws, as most recently amended by section 13 of chapter 24 of the acts of 2021, is hereby further amended by inserting after the word 'policy' the following words:- with the Massachusetts Broadband Institute, established pursuant to section 6B of chapter 40J.

SECTION 23B. Said chapter 25C is hereby further amended by striking out section 9, as inserted by section 15 of chapter 24 of the acts of 2021, and inserting in place thereof the following section:-

Section 9. Consistent with the policies of the federal communications commission, the department shall have authority to request and obtain information and data from providers of advanced telecommunications capability as necessary to identify areas that lack adequate advanced telecommunications capability. Such information and data shall be used to inform work undertaken by the Massachusetts Broadband Institute, established pursuant to section 6B of chapter 40J, to facilitate access to and adoption of advanced telecommunications capability in the commonwealth.”

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 154 members voted in the affirmative and 0 in the negative.

**[See [Yea and Nay No. 214](#) in Supplement.]**

Therefore the consolidated amendments were adopted.

At twenty-three minutes after two o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at seven minutes before four o'clock the House was called to order with Ms. Hogan in the Chair.

Mr. Michlewitz of Boston and other members of the House then moved to amend the bill in section 2A, in item 1599-6075, in line 170, by inserting after the word “unwanted” the words “publicly or privately owned”, in line 172 by inserting after the word “on” the words “publicly or privately owned”; and in line 173 by inserting after the word “marshes” the following: “; provided further, that funds shall be expended for the dredging of harbors, bays and inland waterways”;

By inserting after the item 1599-6076 the following item:

“1599-6077 For a reserve for local and statewide environmental and tourism projects; provided, that not less than \$150,000 shall be expended for upgrades to the Doyle school playgrounds for ADA compliance; provided further, that not less than \$200,000 shall be expended for Gloucester Marine Genomics Institute Incorporated for research purposes; provided further, that not less than \$100,000 shall be expended for the design costs and related expenses associated with the construction of a water treatment plant to assist with PFAS remediation in the town of Lynnfield; provided further, that not less than \$25,000 shall be expended for Grow in Revere, the Revere Food Hub in Revere; provided further, that not less than \$125,000 shall be expended for the costs associated with a septic system or other wastewater disposal system serving the public facilities project in the town of Middleton; provided further, that not less than \$50,000 shall be expended for engineering costs associated with work on the Old Hix bridge and Hix bridge landing in Westport to preserve the health of the Westport river; provided further, that not less than \$100,000 shall be expended for the replacement of a gate valve in Georgetown; provided further, that not less than \$200,000 shall be expended for the replacement of a culvert on Orchard street in Newbury; provided further, that not less than \$500,000 shall be expended for Massachusetts Audubon Society, Inc. to acquire, conserve and renovate with the Lowell Parks and Conservation Trust, Inc. land at 1413-1415 Varnum avenue in Lowell; provided further, that not less than \$250,000 shall be expended for residential homes involved in the environmental

Consolidated amendments adopted,— yea and nay No. 214.

Recess.

cleanup in the area of Bliss Corner in Dartmouth; provided further, that not less than \$200,000 shall be expended for maintenance of the bike trail in Malden; provided further, that not less than \$250,000 shall be expended for renovations to public parks in Malden; provided further, that not less than \$250,000 shall be expended for the North Shore Community Health, Inc. climate change mitigation and green impact initiative; provided further, that not less than \$100,000 shall be expended for restoration of the wetland and floodplain at Sam Wright field in Easton; provided further, that not less than \$125,000 shall be expended for the completion of a climate mitigation project and the construction of a performing stage at the site of Riverfront park in Fitchburg; provided further, that not less than \$125,000 shall be expended for the creation of a water treatment plant in Scituate; provided further, that not less than \$1,000,000 shall be expended for Revolutionary Spaces for various projects related to the Old State House and the Old South Meeting House; provided further, that not less than \$250,000 shall be expended for the Boch Center's Folk Americana Roots Hall of Fame in Boston; provided further, that not less than \$500,000 shall be expended for the Cape Cod Cooperative Extension's water quality and hazardous waste program for the construction of a permanent household and small business hazardous waste collection and education facility; provided further, that not less than \$25,000 shall be expended for the Latin Women's Association of Brockton to support its food distribution program; provided further, that not less than \$200,000 shall be expended for improvements to Puffer playground in Brockton; provided further, that not less than \$55,550 shall be expended for the Lake Wallace sensory trail pond element in Belchertown; provided further, that not less than \$2,000,000 shall be expended for the Clougherty Pool and Doherty Park in the Charlestown section of Boston for repairs to outdoor recreational space; provided further, that not less than \$50,000 shall be expended for The Charity Guild, Inc. for the food distribution program in Brockton; provided further, that not less than \$200,000 shall be expended for the operations of the Worcester Regional Food Hub; provided further, that not less than \$100,000 shall be expended for improvements to the rail trail in Berlin; provided further, that not less than \$50,000 shall be expended for the operation of the Salvation Army in Brockton; provided further, that not less than \$200,000 shall be expended for the installation of solar panels at Beverly high school or other municipal properties in Beverly; provided further, that not less than \$150,000 shall be expended for upgrades to water infrastructure on the Middlesex turnpike corridor in Bedford; provided further, that not less than \$150,000 shall be expended for the operation of the Dorchester Food Co-op; provided further, that not less than \$300,000 shall be expended for efforts to alleviate flooding in the area around Jordan street and adjoining neighborhoods in Beverly; provided

further, that not less than \$150,000 shall be expended for the Urban Farming Institute; provided further, that not less than \$100,000 shall be expended for Mattapan Food and Fitness; provided further, that not less than \$50,000 shall be expended for Catholic Charities of Brockton for the food distribution program; provided further, that not less than \$50,000 shall be expended for recreational programming and summer job opportunities to at-risk and low-income youth in Lawrence; provided further, that not less than \$250,000 shall be expended for the continued development of the North Reading wastewater and sewerage system; provided further, that not less than \$10,000 shall be expended for Gallery Z Café LLC for hood vents, dishwasher and electrical equipment; provided further, that not less than \$100,000 shall be expended for the planning and implementation of a mixed-use walkable village in Burlington; provided further, that not less than \$100,000 shall be expended for Mass Audubon for the conservation, remediation and the connection of a parcel of land in the town of Plymouth to Myles Standish forest and Tidmarsh Wildlife Sanctuary to increase recreational access to open space and enhance ecotourism; provided further, that not less than \$400,000 shall be expended for permits, design and engineering of the Old Marlborough road water treatment plant in Maynard; provided further, that not less than \$150,000 shall be expended for the Southwick Civic Fund for programs that address food insecurity and a regional food pantry in Southwick; provided further, that not less than \$500,000 shall be expended for the Southwick Civic Fund for a greenspace for community events and increased parking capacity in Methuen; provided further, that not less than \$150,000 shall be expended for an excessive wastewater flow system in Chelmsford; provided further, that not less than \$250,000 shall be expended for the operation of a PFAS remediation system in Chelmsford; provided further, that not less than \$300,000 shall be expended for stormwater and coastal infrastructure enhancements for flood mitigation in Lynn; provided further, that not less than \$100,000 shall be expended for the New Lynn Coalition's grocery delivery program for individuals and families who are unable to travel to pick up groceries from food aid programs; provided further, that not less than \$100,000 shall be expended for Island Grown Initiative, LTD to create a central distribution hub for the Island Food Pantry in order to address food insecurity on Martha's Vineyard; provided further, that not less than \$75,000 shall be expended for the department of conservation and recreation for the development of a landscape management plan for the Charles river conservation area along Quinobequin road between route 9 and route 16 in Newton; provided further, that not less than \$150,000 shall be expended for the maintenance and improvement of Shore park and Morgan park at Indian lake in Worcester; provided further, that not less than \$250,000 shall be expended for the maintenance of walking trails at Newton Hill

and related improvements in Elm park in Worcester; provided further, that not less than \$50,000 shall be expended for the New Lynn Coalition's grocery delivery program for the Acord Food Pantry in Hamilton to increase capacity to serve people in Essex county; provided further, that not less than \$200,000 shall be expended for the study of sewer extension from Elm street to Cobb street in Norton; provided further, that not less than \$75,000 shall be expended for lighting and security improvements to the Connecticut river bikeway in Springfield; provided further, that not less than \$25,000 shall be expended for the Dracut Food Pantry; provided further, that not less than \$100,000 shall be expended for the Springfield water and sewer commission for capital projects intending to resolve issues related to operational resiliency; provided further, that not less than \$50,000 shall be expended for recreation improvements in Halifax; provided further, that not less than \$300,000 shall be expended for the food banks in Avon, Canton and Stoughton; provided further, that not less than \$500,000 shall be expended for the Brookline housing authority to modernize kitchens, provided that all appliances are electric only; provided further, that not less than \$300,000 shall be expended for the Blue Hills Weather Observatory and Science Center; provided further, that not less than \$100,000 shall be expended for improvements to the Hopedale pond dam; provided further, that not less than \$100,000 shall be expended for Riverbend park playground in Medford; provided further, that not less than \$100,000 shall be expended for Women's Lunch Place, Inc. for the purpose of providing meals and services to homeless women and children in need; provided further, that not less than \$400,000 shall be expended for improvements to public facilities and park elements at Lynn Woods in Lynn; provided further, that not less than \$50,000 shall be expended for the Fenway Cares Mutual Aid Initiative, including administrative costs, to distribute fresh food and personal protective equipment to food-insecure residents in Boston; provided further, that not less than \$25,000 shall be expended for the Easthampton parks and recreation department; provided further, that not less than \$100,000 shall be expended for design costs and related expenses associated with the construction of a water treatment plant to assist with PFAS remediation in Webster; provided further, that not less than \$100,000 shall be expended for planning and implementation of Walpole's 300th anniversary celebration; provided further, that not less than \$75,000 shall be expended for The West End Museum, Incorporated for mitigation of the adverse effects of novel coronavirus 2019 and to recover from the impacts of a recent flood; provided further, that not less than \$150,000 shall be expended for improvements to Dugger park in Medford; provided further, that not less than \$100,000 shall be expended for improvements to Parallel park in Arlington; provided further, that not less than \$50,000 shall be expended for a water treatment plant for PFAS remediation in Abington



and Rockland; provided further, that not less than \$100,000 shall be expended for Worcester Green Corps for program staffing and awareness of green jobs and land stewardship; provided further, that not less than \$50,000 shall be expended for Groundwork Somerville, Inc. to support their food access and urban farming programs; provided further, that not less than \$25,000 shall be expended for PFAS remediation and water treatment in Hanover; provided further, that not less than \$25,000 shall be expended for PFAS remediation and water treatment in Norwell; provided further, that not less than \$100,000 shall be expended for Daniel's Table, Inc. in Framingham; provided further, that not less than \$250,000 shall be expended for startup costs for Revolution 250 related to the planning and celebration of the commonwealth's 250th anniversary of the American Revolution which will spur tourism and economic activity in all corners of the commonwealth; provided further, that not less than \$150,000 shall be expended for the construction and renovation costs of the Environmental Education and Discovery Center in the southeastern Massachusetts bioserve located in Fall River; provided further, that not less than \$100,000 shall be expended for rodent and pest control in Randolph; provided further, that not less than \$50,000 shall be expended for Food for Free Committee, Incorporated in Somerville; provided further, that not less than \$500,000 shall be expended for Community Action Pioneer Valley, Inc. for a program center and food pantry in Greenfield; provided further, that not less than \$750,000 shall be expended for the dredging of the channel in Quincy bay and beach restoration in the Merrymount neighborhood in Quincy; provided further, that not less than \$100,000 shall be expended for the Waquoit Bay National Estuarine Research Reserve for the replacement of the restroom facility on the environmentally sensitive Washburn island; provided further, that not less than \$50,000 shall be expended for the Massachusetts Military Support Foundation, Inc. for the distribution of food to veterans in need in the counties of Barnstable, Bristol and Hampden; provided further, that not less than \$150,000 shall be expended for design, survey, site preparation and construction of walking paths, bridges and other outdoor spaces along the Middlesex canal and open space in the town of Wilmington; provided further, that not less than \$100,000 shall be expended for the expansion and improvement of water and sewer infrastructure in Mendon; provided further, that not less than \$150,000 shall be expended for design, survey, site preparation and construction of a disc golf course, parking and walking trails in Tewksbury; provided further, that not less than \$250,000 shall be expended for the expansion of the urban farming and community climate resiliency projects of Groundwork Southcoast; provided further, that not less than \$10,000 shall be expended for Tree of Life in Jamaica Plain for the infrastructure and technology needs of the Mildred C. Hailey housing development food distribution service; provided further,

that not less than \$150,000 shall be expended for the Center for Human Development, Incorporated for the repair and upgrade of community kitchen facilities for the Not Bread Alone congregational meal program; provided further, that not less than \$50,000 shall be expended for water and sewer improvements at Belmont village in Belmont; provided further, that not less than \$25,000 shall be expended for the expansion of the Reading Food Pantry and for other costs associated with helping the food pantry better address food insecurity issues within the town of Reading; provided further, that not less than \$100,000 shall be expended for the construction of an ice skating rink in Belmont; provided further, that not less than \$100,000 shall be expended for Survival Centers, Inc. to support its food pantry inventory; provided further, that not less than \$2,000,000 shall be expended for the Trustees of Reservations for the creation of a climate-resilient waterfront park at Piers Park Phase 3 in East Boston; provided further, that not less than \$1,000,000 shall be expended for the department of conservation and recreation for maintenance, irrigation, design, construction and any other related costs for the Leo J. Martin Memorial golf course in Weston; provided further, that not less than \$100,000 shall be expended for the Weymouth Elder Services Center for food security programs; provided further, that not less than \$100,000 shall be expended for increased food pantry access in Somerville; provided further, that not less than \$250,000 shall be expended for the Hilltown Mobile Market for expansion of the market to a brick and mortar facility featuring a year-round commercial kitchen; provided further, that not less than \$150,000 shall be expended for the installation and operation of no less than 2 air quality monitoring stations in the East Boston section of Boston in cooperation with the department of environmental protection, the data from which shall be made available online to the public at regular intervals; provided further, that not less than \$150,000 shall be expended for the silver plating factory assessment and remediation and a land use and economic development opportunity study in North Attleborough; provided further, that not less than \$100,000 shall be expended for the Weymouth Food Pantry for food security programs; provided further, that not less than \$50,000 shall be expended for a food insecurity restaurant meals program in North Andover in partnership with the Merrimack Valley YMCA and Groundwork Lawrence, Inc.; provided further, that not less than \$50,000 shall be expended for Our Neighbors' Table, Inc. in support of the regional food hub; provided further, that not less than \$125,000 shall be expended for Green harbor dredging project in Marshfield; provided further, that not less than \$2,000,000 shall be expended for the New England Aquarium Corporation for maintenance upgrades and other improvements; provided further, that not less than \$35,000 shall be expended for a marketing campaign for the Mohawk Trail Association, Inc.; provided further, that not less than \$300,000

shall be expended for fire hydrant replacement in Somerset; provided further, that not less than \$25,000 shall be expended for the town of Bellingham for the sensory playground installation at Stallbrook elementary school; provided further, that not less than \$25,000 shall be expended for the town of Blackstone for a groundwater contamination study at Countryside Auto Salvage; and provided further, that not less than \$100,000 shall be expended for the town of Medfield to rebuild the Hinkley playground in compliance with current safety standards and ADA requirements.....\$24,260,550”; and

By inserting after section 134 the following section:

“SECTION 134A. (a) There shall be a commission to study and report on the feasibility and potential benefits of procuring large-scale energy storage through contracts to assist the commonwealth in meeting its climate change goals. The study shall include, but not be limited to: (i) an assessment of current utilization of large-scale energy storage in the ISO-NE control area and total available capacity; (ii) an examination of current ISO-NE market rules with regards to large-scale energy storage; (iii) an analysis of cost benefits to ratepayers of the commonwealth, if any, of pairing large-scale energy storage with long-term contracts procured under sections 83C and 83D of chapter 285 of the acts of 2016; and (iv) an analysis of benefits to energy demand if large-scale energy storage is paired.

(b) The commission shall consist of the secretary of energy and environmental affairs, or a designee, who shall be chair; the commissioner of energy resources, or a designee; the chairs of the joint committee on telecommunications, utilities and energy; the chairperson of the department of public utilities, or a designee; the executive director of the Massachusetts clean energy center, or a designee; and the following members who shall be appointed by the chair of the commission: 1 representative from an environmental organization; 1 representative from a pumped hydropower storage facility; and 1 representative from an electric distribution company.

(c) The commission shall file a report of its findings and recommendations together with proposed legislation, if any, with the clerks of the house of representatives and the senate, the chairs of the joint committee on telecommunications, utilities and energy and the chairs of the house and senate committees on ways and means.”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 154 members voted in the affirmative and 0 in the negative.

**[See [Yea and Nay No. 215](#) in Supplement.]**

Therefore the consolidated amendments were adopted.

At ten minutes after four o’clock P.M., on motion of Mr. Jones of North Reading (Ms. Hogan of Stow being in the Chair), the House recessed subject to the call of the Chair; and at eighteen minutes before six o’clock P.M. the House was called to order with Ms. Hogan in the Chair.

Mr. Michlewitz of Boston and other members of the House then moved to amend the bill in section 2A, in line item 1599-6060, in line 32, by inserting after the word “communities” the following: “; provided further, that not less than \$1,000,000 shall be expended for the first year of the Small Properties State Acquisition Funding Pilot as part of the Housing Stabilization and Investment Trust Fund established in section 2 of chapter 121F of the General Laws; provided further, that said program shall issue soft loans to supplement other acquisition soft loans administered by municipal or

Consolidated amendments adopted,— yea and nay No. 215.

Recess.

other affordable housing acquisition lenders on a rolling basis; provided further, that acquisitions pursuant to this program shall follow the affordability restrictions of said affordable housing acquisition lenders; provided further, that loans under this program shall be used for the acquisition of buildings of no less than 1 unit and no more than 8 units of residential housing for rental or ownership, or mixed-use buildings, for a term of up to 50 years”; and in said item by striking out the figures: “100,000,000” and inserting in place thereof the figures: “101,000,000”;

In item 1599-6061, in line 40, by inserting after the word “uses” the words “, or construct or rehabilitate owner-occupied manufactured housing”;

In item 1599-6062, line 73, by inserting after the year: “2019” the following: “; provided further, that not less than \$3,000,000 shall be expended for operational support grants to movie theaters in the Commonwealth; provided further, that to be eligible for said grants, applicants must: (a) have had at least \$15,000 in box office ticket sales in calendar year 2019; (b) have experienced a decline in box office sales between calendar year 2019 and subsequent years, or portions thereof, of 40 percent or more; (c) be physically located in the Commonwealth; and (d) have no current tax liens on record with the department of revenue at the time of application; provided further, that priority shall be given to applicants with four screens or fewer; provided further, that eligible businesses shall receive \$15,000 per screen for each of the first two screens at a particular location and \$10,000 per each additional screen at a particular location”; and in said item by striking out the figures: “200,000,000 and inserting in place thereof the figures: “203,000,000”;

By inserting after item 1599-6067 the following item:

“1599-6068 For a reserve to fund various economic development projects throughout the commonwealth; provided, that not less than \$50,000 shall be expended for New England Farm Workers Council for continued expansion in Western Massachusetts within the public community college and public vocational school systems for the promotion of educational offerings and the provision of employment opportunities; provided further, that not less than \$50,000 shall be expended for the Springfield to Boston Education Foundation for a director to oversee, promote and curate the foundation for 1 year, marketing and the purchase of cars, tools and parts; provided further, that not less than \$8,000 shall be expended for police bicycles in Saugus; provided further, that not less than \$20,000 shall be expended for fire equipment in Saugus; provided further, that not less than \$1,000,000 shall be expended for the Italian Home for Children for a capital improvement project to serve high acuity children that require a specialized facility; provided further, not less than \$623,000 shall be expended for statewide imagination library program that fosters higher levels of child literacy by providing books to children ages newborn to 5 years of age; provided further, that not less than \$150,000 shall be expended for the department of elementary and secondary education to aid in the disbursement of federal funds for the Local Food for Schools Program; provided further, that not less than \$50,000 shall be expended for Operation A.B.L.E. of Greater Boston, Inc., to provide basic workforce and skills training, employment services and job re-entry support to older workers; provided further, that not less than \$1,000,000 shall be expended for costs

associated with the purchase of information technology, medical equipment and interior building construction and the furnishing of a community health center licensed under an academic medical center in Springfield; provided further, that not less than \$2,000,000 shall be expended for the Montachusett Veterans' Outreach Center for the building or acquisition of additional housing units; provided further, that not less than \$300,000 shall be expended for Harbor Health Services, Inc. for upgrades to dental equipment, technology infrastructure and operations at the community based dental health clinics servicing Plymouth and Cape Cod; provided further, that not less than \$250,000 shall be expended for Torch Light Recovery Group to further promote re-entry services for people who were formally incarcerated; provided further, that not less than \$50,000 shall be expended for SCM Transportation to assist seniors in getting to doctor's appointments and grocery stores; provided further, that not less than \$2,200,000 shall be expended for the town of Ludlow for Westmass Area Development Corp Ludlow Mill #8 and Mill #11 to immediately increase affordable housing production; provided further, that not less than \$1,500,000 shall be expended for Community Servings Inc. for a 1-time investment to support increased demand and expand the medically tailored meal program; provided further, that not less than \$100,000 shall be expended for Berkshire Bounty Inc. for efforts to combat food insecurity in rural communities; provided further, that not less than \$30,000 shall be expended for the Haven From Hunger food program in Peabody; provided further, that not less than \$400,000 shall be expended for Fairview Hospital in the town of Great Barrington for the continuation of the Collaborative Care program in the 5 Southern Berkshire Public Schools; provided further, that not less than \$20,000 shall be expended for the Danvers Community Council; provided further, that not less than \$15,000 shall be expended for the Middleton Food Pantry; provided further, that not less than \$300,000 shall be expended for the Massachusetts Down Syndrome Congress for the Your Next Star employment training program for individuals with intellectual and developmental disabilities; provided further, that not less than \$350,000 shall be expended for the Minnechaug Regional High School Booster Club for the replacement and installation of the Falcon Athletic Field at Minnechaug Regional High School with turf, said field having served as a critical recreation facility and respite for the Wilbraham school community during the Covid-19 pandemic; provided further that not less than \$150,000 shall be expended for STRIVE, a job training and placement service for the chronically unemployed, to provide access to technology equipment and training for clients who are disproportionately impacted by poverty and the pandemic; provided further, that not less than \$250,000 shall be expended for Cape Cod Healthcare for the development, construction and the equipment of an urgent care facility in Orleans; provided further, that \$15,000 shall be expended for the

town of Harwich for the purchase of new voting machines; provided further, that not less than \$100,000 shall be expended for the Cape Cod Law Enforcement Council to provide mental health, wellness and suicide prevention services to emergency service providers in the towns of Brewster, Orleans, Eastham, Wellfleet, Truro and Provincetown; provided further, that not less than \$400,000 shall be expended for North Star Family Services to facilitate the development of Journey Home permanent supportive family housing for North Central Massachusetts families; provided further, that not less than \$1,000,000 shall be expended for New England Life Flight, Inc., Boston MedFlight, for critical care air medical and dedicated ground critical care transport equipment; provided further, that not less than \$30,000 shall be expended for RESIST Foundation for the Project Turnaround Program for violence prevention programming in the neighborhoods of Boston with the highest rates of community violence and gun violence as well as the promotion of and support of workforce development for formerly incarcerated individuals; provided further, that not less than \$300,000 shall be expended to the town of Stoneham for costs associated with the design and construction of an outdoor amphitheater on the grounds of Stoneham high school; provided further, that not less than \$100,000 shall be expended for a gang-to-college pilot program to serve gang-involved youth from high-crime areas in the city of Boston enrolled in college pathway programs; provided further, that \$1,000,000 shall be expended for a 3-year grant to Roca, Inc. to plan for and expand the intervention model for high-risk Young Mothers Program into Boston for young mothers experiencing acute trauma, multiple systems involvement, mental health needs, domestic violence and abuse; provided further, that not less than \$35,000 shall be expended for public health and safety initiatives and revitalization of Ringer park in the Allston section of Boston; provided further, that not less than \$750,000 shall be expended for the Massachusetts Manufacturing Extension Partnership to develop and implement a workforce development second chance initiative to improve outcomes for underserved populations, and candidates facing challenges entering the workforce; provided further, that not less than \$500,000 shall be expended to the city known as the town of Braintree for economic development; provided further, that not less than \$250,000 shall be expended to the town of Holbrook for economic development; provided further, that not less than \$144,000 shall be expended for the Mattapan Community Health Center for increased salaries for nurses, and medical or clinical assistants; provided further, that not less than \$125,000 shall be expended for the SEIU Local 509 Commonwealth Human Service Workers and Educators Training Professional Development Fund to train and address the impacts of secondary trauma on DCF social workers; provided further, that not less than \$250,000 shall be expended for Greater Lynn Senior Services, Inc. for its elder housing

stabilization program; provided further, that not less than \$400,000 shall be expended for Harbor Health Services, Inc. to expand care models to keep seniors in their homes and communities and to implement senior friendly technology infrastructure upgrades; provided further, that not less than \$70,000 shall be expended for the Boston Debate League to support their after-school debate league and work with incarcerated individuals; provided further, that not less than \$50,000 shall be expended for covering the operational costs associated with providing medical interpreter services at the Lowell community health center; provided further that \$1,000,000 be expended for Roca, Inc. to provide and administer a Transitional Employment (TEP) and other job placement programs for the highest-risk, court involved young people and adults in the commonwealth; provided further, that not less than \$250,000 shall be expended for the Edward M. Kennedy Community Health Center, Inc. to train community health workers to serve as the patient link to medical and social services for the disenfranchised population throughout the Worcester and MetroWest regions; provided further, that not less than \$150,000 shall be expended for Island Health Care for dental and primary care clinic expansion; provided further, that not less than \$50,000 shall be expended for Old Timers Sports and Family Health in Springfield; provided further, that not less than \$750,000 shall be expended for Southwest Boston Senior Services for a one-time investment to support and provide state-wide medically tailored and culturally appropriate meals to persons battling chronic illnesses, the disabled and elders in collaboration with the statewide Meals on Wheels network; provided further, that not less than \$100,000 be expended for NeighborWorks Housing Solutions to digitize their records; provided further, that not less than \$175,000 shall be expended for the city of Lawrence Council on Aging for the purpose of repairing and bringing to code the Center's kitchen; provided further, that not less than \$15,000 shall be expended for the Pembroke Titans Against Drugs – Friends of the Pembroke Drug Prevention Coalition, Inc; provided further, that not less than \$80,000 shall be expended for Mother, Overlooked, Reaching out, Empowerment in Springfield for gun violence prevention and victims services programs; provided further, that not less than \$50,000 shall be expended for Solutions at Work, Inc. to support the administration of the Green Street Shelter in Cambridge; provided further, that not less than \$150,000 shall be expended for the Natick Housing Authority for the development of a master plan for public housing in Natick; provided further, that not less than \$500,000 shall be expended for Year Up to implement workforce development programs that provide job opportunities for young adults; provided further, that not less than \$100,000 shall be expended for the Wayland Affordable Housing Trust in Wayland for the acquisition, creation, preservation and support of affordable housing; provided further,

that \$750,000 shall expended for South Boston Community Health Center to fund critical renovations and expansion at the main facility, to accommodate continued growth in primary care services and to allow for better patient flow to enhance infection control protocols; provided further, that \$400,000 shall be expended for the city of Haverhill for the Airfield Redevelopment; provided further, that not less than \$2,000,000 shall be expended to Springfield Day Nursery Corporation in the city of Springfield for capital expenses associated with the construction of a new facility to expand access to early education, center-based care and family services to low-income children and families in western Massachusetts; provided further, that not less than \$300,000 shall be expended for the downtown revitalization, roadway and environmental enhancement project in the town of Millbury; provided further, that not less than \$150,000 shall be expended for the Front-Line Initiative in Tewksbury to allow the opportunity to look at innovative ways to expand the work being done in service of the community; provided further, that not less than \$250,000 shall be expended for the operation of the school-based health center for the Randolph Public Schools system; provided further, that not less than \$2,144,000 shall be expended for the extraordinary and unreimbursed COVID-19 pandemic related expenditures incurred by the New England Center for Children during fiscal year 2020 and fiscal year 2021; provided further, that not less than \$100,000 shall be expended for improvements at Waverley Oaks Apartments in Belmont; provided further, that not less than \$100,000 shall be expended for the town of Belmont for the predevelopment costs for Sherman Gardens Apartments; provided further, that not less than \$250,000 shall be expended for the Randolph fire department for a new ambulance; provided further, that not less than \$100,000 shall be expended for the town of Belmont for improvements to the Belmont Public Library; provided further, that not less than \$1,600,000 shall be expended for a federally qualified community health center with a 24/7 satellite emergency facility licensed under 105 C.M.R. 130 to establish an early diagnosis program to address racial disparities in health care in communities disproportionately impacted by the COVID-19 pandemic; provided further, that not less than \$8,000,000 shall be expended for Harvard Street Neighborhood Health Center for the purpose of planning and construction of a new state of the art, ADA-compliant health center in the Dorchester neighborhood of Boston; provided further, that not less than \$3,000,000 shall be expended for provided further, that not less than \$900,000 shall be expended for the East Boston Community Development Corporation, Inc., for the acquisition of residential units to be maintained as affordable housing; provided further, that not less than \$500,000 shall be expended for the town of Stoneham for the planning, building and construction costs associated with the Stoneham High School construction project; provided further, that not less



than \$100,000 shall be expended for Cambodia Town Lowell, Inc. to form an Asian-American business support division which shall provide education and training to minority-owned businesses in Lowell; provided further, that not less than \$250,000 shall be expended for the Greater New Bedford Community Health Center for the costs associated with renovations, remodeling and conversion of administrative space for the expansion of behavioral services for vulnerable, high-risk patients; provided further, that not less than \$100,000 shall be expended for the development of a faculty education institute at William James College, in collaboration with the behavioral health advisory committee established in section 72 of Chapter 102 of the Acts of 2021, UMass Amherst, Middlesex Community College and Massachusetts public higher education campuses to prepare a comprehensive plan to train Massachusetts college and university faculty and staff in mental health first aid and social emotional education techniques to increase the quality of campus mental health; provided further, that not less than \$100,000 shall be expended for the city of Somerville to conduct focus groups and a feasibility study related to the development of a rental registry and energy retrofitting housing in Somerville; provided further, that not less than \$10,000 shall be expended for the New England Center for Arts and Technology Inc. Career Center; provided further, that not less than \$100,000 shall be expended for the city of Somerville to study energy efficiency opportunities in affordable housing for low and moderate-income households; provided further, that not less than \$150,000 shall be expended for the design and development of three regional partial care program centers located in greater Boston, greater Worcester and greater Springfield to provide services to college and university students transitioning from an inpatient mental health service to campus, in collaboration with the behavioral health advisory committee established in section 72 of Chapter 102 of the Acts of 2021; provided further, that not less than \$300,000 shall be expended for CODAC Behavioral Health for a medical mobile unit to provide mental health services and opioid & substance abuse disorders in hot spots and community outreach to students at Westfield State University; provided further, that not less than \$2,000,000 shall be expended for athletic fields to benefit Lowell High girls and boys; provided further, that not less than \$500,000 shall be expended to the city of Boston to develop a curriculum that can be used by teachers in Boston Public Schools, as well as other educational providers that leverage existing open data from the city, state, and federal government; and provided further, that not less than \$3,000,000 shall be expended to the city of Boston to support the development of programs and services that improve the experience of digital government services for multilingual communities..... \$43,909,000”;

In item 1599-6069, in line 131, by inserting after the word “analysis” the following: “and non-acute hospitals not otherwise eligible for funding pursuant to section 135”, in line 135, by striking out the following: “or (iv)” and inserting in place thereof the following: “(iv) serving high percentages of health safety net patients; (v) having a Medicaid payer mix greater than 40 per cent; or (vi)”;

By inserting after item 1599-6072 the following item:

“1599-6073 For a reserve to provide supplemental funding to the victim and witness assistance board in light of federal funding cuts; provided, that not less than \$20,000,000 shall be expended for programs and services in fiscal year 2024; provided further, that not less than \$20,000,000 shall be expended for programs and services in fiscal year 2025; and provided further, that to the extent feasible, the victim and witness assistance board shall maintain the same level of programs and services offered in fiscal year 2022.....\$40,000,000”;

By inserting after item 1599-6079 the following three items:

“1599-6080 For a grant program to address human trafficking, to be administered by the department of public health in consultation with the executive office of public safety; provided further that eligible recipients of this grant shall have implemented an approved human trafficking awareness program for their employees which provides the following instruction: (i) the nature of human trafficking; (ii) how human trafficking is defined pursuant to section 50 and 51 of chapter 265; (iii) how to identify victims of human trafficking, as defined in section 20M of chapter 233; (iv) relief and recovery options for survivors; (v) social and legal services available to victims; and provided further eligible applicants shall ensure that the human trafficking hotline is prominently displayed in the lobby of said establishment .....\$1,000,000

1599-6081 For the federal Low Income Home Energy Assistance Program, to assist eligible low-income elders, working families and other households with assistance paying a portion of winter heating bills; provided, that the department of housing and community development shall establish the maximum assistance for which a household shall be eligible.....\$10,000,000

1599-6082 For a reserve to address the needs of community health centers receiving grants under 42 U.S.C. section 245(b) and with high populations of uninsured patients disproportionately impacted by the COVID-19 pandemic; Provided further, that notwithstanding any general or special law or regulation to contrary, on or before November 30, 2022, the executive office for administration and finance shall transfer no less than \$20,000,000 to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws; provided further, that such funds shall be distributed no later than December 31, 2022 by the executive office of health and human services as direct payments to each provider participating in the MassHealth program as a community health center or hospital-licensed health center; provided further, that said funds shall be allocated in direct proportion to the total allowable reimbursable health services

amount processed through the Health Safety Net Trust Fund for each such health center during Health Safety Net fiscal year 2017, including any related settlements; provided further, that at least 10 calendar days prior to the expected payment date to each such health center, the executive office of health and human services shall provide a schedule listing the total allowable reimbursable health services amount processed through the Health Safety Net Trust Fund for each such health center in Health Safety Net fiscal year 2017 including any related settlements, each such health center's per cent of the aggregate total allowable reimbursable health services amount processed through the Health Safety Net Trust Fund for all such health centers combined in Health Safety Net fiscal year 2017 including any related settlements, and the proposed payment amount to each such health center.....\$20,000,000”;

In item 1599-6085, in line 214, by inserting after the word “technologies” the words “the joint committee on labor and workforce development”;

By inserting after section 4E (inserted by amendment) the following twenty sections:

“SECTION 4F. The first paragraph of section 13A of chapter 22 of the General Laws, as amended by section 29 of chapter 39 of the acts of 2021, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following 3 sentences:- Two of the appointive members shall be architects licensed to practice in the commonwealth. One of the appointive members shall be a licensed building inspector. Three of the appointive members shall be selected after consultation with advocacy groups on behalf of persons with disabilities.

SECTION 4G. Said section 13A of said chapter 22, as so amended, is hereby further amended by striking out the fourth paragraph and inserting in place thereof the following 4 paragraphs:-

The board shall make and from time to time alter, amend and repeal, in accordance with the provisions of chapter 30A, rules and regulations designed to make multiple dwellings and public buildings and facilities, including, but not limited to, areas that are not generally in public use, accessible to, functional for and safe for use by persons with disabilities. The board shall also make rules and regulations requiring that any person who has lawful control of improved or enclosed private property used as off-street parking areas where the public has a right of access as invitees or licensees, shall reserve parking spaces in said off-street parking areas for vehicles authorized to display handicapped plates or placards under section 2 of chapter 90; provided, that the parking requirements shall be consistent with the ADA Standards for Accessible Design. The parking spaces reserved for vehicles of such persons with a disability shall be clearly marked as such.

The rules and regulations of the board shall establish standards and procedures designed to make adaptable for persons with physical disabilities for any building, regardless of the date of construction: (i) all dwelling units in multiple dwellings equipped with an elevator; (ii) all ground floor dwelling units in multiple dwellings not equipped with an elevator; and (iii) all public use and common use portions of such multiple dwellings; provided, however, that in any building constructed before March 13, 1991, such standards and procedures for dwelling units shall apply only to such units within: (i) any non-residential building undergoing a gut rehabilitation as part of a change in use into a multiple dwelling facility; or (ii) any residential building which is vacant undergoing a gut rehabilitation.

The rules and regulations of the board shall establish standards and procedures designed to make accessible to, functional for and safe for use by persons with physical disabilities residential buildings whenever constructed and without the restrictions in the above paragraph. Unless otherwise specified, 5 per cent of the units in lodging or residential facilities for hire, rent or lease, containing 20 or more units, shall meet this requirement; provided, however, that accessible units shall allow 5 feet of turning radius for a wheelchair in the kitchens and bathrooms. In the event that the board determines that the need, in certain areas of the commonwealth, for such units either exceeds or does not require said 5 percent, the board may require that, in said areas a percentage of units less than 5 per cent or not greater than 10 per cent be accessible and safe for persons with disabilities; provided, however, that said accessible units shall allow 5 feet of turning radius for a wheelchair in the kitchens and bathrooms. The board may make such determination only if there is sufficient factual basis, using data from the central registry of the Massachusetts rehabilitation commission, established in section 74 of chapter 6, and other sources, to establish with a reasonable degree of certainty the present and future needs for said accessible units in certain areas of the commonwealth. A percentage of less than 5 per cent shall not be established unless such accessible units, which are not needed by persons with disabilities cannot be readily hired, rented or leased to other persons.

The rules and regulations of the board shall include, but not be limited to, detailed architectural standards further defining adaptable and accessible dwelling units and such other provisions necessary to provide rights and remedies substantially equivalent to or greater than the rights and remedies provided by the federal Fair Housing Act, the ADA Standards for Accessible Design and regulations thereunder as pertaining to such multiple dwellings.

SECTION 4H. Said section 13A of said chapter 22 is hereby further amended by inserting after the word 'buildings', in lines 67, as appearing in the 2020 Official Edition, the following words:- and facilities.

SECTION 4I. Said section 13A of said chapter 22 is hereby further amended by inserting after the word 'section', in line 75, as so appearing, the following words:- and facilities.

SECTION 4J. Said section 13A of said chapter is hereby further amended by striking out, in lines 80 and 81, as so appearing, the words 'handicapped persons,' and inserting in place thereof the following words:- persons with a disability.

SECTION 4K. Said section 13A of said chapter 22 is hereby further amended by striking out, in lines 88 and 89, as so appearing, the word 'newspaper' and inserting in place thereof the following words:- forms of.

SECTION 4L. Said section 13A of said chapter 22, is hereby further amended by inserting after the word 'building', in line 93, as so appearing, the following words:- or facility, including areas not generally in public use,.

SECTION 4M. Said section 13A of said chapter 22 is hereby further amended by striking out the words 'building be changed to a', in line 94, as so appearing, and inserting in place thereof the following words:- building or facility be changed to a residential use or a.

SECTION 4N. Said section 13A of said chapter 22 is hereby further amended by inserting after the word 'building', in lines 95 and 96, as so appearing, in each instance, the following words:- or facility.

SECTION 4O. Said section 13A of said chapter 22, as so appearing, is hereby further amended by striking out, in lines 102 and 103, as so appearing, the words 'physically handicapped persons' and inserting in place thereof the following words:- persons with a disability.

SECTION 4P. Said section 13A of said chapter 22, as amended by section 29 of chapter 39 of the acts of 2021, is hereby further amended by striking out the eighth paragraph.

SECTION 4Q. Said section 13A of said chapter 22 is hereby further amended by striking out, in lines 131 and 132, as appearing in the 2020 Official Edition, the word 'person' and inserting in place thereof the following words:- building or facility, or portion thereof,.

SECTION 4R. Said section 13A of said chapter 22 is hereby further amended by inserting after the word 'building', in line 150, as so appearing, the second time it appears, the following words:- or facility.

SECTION 4S. Said section 13A of said chapter 22 is hereby further amended by inserting after the word 'building', in line 166, as so appearing, the following word:- , facility.

SECTION 4T. Said section 13A of said chapter 22 is hereby further amended by striking out, in lines 177, 179 and 187, as so appearing, the words 'physically handicapped persons' and inserting in place thereof, in each instance, the following words:- persons with a disability.

SECTION 4U. The fourteenth paragraph of said section 13A of said chapter 22, as so appearing, is hereby further amended by inserting after the definition of 'Alteration', the following definition:-

'Areas that are not generally in public use', areas not intended for use by the public, as designated in the 1991 and 2010 ADA Standards for Accessible Design, and employee work areas.

SECTION 4V. The fourteenth paragraph of said section 13A of said chapter 22, as so appearing, is hereby further amended by inserting after the definition of 'Construction' the following 3 definitions:-

'Employee work area', all or any portion of a space used only by employees and used only for work, including, but not limited to, corridors, toilet rooms, kitchenettes and break rooms if said areas constitute the path of travel to or are essential to the use of employees for work; provided, that all employee work areas shall be made accessible in new construction or where renovation work being performed is otherwise subject to the jurisdiction of the board. Corridors, toilet rooms, kitchenettes and break rooms shall not otherwise be considered employee work areas; provided however, that where corridors, toilet rooms, kitchenettes and break rooms constitute the path of travel to or are essential to the use of employees for work, they shall be, when possible, adaptable.

'Facility', all or any portion of a building, structure, site improvement, complex, equipment, road, walk, passageway, parking lot or other real or personal property, including the site where the building, property, structure or equipment is located.

'Gut rehabilitation', the general replacement of the interior of a building that may or may not include changes to structural elements such as flooring systems, columns or load bearing interior or exterior walls.

SECTION 4W. Said section 13A of said chapter 22 is hereby further amended by striking out, in line 200, as so appearing, the words 'Physically handicapped person' and inserting in place thereof the following words:- Person with a disability.

SECTION 4X. Said section 13A of said chapter 22 is hereby further amended by striking out, in line 204, as so appearing, the words 'Physically handicapped persons' and inserting in place thereof the following words:- A person with a disability.

SECTION 4Y. Said section 13A of said chapter 22, as so appearing, is hereby further amended by striking out the definition of ‘Public building’, in lines 209 through 226, inclusive, and inserting in place thereof the following definition:-

‘Public building’, (i) a building constructed by the commonwealth or any political subdivision thereof with public funds and open to public use, including, but not limited to, a building constructed by a public housing authority, the Massachusetts Port Authority, the Massachusetts Parking Authority, the Massachusetts Department of Transportation, the Massachusetts Bay Transportation Authority or a building authority of any public educational institution, or their successors; or (ii) a privately financed building that is open to and used by the public, including, but not limited to, places of public accommodation listed in section 92A of chapter 272, and 42 U.S.C. section 12181(7).”;

In section 101, in lines 1537 to 1544, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“(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 submit a claim for the COVID-19 control measure to the insurance carrier prior to dispensing the COVID-19 control measure.”;

By inserting after section 101 the following two sections:

“SECTION 101A. Section 72W of chapter 111 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the fifth paragraph the following paragraph:-

A nurses’ aide who receives their training and works in a facility whose resident population is predominantly non-English speaking, shall be offered the option to take the nurse aide certification exam in a language other than English, including Spanish and Chinese; provided, that the department shall determine which languages the exam shall be offered in.

SECTION 101B. Chapter 112 of the General Laws is hereby amended by inserting after section 52G the following section:-

Section 52H. (a) For the purposes of this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

‘Board’, the board of registration in dentistry established in section 19 of chapter 13.

‘Continuing care’, guidance, support, toxicology collection and accountability through a formal monitoring contract concurrent with or following an evaluation and treatment process.

‘Peer review committee’, a committee of healthcare providers which evaluates or improves the quality of health care rendered by providers of health care services and the evaluates and assists health care providers impaired or allegedly impaired by reason of alcohol, drugs, physical disability, mental instability or otherwise.

‘Substantive non-compliance’, a pattern of non-compliance or dishonesty in continuing care monitoring or an episode of non-compliance which could place patients at risk.

(b)(1) The board is hereby authorized and directed to offer a remediation program for dentists and dental hygienists.

(2) The board shall select 1 or more providers to serve as designated remediation programs.

(3) The board shall establish: (i) criteria for the acceptance, denial or termination of registered dentists and dental hygienists in the program; and (ii) an outreach program to identify registered dentists and dental hygienists who may have a substance use disorder and to provide education about the remediation program.

(4) No member of the board shall be employed by or volunteer for the program.

(c)(1) A remediation program shall serve as a voluntary alternative to traditional disciplinary actions. Any registered dentist or dental hygienist in the commonwealth may request to participate in the program.

(2) To be eligible for designation, a remediation program shall have demonstrable experience in the field of substance use disorder and shall employ a licensed mental health professional with experience in the treatment of substance use disorders.

(3) The remediation program shall have the following duties and responsibilities: (i) to evaluate registered dentists and dental hygienists who request to participate in the program for admission into the program; (ii) to agree to accept referrals from the board; (iii) to review and designate treatment facilities and assessment services to which participants may be referred; (iv) to receive and review information concerning a participant in the program; (v) to disclose to the board aggregate data on compliance-based on ongoing recovery documentation; (vi) to provide each participant, through contracted agreements, with an individualized remediation plan according to guidelines developed through collaboration between the board and the remediation program with regards to requirements for supervision; (vii) to provide information to dentists or dental hygienists who request to participate in the program; and (viii) to establish an outreach program to identify registered dentists and dental hygienists who may have a substance use or other mental health disorder, and to provide education about the remediation program.

(4) A registered dentist or dental hygienist who requests to participate in the remediation program shall agree to cooperate with the individualized remediation plan recommended by the remediation program. The remediation program may report to the board the name and license number of a registered dentist or dental hygienist who fails to comply with an individualized remediation plan.

(5) After the remediation program, in its discretion, has determined that a registered dentist or dental hygienist has successfully completed an individualized remediation plan through the program, the board shall seal all records pertaining to the participation of the registered dentist or dental hygienist in the program. No record shall be sealed sooner than 5 years from the participant's date of entry into the program. All board and remediation program records of a participant's involvement in the program shall be kept confidential and shall not be subject to discovery or subpoena in any civil, criminal, legislative or administrative proceeding without the prior written consent of the participant.

(6) The designated remediation programs shall be confidential and shall offer a means of recovery and rehabilitation without the loss of a license by providing access to early identification, intervention, evaluation, monitoring, referral to appropriate intervention programs and treatment services, and earned advocacy, when appropriate, of licensees with potentially impairing illness, ideally prior to functional impairment.

(7) In accordance with peer review law, proceedings, reports and records of the remediation program shall be confidential pursuant to section 240. Such records shall not to be disclosed, and shall not subject to subpoena or discovery, and shall not be

introduced into evidence in any judicial or administrative proceeding, subject to paragraph (4) and (5).

(8) No employee or volunteer member of the remediation program who is licensed to practice by the department of public health division of professional licensure or by the board shall have had any type of disciplinary or enforcement action taken against them by their respective licensing board, during the 5 years preceding their appointment to the program.”;

By inserting after section 116A (inserted by amendment) the following six sections:—

“SECTION 116B. Section 96 of chapter 140 of the General Laws, as so appearing, is hereby amended by striking out the second paragraph, and inserting in place thereof the following paragraph:-

This section shall not apply to loans that are subject to section 90A or section 28B of chapter 183 nor to any transactions engaged in pursuant to a license granted under section 58 or section 2 of chapter 255B.

SECTION 116C. Chapter 149 of the General Laws is hereby amended by adding the following section:-

Section 204. (a) No employer or prospective employer as a condition of hire, commencement of employment or continuation of employment, shall require a prospective employee, an employee who has not commenced employment or an employee to enter into a contract waiving a substantive or procedural right or remedy relating to any employment or employment-related claim, including, but not limited to, any claim for a violation of this chapter, chapter 151B or for a violation of public policy in employment. A contract executed in violation of this section shall be unenforceable.

(b) Whoever enforces or attempts to enforce a waiver in violation of subsection (a) shall be liable for damages, reasonable attorneys’ fees and costs.

(c) No employer or prospective employer shall take retaliatory action against a prospective employee, an employee who has not commenced employment or an employee who refuses to enter a contract in violation of subsection (a). Retaliation shall include, but not be limited to, the failure to hire, discharge, suspension, demotion or discrimination in the terms, conditions or privileges of employment, or any other adverse action, against a prospective employee, an employee who has not commenced employment or an employee because the prospective employee, employee who has not commenced employment or employee refuses to enter into a contract in violation of subsection (a).

(d) A prospective employee, an employee who has not commenced employment or an employee aggrieved by a violation of this section may, within 3 years after the violation, commence a civil action for damages and injunctive relief. If the court finds that a person was aggrieved by a violation of this section, the person shall recover reasonable attorneys’ fees and costs. The rights and remedies in this section shall not be exclusive and shall not preempt other available procedures and remedies for retaliatory actions, including, but not limited to, those contained in section 150 and section 4 of chapter 151B.

(e) The attorney general may enforce this section if the substantive or procedural right or remedy at issue arises under section 150.

(f) The Massachusetts commission against discrimination may enforce this section if the substantive or procedural right or remedy at issue arises under chapter 151B.

(g) A person aggrieved by a violation of chapter 151B who seeks a remedy other than: (i) nonenforcement of a contract provision prohibited by this section; or



(ii) reasonable attorneys' fees and costs for enforcement of any provision of this section, shall seek such remedy under said chapter 151B.

SECTION 116D. Chapter 167F of the General Laws is hereby amended by striking out section 4 and inserting in place thereof the following section:-

Section 4. A bank may engage directly in the business of selling, issuing or registering checks.

SECTION 116E. Chapter 169 of the General Laws is hereby repealed.

SECTION 116F. The General Laws are hereby amended by inserting after chapter 169A the following chapter:-

#### CHAPTER 169B.

##### LICENSING AND SUPERVISION OF MONEY TRANSMITTERS.

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

“Authorized delegate”, a person designated by a licensee under this chapter to engage in money transmission on behalf of a licensee.

“Branch office”, any office in the commonwealth operated by a licensee at which the licensee engages in money transmission.

“Closed loop stored value”, stored value that is redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value.

“Commissioner”, the commissioner of banks.

“Licensee”, a person licensed pursuant to this chapter to engage in the business of money transmission.

“Material litigation”, any litigation that, according to generally accepted accounting principles, is deemed significant to an applicant's or licensee's financial health and would be required to be referenced in that entity's annual audited financial statements, report to shareholders or similar documents.

“Money transmission”, any of the following: (i) selling or issuing a payment instrument to a person located in the commonwealth; (ii) selling or issuing stored value to a person located in the commonwealth; or (iii) receiving money for transmission from a person located in the commonwealth; provided, that “money transmission” shall not include: (i) transactions undertaken for other than personal, family or household purposes; or (ii) the provision solely of online or telecommunications services or network access.

“Nationwide Multistate Licensing System and Registry” or “NMLS”, the multistate system developed by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators and owned and operated by the State Regulatory Registry, LLC, or any successor or affiliated entity, for the licensing and registration of persons in financial services industries.

“Outstanding money transmission obligations”, (i) any payment instrument or stored value issued or sold by the licensee to a person located in the United States or reported as sold by an authorized delegate of the licensee to a person that is located in the United States that has not yet been paid or refunded by or for the licensee, or escheated in accordance with applicable unclaimed property laws; or (ii) any money received for transmission by the licensee or an authorized delegate in the United States from a person located in the United States that has not been received by the payee or refunded to the sender, or escheated in accordance with applicable unclaimed property laws.

“Payment instrument”, a written or electronic check, draft, money order, traveler's check, or other written or electronic instrument for the transmission or

payment of money or monetary value, whether or not negotiable; provided, however, that “payment instrument” shall not include: any credit card voucher; any letter of credit; stored value; or any instrument that is: (i) redeemable by the issuer only for goods or services provided by the issuer or its affiliate or franchisees of the issuer or its affiliate, except to the extent required by applicable law to be redeemable in cash for its cash value; or (ii) not sold to the public but issued and distributed as part of a loyalty, rewards or promotional program.

“Person”, any individual, partnership, association, joint-stock association, trust, limited liability company, limited liability partnership or corporation.

“Principal shareholder”, any person or group of persons acting in concert who owns not less than 10 per cent of any voting class of an applicant’s stock.

“Remit”, (i) to make direct payment of money to a licensee or its representatives authorized to receive the money; or (ii) to deposit money in a bank, credit union or savings and loan association or other similar financial institution in an account specified by the licensee.

“Stored value”, monetary value representing a claim against the issuer evidenced by an electronic or digital record, and that is intended and accepted for use as a means of redemption for money or monetary value, or payment for goods or services; provided, that “stored value” shall include, but is not limited to, prepaid access, as defined by 31 C.F.R. 1010.100, as amended or recodified from time to time; and provided further, that notwithstanding the foregoing, “stored value” shall not include a payment instrument or closed loop stored value, or stored value not sold to the public but issued and distributed as part of a loyalty, rewards or promotional program.

Section 2. No person or entity shall engage in the business of money transmission without first obtaining a license from the commissioner pursuant to this chapter. A license shall not be required for a person that is an authorized delegate of a licensee acting within the scope of authority conferred by a written contract with the licensee.

A licensee that intends to engage in money transmission business at a location other than its main office shall register each such branch office with the commissioner by providing such information as the commissioner may determine necessary; provided, however, that registration shall not be required for a location of an authorized delegate.

Section 3. Nothing in this chapter shall be construed to apply to:

- (a) the United States or a department, agency or instrumentality thereof;
- (b) money transmission by the United States Postal Service or by a contractor on behalf of the United States Postal Service;
- (c) a state or a governmental subdivision, agency or instrumentality thereof;
- (d) a bank, as defined in section 1 of chapter 167, a national banking association, a federally chartered credit union, a federal savings and loan association, a federal savings bank, or any subsidiary of the above, or any bank, trust company, savings bank, savings and loan association, or credit union organized under the laws of any other state, or any subsidiary of the above, a bank holding company, an office of an international banking corporation, a branch of a foreign bank, a corporation organized pursuant to the Bank Service Company Act 12 U.S.C. 1861 et seq, or a corporation organized under the Edge Act 12 U.S.C. 611-632, under the laws of a state or the United States if the person does not issue, sell or provide payment instruments or stored value through an authorized delegate that is not such a person;
- (e) electronic funds transfer of governmental benefits for a federal, state or governmental agency by a contractor on behalf of the United States or a department,

agency or instrumentality thereof, or a state or governmental subdivision, agency or instrumentality thereof;

(f) a board of trade designated as a contract market under the Commodity Exchange Act 7 U.S.C. 1 or a person that, in the ordinary course of business, provides clearance and settlement services for a board of trade to the extent of its operation as or for such a board of trade;

(g) a registered futures commission merchant under the federal commodities laws to the extent of its operation as such a merchant;

(h) a person that provides clearance or settlement services pursuant to a registration as a clearing agency or an exemption from such registration granted under the federal securities laws to the extent of its operation as such a provider;

(i) a person appointed as an agent of a payee to collect and process a payment from a payor to the payee for goods or services, other than money transmission itself, provided to the payor by the payee; provided, that: (A) there exists a written agreement between the payee and the agent directing the agent to collect and process payments from payors on the payee's behalf; (B) the payee holds the agent out to the public as accepting payments for goods or services on the payee's behalf; and (C) payment for the goods and services is treated as received by the payee upon receipt by the agent so that the payor's obligation is extinguished and there is no risk of loss to the payor if the agent fails to remit the funds to the payee;

(j) an operator of a payment system to the extent that it provides processing, clearing or settlement services, between or among persons excluded by this section, in connection with wire transfers, credit card transactions, debit card transactions, stored value transactions, automated clearing house transfers or similar funds transfers;

(k) a person registered as a securities broker-dealer under federal or state securities laws to the extent of its operation as such a broker-dealer;

(l) a person that acts as an intermediary by processing payments between an entity that has directly incurred an outstanding money transmission obligation to a sender, and the sender's designated recipient; provided, that the entity: (A) is properly licensed or exempt from licensing requirements under this chapter; (B) provides a receipt, electronic record or other written confirmation to the sender identifying the entity as the provider of money transmission in the transaction; and (C) bears sole responsibility to satisfy the outstanding money transmission obligation to the sender, including the obligation to make the sender whole in connection with any failure to transmit the funds to the sender's designated recipient;

(m) a person expressly appointed as a third-party service provider to or agent of an entity exempt pursuant to subsection (d), solely to the extent that: (A) such service provider or agent is engaging in money transmission on behalf of and pursuant to a written agreement with the exempt entity that sets forth the specific functions that the service provider or agent is to perform; and (B) the exempt entity assumes all risk of loss and all legal responsibility for satisfying the outstanding money transmission obligations owed to purchasers and holders of the outstanding money transmission obligations upon receipt of the purchaser's or holder's money or monetary value by the service provider or agent; or

(n) a person exempt by regulation or order if the commissioner finds such exemption to be in the public interest and that the regulation of such person is not necessary for the purposes of this chapter.

Section 4. (a) The commissioner may establish a minimum net worth not greater than \$5,000,000 for entities engaged in the business of money transmission.

(b) The commissioner may adopt, amend or repeal rules and regulations to aid in the administration and enforcement of this chapter. Such regulation may contain such classifications, differentiations or other provisions, and may provide for such adjustments and exceptions for any class of transactions, as in the judgment of the commissioner are necessary or proper to carry out the purposes of this chapter, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

(c) Notwithstanding any other provision of this chapter, the commissioner may issue an advisory opinion or adopt regulations relative to the business of money transmission for the purpose of maintaining consistency with regulations adopted by a federal regulatory agency and governing provisions similar to those contained in this chapter.

Section 5. (a)(1) The application for a license shall be in a form prescribed by the commissioner and shall contain the name and address or addresses where the business of the applicant is located and if the applicant is a partnership, association, corporation or other form of business organization, the names and addresses of each member, director and principal officer thereof, and any individual acting as a manager of a branch office location. Such application shall also include a description of the activities of the applicant, in such detail and for such periods as the commissioner may require, and such further information as the commissioner may require.

(2) The commissioner may require a background investigation of each applicant for a license to engage in the business of money transmission by means of fingerprint and state and national criminal history record checks by the department of criminal justice information services pursuant to section 172 of chapter 6 and the Federal Bureau of Investigation. If the applicant is a partnership, association, corporation or other form of business organization, the commissioner may require such background investigation by means of fingerprint checks on each member, director, principal officer of such applicant, and any individual acting as a manager of a branch office, or a manager of a location from which an authorized delegate engages in money transmission. The commissioner may require a background investigation by means of state criminal history record checks by the department of criminal justice information services pursuant to section 172 of chapter 6 for a manager of a location from which an authorized delegate engages in money transmission during an investigation or examination of a licensee. Receipt of criminal history record information by a private entity shall be prohibited.

(3) Each application for a license shall be accompanied by an investigation fee. Investigation and license fees shall be determined annually by the secretary of administration and finance under section 3B of chapter 7.

(b) Upon the filing of an application for a license, if the commissioner finds that the financial responsibility, character, reputation, integrity and general fitness of the applicant, and of the partners or members thereof if the applicant is a partnership or association, and of the officers, directors and principal employees if the applicant is a corporation, are such as to warrant belief that the business will be operated honestly, fairly, soundly and efficiently in the public interest consistent with the purposes of this chapter, the commissioner shall thereupon issue the applicant a license to engage in the business of money transmission. The commissioner shall not issue a license and shall notify the applicant of the denial, if: (i) the applicant made a false statement of a material fact in the application for a license; (ii) an officer, director or member of the applicant business, or manager of a location from which the applicant's authorized delegate will engage in money transmission, has, within 10 years prior to the filing of the application: (A) been convicted of or pleaded nolo contendere to a felony; or (B) committed an act involving fraud or deceit, which act

is substantially related to the qualifications, functions or duties of a person engaged in the business of money transmission; (iii) the applicant violated this chapter or regulations promulgated hereunder, any similar regulatory scheme of another jurisdiction or any other law applicable to the conduct of the business sought to be licensed; or (iv) a licensee or authorized delegate of a licensee located at the address at which the applicant intends to operate the business has had any license, registration or other authorization issued by the commissioner suspended or revoked within 6 months of the date of the new application. Within 20 days thereafter, the commissioner shall enter upon the records a written decision and findings containing the reasons supporting the denial and shall forthwith give written notice thereof by registered mail to the applicant. Within 30 days after the date of such notice, the applicant may appeal from such denial to the superior court for Suffolk county, sitting in equity. The court shall hear all pertinent evidence and determine the facts and upon the facts as so determined, review said denial and, as justice and equity may require, affirm the same or order the commissioner to issue such license.

(c) The commissioner may participate in the NMLS for entities engaged in the business of money transmission. The commissioner may establish requirements for participation by an applicant in the NMLS, which may vary from the provisions of this section and section 6. The applicant shall pay directly to the NMLS any additional fee relating to participation in the NMLS.

Section 6. A license shall not be transferable or assignable and shall expire annually at such date as determined by the commissioner. The license may be renewed upon the filing of a renewal application in such form and containing all such information as the commissioner shall prescribe. The commissioner may refuse to renew a license for any reason that the commissioner may refuse to issue an initial license under section 5. The closing of a location of the licensee, including an authorized delegate location, or a change of location of the main address of the licensee, shall require notification to the commissioner in accordance with regulations promulgated by the commissioner.

If there shall be any change among the officers, partners or directors of any licensee, the licensee shall notify the commissioner of the name, address and occupation of each new officer, partner, or director and provide such other information as the commissioner may require in accordance with regulations promulgated by the commissioner.

Section 7. All money received for transmission by any licensee shall be forwarded to the person to whom the money is directed within 7 days following receipt thereof, unless the licensee has a reasonable belief or a reasonable basis to believe that the sender may be a victim of fraud or that a crime or violation of law, rule, or regulation has occurred, is occurring, or may occur. Receipts given for deposits of money received for transmission shall contain all appropriate information relative to the transaction, as determined by the commissioner.

Section 8. The commissioner may suspend or revoke a license issued pursuant to this chapter or order a licensee to revoke the designation of an authorized delegate if the commissioner finds that:

(i) the licensee or an authorized delegate has violated this chapter or any rule or regulation adopted hereunder or any other law applicable to the conduct of its business; or

(ii) a fact or condition exists which, if it had existed at the time of the original application for such license, would have warranted the commissioner in refusing to issue such license.

Except as provided in subsection (b) of section 9, no license shall be revoked or suspended except after notice and hearing pursuant to chapter 30A.

A licensee may surrender a license by delivering to the commissioner written notice that it surrenders the license; provided, however, that the surrender shall not affect the civil or criminal liability of the licensee for acts committed before the surrender.

No revocation, suspension or surrender of a license shall impair or affect the obligation of any preexisting lawful contract between the licensee, either directly or through an authorized delegate, and any person.

In lieu of suspension or revocation of a license issued hereunder, the commissioner may fine a licensee not more than \$500 per day for each violation.

Section 9. (a) If the commissioner determines, after giving notice of and opportunity for a hearing, that a licensee has engaged in or is about to engage in an act or practice constituting a violation of this chapter or a rule, regulation or order adopted hereunder, the commissioner may order the licensee to cease and desist from such unlawful act or practice and take such affirmative action as in the commissioner's judgment will effect the purposes of this chapter.

(b) If the commissioner makes written findings of fact that the public interest will be irreparably harmed by a delay in issuing an order pursuant to subsection (a), the commissioner may issue a temporary cease and desist order. Upon the entry of a temporary cease and desist order, the commissioner shall promptly notify, in writing, the licensee affected by the order that such order has been so entered, the reasons for the order, and that within 20 days after the receipt of a written request for a hearing from the licensee, the matter will be scheduled for such hearing to determine whether or not such temporary order shall become permanent and final. If no such hearing is requested and none is ordered by the commissioner, the order shall remain in effect until it is modified or vacated by the commissioner. If a hearing is requested or ordered, the commissioner, after giving notice of and opportunity for a hearing to the licensee subject to such order, shall, by written finding of facts and conclusions of law, vacate, modify or issue a permanent cease and desist order.

(c) No order pursuant to this section, except an order issued pursuant to subsection (b), may be entered without prior notice and opportunity for a hearing. The commissioner may vacate or modify an order under this section upon a finding that the conditions which required the order have changed and that it is in the public interest to vacate or modify the order.

(d) An order issued pursuant to this section shall be subject to review as provided in chapter 30A.

Section 10. (a) The commissioner may issue an order suspending or revoking the designation of an authorized delegate, if the commissioner finds that:

(i) the authorized delegate violated this chapter or a rule promulgated pursuant to this chapter;

(ii) the authorized delegate engaged in fraud, intentional misrepresentation or gross negligence;

(iii) the authorized delegate has been convicted of a violation of a state or federal anti-money laundering statute;

(iv) the competence, experience, character or general fitness of the authorized delegate or a person in control of the authorized delegate indicates that it is not in the public interest to permit the authorized delegate to provide money services; or

(v) the authorized delegate is engaging in an unsafe or unsound practice.

(b) An order issued pursuant to this section shall be subject to review as provided in chapter 30A.

Section 11. A licensee or authorized delegate shall, when directed by the commissioner, permit the commissioner or a duly authorized representative to inspect its records and evidence of compliance with this chapter or any rule and regulation issued pursuant to this chapter and with any other law, rule and regulation applicable to the conduct of its business. The commissioner shall preserve a full record of each such examination of a licensee including a statement of its condition. All records of investigations and reports of examinations by the commissioner, including workpapers, information derived from such reports or responses to such reports, and any copies thereof in the possession of any licensee under the supervision of the commissioner, shall be confidential and privileged communications, shall not be subject to subpoena and shall not be a public record under clause twenty-sixth of section 7 of chapter 4. For the purposes of this paragraph, records of investigation and reports of examinations shall include records of investigation and reports of examinations conducted by a financial regulatory agency of the federal government and any other state, and of any foreign government which are considered confidential by such agency or foreign government and which are in possession of the commissioner. In any proceeding before a court, the court may issue a protective order to seal the record protecting the confidentiality of any such record, and other than any such record on file with the court or filed in connection with the court proceeding, and the court may exclude the public from any portion of a proceeding at which any such record may be disclosed. Copies of such reports of examination shall be furnished to a licensee for its use only and shall not be exhibited to any other person, organization or agency without prior written approval by the commissioner. The commissioner may furnish to regulatory agencies of the federal government, of other states, or of foreign countries, and any law enforcement agency, such information, reports, inspections and statements relating to the licensees under supervision of the division.

The commissioner, or an examiner or such others of the commissioner's assistants as may be designated by the commissioner, may summon the directors, officers or agents of a licensee, or any other witnesses, and examine them relative to the affairs, transactions and condition of the licensee, and, for that purpose, may administer oaths. Whoever, without justifiable cause, refuses to appear and testify when so required or obstructs the person making such examination in the performance of such duties, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 1 year.

Section 12. The commissioner, if there is reason to believe that a person other than a licensee has violated this chapter, shall be authorized to make such investigations as the commissioner shall deem necessary and may examine such other person and shall compel the production of all relevant books, records, accounts and documents.

Section 13. A licensee shall annually, not later than a date to be determined by the commissioner, file a report with the commissioner containing such information as the commissioner may require concerning the business and operations during the preceding calendar year. A licensee neglecting to file such report or failing to amend the same within 15 days of notice from the commissioner directing the same shall, unless such neglect or failure is due to justifiable cause and not due to willful neglect, pay to the commonwealth \$50 for each day during which such neglect or failure continues.

A licensee shall periodically file, on dates determined by the commissioner, a report of its current authorized delegates in a form determined by the commissioner and containing such information as the commissioner shall require, and including

other information the NMLS may reasonably require with respect to the licensee. The commissioner may change or update the delegate reporting requirements to carry out the purposes of this chapter and to maintain consistency with NMLS licensing standards and practices.

A licensee and its authorized delegates shall keep and use such business records in such form and at such location as the commissioner shall, by regulation, determine, which shall enable the commissioner to determine whether such licensee or authorized delegate is complying with this chapter and any rules or regulations promulgated pursuant to this chapter by the commissioner and any other law, rule or regulation applicable to the conduct of the business for which it is licensed pursuant to this chapter. Each licensee shall ensure that all of its authorized delegates maintain books and records as required by the commissioner. Such regulations may contain provisions for the suspension or revocation of licenses for violations hereof and for such records to be recorded, copied or reproduced by photographic, photostatic, microfilm, microcard, miniature photographic, electronic, including, but not limited to, optical imaging, or other process which accurately reproduces or forms a durable medium for reproducing the original record or document or in any other form or manner authorized by the commissioner; provided, however, that nothing in this section shall be construed to permit any such licensee to destroy original records or documents. Each such licensee shall preserve all such business records for as long a period as the commissioner shall prescribe by regulation. Notwithstanding any general or special law to the contrary, service of a subpoena for business records upon a licensee, delivered to an office of such licensee located within the commonwealth shall be deemed to have been served at the location, whether within or outside the commonwealth, where the original business records or documents are kept or maintained.

Section 14. The commissioner or an aggrieved party may enforce this chapter, or restrain any violations thereof, by filing a civil action in a court of competent jurisdiction. A violation of this chapter or a rule or regulation adopted pursuant to this chapter shall constitute a violation of chapter 93A.

Section 15. Whoever violates this chapter or any rule or regulation promulgated pursuant to this chapter by the commissioner shall be punished by a fine of not more than \$5,000 or by imprisonment in state prison for not more than 5 years, or both. Each day a violation continues shall be deemed a separate offense. This penalty shall be in addition to, and not in lieu of, any other provision of law applicable to a licensee or other person for violating section 2 or any rule or regulation made thereunder.

Section 16. (a) Whenever the commissioner finds that any licensee or exempt person under section 3 has violated this chapter or any rule or regulation adopted thereunder, or any other law of the commonwealth applicable to the conduct of the business of money transmission, the commissioner may, by order, in addition to any other action authorized pursuant to this chapter or any rule or regulation made pursuant to this chapter, impose a penalty upon such person not more than \$5,000 for each violation, and not more than \$100,000 for such violation plus the costs of investigation. The commissioner may impose a penalty not more than \$5,000 for each violation of this chapter or any rule or regulation adopted thereunder by a person other than a licensee or exempt person under section 3, plus the costs of investigation.

(b) Nothing in this section shall limit the right of any individual or entity who has been injured as a result of any violation of this chapter by a licensee, or any person other than a licensee or exempt person under section 3, to bring an action to recover damages or restitution in a court of competent jurisdiction.



(c) Any findings or order issued by the commissioner pursuant to this section shall be subject to review as provided in chapter 30A.

Section 17. (a) Whenever the commissioner determines that any person has, directly or indirectly, violated this chapter or any rule or regulation adopted pursuant to this chapter, applicable to the conduct of the business of money transmission, or any order issued by the commissioner pursuant to this chapter or any written agreement entered between a licensee and the commissioner, the commissioner may serve upon such person a written notice of intention:

(i) to prohibit such person from performing in the capacity of a principal employee on behalf of any licensee for such period of time that the commissioner deems necessary;

(ii) to prohibit the person from applying for or obtaining a license from the commissioner for a period not greater than 36 months following the effective date of an order issued under subsection (b) or (c); or

(iii) to prohibit such person from any further participation, in any manner, in the conduct of the business of money transmission in the commonwealth or to prohibit such person from being employed by, an authorized delegate of, or operating on behalf of a licensee under this chapter or any other business which requires a license from the commissioner.

(b) A written notice issued pursuant to subsection (a) shall contain a written statement of the facts that support the prohibition and shall give notice of an opportunity for a hearing to be held thereon. The hearing shall be fixed for a date not later than 30 days after the date of service upon the commissioner of such request for a hearing. If the person fails to submit a request for a hearing not later than 20 days of service of notice under subsection (a), or otherwise fails to appear in person or by a duly authorized representative, the party shall be deemed to have consented to the issuance of an order of such prohibition in accordance with the notice.

(c) In the event of such consent pursuant to subsection (b), or if after a hearing the commissioner finds that any of the grounds specified in such notice have been established, the commissioner may issue an order of prohibition in accordance with subsection (a) as the commissioner finds appropriate.

(d) An order issued pursuant to subsection (b) or (c) shall be effective upon service upon the person. The commissioner shall also serve a copy of the order upon the licensee of which the person is an employee or on whose behalf the person is performing. The order shall remain in effect and enforceable until it is modified, terminated, suspended or set aside by the commissioner or a court of competent jurisdiction.

(e) Except as consented to in writing by the commissioner, any person who, pursuant to an order issued pursuant to subsection (b) or (c), has been prohibited from participating in whole or in part in the conduct of the business of money transmission in the commonwealth shall not, while such order is in effect, continue or commence to perform in the capacity of a principal employee, or otherwise participate in any manner, if so prohibited by order of the commissioner, in the conduct of the affairs of: (i) any licensee under this chapter; (ii) any other business which requires a license from the commissioner; or (iii) any bank, as defined under section 1 of chapter 167, or any subsidiary thereof.

Section 18. A surety bond, in an amount determined by the commissioner and in a form prescribed by the commissioner, to secure the faithful performance of the obligations of the licensee with respect to money transmission shall accompany an application for licensure. The aggregate liability on a surety bond may not exceed the

principal sum of the bond. A claimant against a licensee may maintain an action on the bond, or the commissioner may maintain an action on behalf of the claimant.

Section 19. (a) A licensee engaged in the business of money transmission who intends to conduct licensed activities through the use of authorized delegates shall submit the names and addresses of such persons listed in the original application to the commissioner. There shall be an express written contract between the parties detailing the duties and responsibilities of each such authorized delegate.

(b) A contract between a licensee and an authorized delegate shall require the authorized delegate to operate in full compliance with this chapter. The licensee shall furnish in a record to each authorized delegate policies and procedures sufficient to permit compliance with this chapter.

(c) An authorized delegate shall remit all money owing to the licensee in accordance with the terms of the contract between the licensee and the authorized delegate.

(d) An authorized delegate may not provide money transmission services outside the scope of activity permissible under the contract between the authorized delegate and the licensee.

Section 20. (a) Except to the extent otherwise limited by the commissioner pursuant to this section, the following shall be considered permissible investments:

(1) cash, a certificate of deposit or senior debt obligation of an insured depository institution, as defined in section 3 of the Federal Deposit Insurance Act, 12 U.S.C. section 1813;

(2) any receivable owed by a bank and resulting from an automated clearinghouse, debit or credit-funded transmission;

(3) banker's acceptance or bill of exchange that is eligible for purchase upon endorsement by a member bank of the Federal Reserve System and is eligible for purchase by a Federal Reserve Bank;

(4) an investment bearing a rating of 1 of the 3 highest grades as defined by a nationally recognized organization that rates securities;

(5) an investment security that is an obligation of the United States or a department, agency, or instrumentality thereof, an investment in an obligation that is guaranteed fully as to principal and interest by the United States or an investment in an obligation of a state or a governmental subdivision, agency, or instrumentality thereof;

(6) receivables that are payable to a licensee from its authorized delegate, in the ordinary course of business, pursuant to contracts which are not past due or doubtful of collection; provided, that a receivable shall be deemed to be past due or doubtful of collection if the money owed to the licensee is not remitted within 7 business days; and provided further, that the aggregate amount of receivables under this paragraph from any 1 person shall not comprise more than 10 per cent of the licensee's total permissible investments; and

(7) a share or a certificate issued by an open-end management investment company that is registered with the United States Securities and Exchange Commission under the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 and whose portfolio is restricted by the management company's investment policy to investments specified in paragraphs (1) through (4).

(b) The following investments shall be permissible, but only to the extent specified in this subsection:

(1) an interest-bearing bill, note, bond or debenture of a person whose equity shares are traded on a national securities exchange or on a national over-the-counter market if the aggregate of investments under this paragraph does not exceed 20 per

cent of the total permissible investments of a licensee and the licensee does not at 1 time hold investments under this paragraph in any 1 person aggregating more than 10 per cent of the licensee's total permissible investments;

(2) a share of a person traded on a national securities exchange or a national over-the-counter market or a share or a certificate issued by an open-end management investment company that is registered with the United States Securities and Exchange Commission pursuant to the Investment Companies Act of 1940, 15 U.S.C. Section 80a-1-64 and whose portfolio is restricted by the management company's investment policy to shares of a person traded on a national securities exchange or a national over-the-counter market if the aggregate of investments under this paragraph does not exceed 20 per cent of the total permissible investments of a licensee and the licensee does not at 1 time hold investments in any 1 person aggregating more than 10 per cent of the licensee's total permissible investments;

(3) a demand-borrowing agreement made to a corporation or a subsidiary of a corporation whose securities are traded on a national securities exchange if the aggregate of the amount of principal and interest outstanding under demand-borrowing agreements pursuant to this paragraph does not exceed 20 per cent of the total permissible investments of a licensee and the licensee does not at 1 time hold principal and interest outstanding under demand-borrowing agreements pursuant to this paragraph with any 1 person aggregating more than 10 per cent of the licensee's total permissible investments;

(c) The aggregate of investments pursuant to subsection (b) may not exceed 50 per cent of the total permissible investments of a licensee calculated in accordance with section 21.

(d) The commissioner may promulgate regulations to allow other types of investments that the commissioner determines are of sufficient liquidity and quality to be a permissible investment, to the extent specified by the commissioner.

Section 21. (a) A licensee shall maintain at all times permissible investments that have a market value computed in accordance with generally accepted accounting principles of not less than the aggregate amount of all of its outstanding money transmission obligations.

(b) The commissioner, with respect to any licensees, may limit the extent to which a type of investment within a class of permissible investments may be considered a permissible investment, except for money and certificates of deposit issued by a bank. The commissioner, by rule, may prescribe, or by order allow, other types of investments that the commissioner determines to have a safety standard substantially equivalent to other permissible investments.

(c) Permissible investments, even if commingled with other assets of the licensee, shall be held in trust for the benefit of the purchasers and holders of the licensee's outstanding money transmission obligations in the event of bankruptcy or receivership of the licensee.

Section 22. (a) In order to carry out the purposes of this chapter, the commissioner may:

(1) enter into agreements or relationships with other government officials or federal and state regulatory agencies and regulatory associations to improve efficiencies and reduce regulatory burden by standardizing methods or procedures, and sharing resources, records or related information obtained pursuant to this chapter;

(2) use, hire, contract or employ analytical systems, methods or software to examine or investigate any person subject to this chapter; and

(3) accept licensing, examination or investigation reports made by other state or federal government agencies or officials.

(b) The commissioner may participate in the multistate supervisory processes established between states for all licensees that hold licenses in the commonwealth and other states. As a participant in multistate supervision, the commissioner may:

(1) cooperate, coordinate and share information with other state and federal regulators in accordance with section 11;

(2) enter into written cooperation, coordination or information-sharing contracts or agreements with organizations, the membership of which is made up of state or federal governmental agencies; and

(3) cooperate, coordinate and share information with organizations, the membership of which is made up of state or federal governmental agencies; provided, that the organizations agree in writing to maintain the confidentiality and security of the shared information in accordance with section 11.

(c) Nothing in this section shall constitute a waiver of the commissioner's authority to conduct an examination or investigation or otherwise take independent action authorized by this chapter or any rule adopted or order issued pursuant to this chapter to enforce compliance with applicable state or federal law.

SECTION 116G. Chapter 175 of the General Laws is hereby amended by striking out section 162Z and inserting in place thereof the following section:-

Section 162Z. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Designated responsible producer” or “DRP”, a person responsible for a limited lines travel insurance producer's compliance with travel insurance laws, rules and regulations.

“Limited lines travel insurance producer”, a (i) licensed managing general agent or third-party administrator; (ii) licensed insurance producer, including a limited lines producer; or (iii) travel administrator.

“Offer and disseminate”, to provide general information, including a description of the coverage and price, as well as processing an application for travel insurance and collecting premium payments.

“Travel administrator”, a person who directly or indirectly underwrites, collects charges, collateral or premiums from or adjusts or settles claims on residents of the commonwealth in connection with travel insurance; provided, however, that a person shall not be considered a travel administrator if that person's only characteristic or action that would otherwise cause it to be considered a travel administrator is 1 of the following:

(i) a person working for a travel administrator to the extent that the person's activities are subject to the supervision and control of the travel administrator;

(ii) an insurance producer selling insurance or engaged in administrative and claims-related activities within the scope of the producer's license;

(iii) a travel retailer offering and disseminating travel insurance and registered under the license of a limited lines travel insurance producer in accordance with this section;

(iv) an individual adjusting or settling claims in the normal course of that individual's practice or employment as an attorney-at-law and who does not collect charges or premiums in connection with insurance coverage; or

(v) a business entity that is affiliated with a licensed insurer while acting as a travel administrator for the direct and assumed insurance business of an affiliated insurer.

“Travel insurance”, insurance coverage for personal risks incidental to planned travel including: (i) an interruption or cancellation of trip or event; (ii) loss of baggage or personal effects; (iii) damages to accommodations or rental vehicles; (iv) sickness, accident, disability or death occurring during travel; (v) emergency evacuation; (vi) repatriation of remains; or (vii) any other contractual obligations to indemnify or pay a specified amount to the traveler upon determinable contingencies related to travel as approved by the commissioner; provided, however, that “travel insurance” shall not include major medical plans which provide comprehensive medical protection for travelers with trips lasting longer than 6 months, including, but not limited to, people working or residing overseas as an expatriate or any other product that requires a specific insurance producer license.

“Travel retailer”, a business entity that makes, arranges or offers planned travel and may offer and disseminate travel insurance as a service to its customers on behalf of and under the direction of a limited lines travel insurance producer.

(b)(1) The commissioner may issue to an individual or business entity a limited lines travel insurance producer license if that individual or business entity has filed an application for a limited lines travel insurance producer license with the commissioner in a form and manner prescribed by the commissioner. A limited lines travel insurance producer license shall authorize a limited lines travel insurance producer to sell, solicit or negotiate travel insurance through a licensed insurer. No person may act as a limited lines travel insurance producer or travel retailer unless properly licensed or registered, respectively.

(2) A travel retailer may offer and disseminate travel insurance under a limited lines travel insurance producer license if the following conditions are met:

(i) the limited lines travel insurance producer or travel retailer provides to purchasers of travel insurance: (A) a description of the material terms or the actual material terms of the insurance coverage; (B) a description of the process for filing a claim; (C) a description of the review or cancellation process for the travel insurance policy; and (D) the identity and contact information of the insurer and limited lines travel insurance producer;

(ii) at the time of licensure, the limited lines travel insurance producer shall establish and maintain a register, on a form prescribed by the commissioner, of each travel retailer that offers travel insurance on the limited lines travel insurance producer’s behalf; provided, however, that the register shall be maintained and updated annually by the limited lines travel insurance producer and shall include the name, address and contact information of the travel retailer, an officer or person who directs or controls the travel retailer’s operations and the travel retailer’s federal tax identification number; provided further, that the limited lines travel insurance producer shall submit the register to the division of insurance upon reasonable request and shall certify that the travel retailer register complies with 18 U.S.C. section 1033; and provided further, that the grounds for the suspension, revocation and the penalties applicable to resident insurance producers under this chapter and chapter 176D shall be applicable to the limited lines travel insurance producers and travel retailers;

(iii) the limited lines travel insurance producer has designated 1 of its employees, who is a licensed individual producer, as the DRP;

(iv) the DRP, president, secretary, treasurer and any other officer or person who directs or controls the limited lines travel insurance producer’s insurance operations shall comply with the fingerprinting requirements applicable to insurance producers in the resident state of the limited lines travel insurance producer;

(v) the limited lines travel insurance producer has paid all applicable insurance producer licensing fees;

(vi) the limited lines travel insurance producer requires each employee and authorized representative of the travel retailer, whose duties include offering and disseminating travel insurance, to receive a program of instruction or training, which may be subject, at the discretion of the commissioner, to review and approval by the commissioner; provided, however, that the training material shall, at a minimum, contain instructions on the types of insurance offered, ethical sales practices and required disclosures to prospective customers;

(c) Any travel retailer offering or disseminating travel insurance shall make available to prospective purchasers, brochures or other written materials that have been approved by the travel insurer. Such materials shall include information which, at a minimum: (i) provides the identity and contact information of the insurer and the limited lines travel insurance producer; (ii) explains that the purchase of travel insurance is not required in order to purchase any other product or service from the travel retailer; and (iii) explains that an unlicensed travel retailer is permitted to provide general information about the insurance offered by the travel retailer, including a description of the coverage and price, but is not qualified or authorized to answer technical questions about the terms and conditions of the insurance offered by the travel retailer or to evaluate the adequacy of the customer's existing insurance coverage.

(d) A travel retailer's employee or authorized representative who is not licensed as a limited lines travel insurance producer shall not: (i) evaluate or interpret the technical terms, benefits and conditions of the offered travel insurance coverage; (ii) evaluate or provide advice concerning a prospective purchaser's existing insurance coverage; or (iii) hold oneself out as a licensed insurer, licensed producer or insurance expert.

(e) Notwithstanding any general or special law to the contrary, a travel retailer, whose insurance-related activities, and those of its employees and authorized representatives, are limited to offering and disseminating travel insurance on behalf of and under the direction of a limited lines travel insurance producer who meets the conditions set forth in this section may receive related compensation, not in the form of commissions, upon registration by the limited lines travel insurance producer as described in subsection (b).

(f) Travel insurance may be provided under an individual policy or under a group or blanket policy.

(g) As the insurer designee, the limited lines travel insurance producer shall be responsible for the acts of the travel retailer and shall use reasonable means to ensure compliance by the travel retailer with this section.

(h) Any person licensed in a major line of authority as an insurance producer may sell, solicit and negotiate travel insurance. A property and casualty insurance producer shall not be required to become appointed by an insurer in order to sell, solicit or negotiate travel insurance.”;

By inserting after section 127 the following three sections:

“SECTION 127A. The General Laws are hereby further amended by inserting after chapter 175M the following chapter:-

Chapter 175N.

#### TRAVEL INSURANCE.

Section 1. (a) This chapter shall apply to travel insurance that covers any resident of the commonwealth and is sold, solicited, negotiated or offered in the commonwealth and policies and certificates that are delivered or issued for delivery in the commonwealth; provided, that this chapter shall not apply to cancellation fee waivers or travel assistance services, except as expressly provided herein.

(b) All other applicable provisions of the commonwealth's insurance laws shall apply to travel insurance; provided, that the specific provisions of this chapter shall supersede any general provisions of law that would otherwise be applicable to travel insurance.

Section 2. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

'Aggregator site', a website that provides access to information regarding insurance products from more than 1 insurer, including product and insurer information, for use in comparison shopping.

'Blanket travel insurance', a policy of travel insurance issued to any eligible group providing coverage for specific classes of persons defined in the policy with coverage provided to all members of the eligible group without a separate charge to individual members of the eligible group.

'Cancellation fee waiver', a contractual agreement between a supplier of travel services and its customer to waive some or all of the non-refundable cancellation fee provisions of the supplier's underlying travel contract with or without regard to the reason for the cancellation or form of reimbursement; provided, however, that a cancellation fee waiver shall not be considered insurance.

'Commissioner', the commissioner of insurance.

'Eligible group', solely for the purposes of travel insurance, 2 or more persons who are engaged in a common enterprise, or have an economic, educational or social affinity or relationship including, but not limited to, any of the following:

(i) any entity engaged in the business of providing travel or travel services including, but not limited to: tour operators, lodging providers, vacation property owners, hotels and resorts, travel clubs, travel agencies, property managers, cultural exchange programs and common carriers or the operator, owner or lessor of a means of transportation of passengers including, but not limited to, airlines, cruise lines, railroads, steamship companies and public bus carriers, wherein with regard to any particular travel or type of travel or travelers, all members or customers of the group shall have a common exposure to risk attendant to such travel;

(ii) any college, school or other institution of learning covering students, teachers, employees or volunteers;

(iii) any employer covering any group of employees, volunteers, contractors, board of directors, dependents or guests;

(iv) any sports team or camp or sponsor thereof, covering participants, members, campers, employees, officials, supervisors or volunteers;

(v) any religious, charitable, recreational, educational or civic organization or branch thereof, covering any group of members, participants or volunteers;

(vi) any financial institution or financial institution vendor, or parent holding company, trustee, or agent of or designated by 1 or more financial institutions or financial institution vendors, including accountholders, credit card holders, debtors, guarantors or purchasers;

(vii) any incorporated or unincorporated association including, labor unions, having a common interest, constitution and bylaws and organized and maintained in good faith for purposes other than obtaining insurance for members or participants of such association covering its members;

(viii) any trust or the trustees of a fund established, created or maintained for the benefit of and covering members, employees or customers, subject to the commissioner's permitting the use of a trust and the commonwealth's premium tax provisions in section 3 of 1 or more associations meeting the requirements of paragraph (vii);

(ix) any entertainment production company covering any group of participants, volunteers, audience members, contestants or workers;

(x) any volunteer fire department, ambulance, rescue, police, court or any first aid, civil defense or other such volunteer group;

(xi) any preschool, daycare institution for children or adults or senior citizen club;

(xii) any automobile or truck rental or leasing company covering a group of individuals who may become renters, lessees or passengers defined by their travel status on the rented or leased vehicles; provided, that the common carrier, the operator, owner or lessor of a means of transportation or the automobile or truck rental or leasing company is the policyholder under a policy to which this chapter applies; or

(xiii) any other group where the commissioner has determined that the members are engaged in a common enterprise, or have an economic, educational or social affinity or relationship and that issuance of the policy would not be contrary to the public interest.

‘Fulfillment materials’, documentation sent to the purchaser of a travel protection plan confirming the purchase and providing the travel protection plan’s coverage and assistance details.

‘Group travel insurance’, travel insurance issued to any eligible group.

‘Limited lines travel insurance producer’, a (i) licensed managing general agent or third-party administrator; (ii) licensed insurance producer including, a limited lines producer, designated by an insurer as the travel insurance supervising entity under subsection (g) of section 162Z of chapter 175; or (iii) travel administrator.

‘Offer and disseminate’, to provide general information including, a description of the coverage and price, as well as processing the application, collecting premiums and performing other permitted non-licensable activities.

‘Primary certificate holder’, specific to section 3, an individual person who elects and purchases travel insurance under a group policy.

‘Primary policyholder’, specific to section 3, an individual person who elects and purchases individual travel insurance.

‘Travel administrator’, a person who directly or indirectly underwrites, collects charges, collateral or premiums from or adjusts or settles claims on residents of the commonwealth, in connection with travel insurance; provided, that a person shall not be considered a travel administrator if that person’s only characteristics or actions that would otherwise cause it to be considered a travel administrator are 1 of the following:

(i) a person working for a travel administrator to the extent that the person’s activities are subject to the supervision and control of the travel administrator;

(ii) an insurance producer selling insurance or engaged in administrative and claims-related activities within the scope of the producer’s license;

(iii) a travel retailer offering and disseminating travel insurance and registered under the license of a limited lines travel insurance producer in accordance with said section 162Z of said chapter 175;

(iv) an individual adjusting or settling claims in the normal course of that individual’s practice or employment as an attorney-at-law and who does not collect charges or premiums in connection with insurance coverage; or

(v) a business entity that is affiliated with a licensed insurer while acting as a travel administrator for the direct and assumed insurance business of an affiliated insurer.

‘Travel assistance services’, non-insurance services for which the consumer is not indemnified based on a fortuitous event, and where providing the service does not



result in transfer or shifting of risk that would constitute the business of insurance. Travel assistance services shall include, but shall not be limited to: (i) security advisories; (ii) destination information; (iii) vaccination and immunization information services; (iv) travel reservation services; (v) entertainment; (vi) activity and event planning; (vii) translation assistance; (viii) emergency messaging; (ix) international legal and medical referrals; (x) medical case monitoring; (xi) coordination of transportation arrangements; (xii) emergency cash transfer assistance; (xiii) medical prescription replacement assistance; (xiv) passport and travel document replacement assistance; (xv) lost luggage assistance; (xvi) concierge services; and (xvii) any other service that is furnished in connection with planned travel. Travel assistance services shall not be considered insurance or related to insurance.

‘Travel insurance’, insurance coverage for personal risks incidental to planned travel including, but not limited to: (i) an interruption or cancellation of trip or event; (ii) loss of baggage or personal effects; (iii) damages to accommodations or rental vehicles; (iv) sickness, accident, disability or death occurring during travel; (v) emergency evacuation; (vi) repatriation of remains; or (vii) any other contractual obligations to indemnify or pay a specified amount to the traveler upon determinable contingencies related to travel as approved by the commissioner; provided, however, that “travel insurance” shall not include major medical plans which provide comprehensive medical protection for travelers with trips lasting longer than 6 months, including, for example, people working or residing overseas as an expatriate, or any other product that requires a specific insurance producer license.

‘Travel protection plans’, plans that provide 1 or more of the following: travel insurance, travel assistance services and cancellation fee waivers.

‘Travel retailer’, a business entity that makes, arranges or offers travel services and may offer and disseminate travel insurance as a service to its customers on behalf of and under the direction of a limited lines travel insurance producer.

Section 3. (a) A travel insurer shall pay a premium tax, as provided in section 22 of chapter 63, on travel insurance premiums paid by any of the following:

- (i) an individual primary policyholder who is a resident of the commonwealth;
- (ii) a primary certificate holder who is a resident of the commonwealth who elects coverage under a group travel insurance policy; or
- (iii) a blanket travel insurance policyholder who is a resident, or has its principal place of business or the principal place of business of an affiliate or subsidiary that has purchased blanket travel insurance, in the commonwealth for eligible blanket group members, subject to any apportionment rules which apply to the insurer across multiple taxing jurisdictions or that permit the insurer to allocate premium on an apportioned basis in a reasonable and equitable manner in those jurisdictions.

(b) A travel insurer shall: (i) document the state of residence or principal place of business of the policyholder or certificate holder, as required pursuant to subsection (a); and (ii) report as premium only the amount allocable to travel insurance and not any amounts received for travel assistance services or cancellation fee waivers.

Section 4. Travel protection plans may be offered for 1 price for the combined features that the travel protection plan offers in the commonwealth if:

(i) the travel protection plan clearly discloses to the consumer, at or prior to the time of purchase, that it includes travel insurance, travel assistance services and cancellation fee waivers, as applicable, and provides information and an opportunity, at or prior to the time of purchase, for the consumer to obtain additional information regarding the features and pricing of each; and

(ii) the fulfillment materials: (A) describe and delineate the travel insurance, travel assistance services and cancellation fee waivers in the travel protection plan;

and (B) include the travel insurance disclosures and the contact information for persons providing travel assistance services and cancellation fee waivers, as applicable.

Section 5. (a) All persons offering travel insurance to residents of the commonwealth shall be subject to chapter 176D, except as otherwise provided in this section. In the event of a conflict between this chapter and other provisions of this chapter regarding the sale and marketing of travel insurance and travel protection plans, this chapter shall control.

(b) Offering or selling a travel insurance policy that could never result in payment of any claims for any insured under the policy shall be an unfair trade practice under said chapter 176D.

(c)(1) All documents provided to consumers prior to the purchase of travel insurance including, but not limited to, sales materials, advertising materials and marketing materials, shall be consistent with the travel insurance policy itself including, but not limited to, forms, endorsements, policies, rate filings and certificates of insurance.

(2) For travel insurance policies or certificates that contain pre-existing condition exclusions, information and an opportunity to learn more about the pre-existing condition exclusions shall be provided any time prior to the time of purchase, and in the coverage's fulfillment materials.

(3) The fulfillment materials and the information described in clause (i) of paragraph (2) of subsection (b) of said section 162Z of said chapter 175 shall be provided to a policyholder or certificate holder as soon as practicable, following the purchase of a travel protection plan. Unless the insured has either started a covered trip or filed a claim under the travel insurance coverage, a policyholder or certificate holder may cancel a policy or certificate for a full refund of the travel protection plan price from the date of purchase of a travel protection plan until at least: (i) 15 days following the date of delivery of the travel protection plan's fulfillment materials by postal mail; or (ii) 10 days following the date of delivery of the travel protection plan's fulfillment materials by means other than postal mail. For the purposes of this section, delivery shall mean handing fulfillment materials to the policyholder or certificate holder or sending fulfillment materials by postal mail or electronic means to the policyholder or certificate holder.

(4) The company shall disclose in the policy documentation and fulfillment materials whether the travel insurance is primary or secondary to other applicable coverage.

(5) Where travel insurance is marketed directly to a consumer through an insurer's website or by others through an aggregator site, it shall not be an unfair trade practice or other violation of law if an accurate summary or short description of coverage is provided on the web page; provided, that the consumer has access to the full provisions of the policy through electronic means.

(d) No person offering, soliciting or negotiating travel insurance or travel protection plans on an individual or group basis may do so by using negative option or opt out, which would require a consumer to take an affirmative action to deselect coverage, such as unchecking a box on an electronic form when the consumer purchases a trip.

(e) It shall be an unfair trade practice pursuant to said chapter 176D to market blanket travel insurance coverage as free.

(f) Where a consumer's destination jurisdiction requires insurance coverage, it shall not be an unfair trade practice pursuant to said chapter 176D to require that a consumer choose between the following options as a condition of purchasing a trip or

travel package: (i) purchasing the coverage required by the destination jurisdiction through the travel retailer or limited lines travel insurance producer supplying the trip or travel package; or (ii) agreeing to obtain and provide proof of coverage that meets the destination jurisdiction's requirements prior to departure.

Section 6. (a) Notwithstanding any other provision of this chapter, no person shall act or represent itself as a travel administrator for travel insurance in the commonwealth unless that person:

(i) is a licensed property and casualty insurance producer in the commonwealth for activities permitted under that producer license;

(ii) holds a valid managing general agent license in the commonwealth; or

(3) holds a valid third-party administrator license in the commonwealth .

(b) An insurer shall be responsible for the acts of a travel administrator administering travel insurance underwritten by the insurer, and shall be responsible for ensuring that the travel administrator maintains all books and records relevant to the insurer to be made available by the travel administrator to the commissioner upon request.

Section 7. (a) Notwithstanding any other provision of this chapter, travel insurance shall be classified and filed for purposes of rates and forms under an inland marine line of insurance; provided, however, that travel insurance that provides coverage for sickness, accident, disability or death occurring during travel, either exclusively, or in conjunction with related coverages of emergency evacuation, repatriation of remains or incidental limited property and casualty benefits such as baggage or trip cancellation, may be filed under either an accident and health line of insurance or an inland marine line of insurance.

(b) Eligibility and underwriting standards for travel insurance may be developed and provided based on travel protection plans designed for individual or identified marketing or distribution channels; provided, that those standards shall meet the commonwealth's underwriting standards for inland marine.

Section 8. The commissioner may promulgate regulations to implement this chapter.

SECTION 127B. Section 1 of chapter 176J of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in line 201, the words 'travel insurance;?.'

SECTION 127C. Said section 1 of said chapter 176J, as so appearing, is hereby further amended by striking out, in lines 208 through 219, inclusive, the words 'Travel insurance for the purpose of this chapter is insurance coverage for personal risks incident to planned travel, including but not limited to: (i) interruption or cancellation of trip or event; (ii) loss of baggage or personal effects; (iii) damages to accommodations or rental vehicles; or (iv) sickness, accident, disability or death occurring during travel, provided that the health benefits are not offered on a stand-alone basis and are incidental to other coverages. The term, "travel insurance" shall not include major medical plans, which provide comprehensive medical protection for travelers with trips lasting 6 months or longer, including for example, those working overseas as an ex-patriot or military personnel being deployed.'";

By inserting after section 133 the following two sections:

"SECTION 133A. (a) A license issued pursuant to chapter 169 of the General Laws or section 4 of chapter 167F of the General Laws, including all authorized delegate location designations, that is in effect immediately before the effective date of this act shall remain in force as a license under said chapter 169 or said section 4 of said chapter 167F. Such licensees shall file a renewal application in accordance with section 6 of chapter 169B of the General Laws, as inserted by section 116F.

(b) Any person that was not required to obtain a license pursuant to chapter 169 of the General Laws or pursuant to section 4 of chapter 167F of the General Laws, but that is now required to obtain a license under chapter 169B of the General Laws shall file an application for a license within 6 months of the effective date of this act to continue conducting money transmission in the commonwealth directly or through authorized delegates. If such application is timely filed and pending with the commissioner, that person may continue to conduct money transmission in the commonwealth, until such time as the application has been approved, withdrawn or denied.

(c) All authorized delegate designations under section 4 of chapter 167F of the General Laws shall be deemed in compliance with this chapter.

SECTION 133B. (a) The department of elementary and secondary education shall, in consultation with relevant stakeholders, implement a 5-year pilot program to develop a process for granting educator certification that may be used as an alternative to the testing requirements in section 38G of chapter 71 of the General Laws. The program shall allow candidates for certification to earn an initial preliminary certification that may lead to permanent certification after 4 years of teaching experience during which the candidate for licensure demonstrates teacher proficiency as measured by student growth scores and other factors, as determined by the department.

(b) The alternative certification process may allow for waiver of not more than 1 of the 2 testing requirements pursuant to said section 38G of said chapter 71, per candidate, and shall include consideration of factors including, but not limited to, whether a candidate has: (i) obtained certification in another state approved by the department; (ii) completed a satisfactory portfolio of items that may include student feedback or competency-based projects; or (iii) obtained a master's degree or doctorate from an accredited institution.

(c) The department shall limit the hiring of candidates alternatively certified pursuant to this section to those public school districts and charter schools that the department certified as having demonstrated 1 of the following characteristics: (i) a demographic disparity between the district's student population and its teaching workforce; (ii) a shortage of teachers to serve English language learners; or (iii) a critical need to fill teacher vacancies. The department shall not allow any district to fill more than 10 per cent of its teaching positions with educators alternatively certified.

(d) The department may use the results of the alternative assessment pilot authorized by subsection (e) of 603 CMR 7.04 to inform the development of the alternative licensure process required by this section.

(e) The department shall conduct a comprehensive evaluation of the pilot program and the use of the alternative certification process during the pilot period. The evaluation shall include: (i) a measurement of student impacts as measured by student growth and other factors; (ii) an assessment of progress made in diversifying the educator workforce; and (iii) an assessment of the impacts on candidates of diverse backgrounds.”;

By inserting after section 140B (inserted by amendment) the following six sections:

“SECTION 140C. Notwithstanding any general or special law, rule or regulation to the contrary, a certain parcel of land located at 173 Alford street situated partly in the city of Everett and partly in the city of Boston shall be removed from and not considered within the boundaries or a part of any designated port area, including any designated port area pursuant to 310 C.M.R. 25 and 310 C.M.R. 9 and any other

applicable provision of the code of Massachusetts regulations. This parcel consists of approximately 43.11 acres and is located on the southeasterly side of Alford street, on the southwesterly side of Dexter street and bounded southwesterly by the Mystic river, and is more particularly described in a deed filed with the Middlesex south registry district of the land court as document No. 1554521 and recorded with the Middlesex south registry of deeds in book 56211, page 350, and also filed with the Suffolk registry district of the land court as document No. 786425 and recorded with the Suffolk county registry of deeds in book 47428, page 145.

SECTION 140D. (a) Notwithstanding chapter 91 of the General Laws or any other general or special law, or rule or regulation to the contrary, including 310 C.M.R. 9, any height, setback, open space or other dimensional limitations and requirements imposed under said chapter 91 or any other general or special law, and the rules and regulations applicable thereto, shall not be applicable to the demolition, construction, reconstruction, renovation, use or re-use of any building or structure located on the parcel described in section 140C, for the purposes of a sports, recreation or events center, including any ancillary structures that directly support the operation of a sports, recreation or events center.

(b) This section shall be void and of no effect if no such sports, recreation or events center described in subsection (a) has been permitted for construction within 3 years from the effective date of this act.

SECTION 140E. (a) Notwithstanding any general or special law to the contrary, each school district, as defined in section 2 of chapter 70 of the General Laws, and each charter school, as defined in section 89 of chapter 71 of the General Laws, shall establish a diversity plan that conforms with the guidelines established by the department of elementary and secondary education pursuant to subsection (b). Such plans shall set forth specific goals and timetables for achievement. The plans shall comply with all applicable state and federal laws and shall be updated after 3 years.

(b) To promote a racially and ethnically diverse educator workforce, the department of elementary and secondary education shall:

(i) establish guidelines for diversity plans that shall include, but not be limited to, the following goals: (A) identify and eliminate discriminatory barriers to hiring and learning in a school or district; (B) remedy the effects of past discriminatory practices; (D) identify, recruit and hire employees who are members of under-represented groups; (E) develop, promote and retain employees who are members of under-represented groups; and (F) ensure equal opportunity in employment for educators. In developing these guidelines, the department shall consult with experts and school leaders from public schools or school districts that have experienced significant increases in hiring and retaining racially and ethnically diverse educators;

(ii) establish a process for reviewing diversity plans based on clearly defined criteria. A public school district or charter school shall amend any plan deemed not to conform with the requirements of this section. A public school district or charter school shall be deemed to have satisfied the requirements of this section if it has prioritized diversity in its 3-year plan required by section 1S of chapter 69 of the General Laws or in any other strategic plan developed by the district;

(iii) establish periodic reporting requirements for public school districts and charter schools concerning the implementation of their diversity plans and all actions taken to ensure compliance with this section and applicable state and federal laws. These reporting requirements shall be incorporated into existing reporting mechanisms and schedules where feasible;

(iv) assist public school districts and charter schools in complying with their diversity plans and applicable federal and state laws; and

(v) require approved educator preparation programs to implement diversity plans to increase the racial and ethnic diversity of program completers. These plans shall be required as part of the educator preparation program approval process and the department shall make each program's plan publicly available. The department shall establish guidelines for educator preparation program diversity plans.

(c) The board of elementary and secondary education shall review compliance with these diversity plans and policies on a regular basis and may provide further recommendations regarding educator diversity.

SECTION 140F. (a) Notwithstanding any general or special law to the contrary, each school district, as defined in section 2 of chapter 70 of the General Laws, and each charter school as defined in section 89 of chapter 71 of the General Laws, shall have a diversity, equity and inclusion officer or shall establish a diversity team, referred to in this section as a diversity officer or team. The role and responsibilities of a diversity officer or team may be assigned to an existing school employee or existing school entity. Diversity officers and teams shall report directly to the superintendent. Diversity officers and teams shall coordinate their school district or school's compliance with the requirements of this section and applicable federal and state laws.

(b) Each school district and charter school shall establish a process for advising the school committee or board of trustees on matters of diversity, equity and inclusion in the school district. The process may include establishing an educator diversity council consisting of educators, administrators and students, which shall meet regularly with the superintendent or the diversity officer or team and the school committee or board of trustees. The school committee or board of trustees may appoint 1 of its members to serve as an ex-officio member of the educator diversity council.

(c) Pursuant to guidelines established by the department of elementary and secondary education, all superintendents, school committee members, boards of trustees, district leaders, principals and school district employees shall complete a diversity and implicit bias training course, the frequency of which shall be established by the department.

SECTION 140G. (a) Notwithstanding any general or special law to the contrary, the department of elementary and secondary education shall set measurable educator diversity goals for the commonwealth and shall collect and report publicly statewide educator diversity data. The data shall be reported in an online dashboard established in consultation with the board of elementary and secondary education. The data shall include, but not be limited to, (i) the number of educators hired and retained who meet the department's educator diversity goals; (ii) racial demographics of educators who complete Massachusetts state educator preparation programs, and (iii) teacher qualification data from school and district report cards. The department shall report on the success of the 5-year pilot program developed pursuant to section 133B, diversity plans implemented pursuant to section 140E and the diversity, equity and inclusion officers or diversity teams implemented pursuant to section 140F. The department shall report annually to the board of elementary and secondary education on state educator diversity data and goals. The department shall also submit a report on the state of educator diversity to the clerks of the house of representatives and the senate not later than June 30.

(b) Each public school district and charter school shall collect and report educator diversity data publicly in a manner prescribed by the department; provided, that the department shall utilize existing reporting mechanisms and schedules to collect educator diversity data and outcomes and shall annually present both to the

school committee or board of trustees. The data reported pursuant to this paragraph shall include information regarding the achievement of goals set pursuant to clause (i) of subsection (b) of section 140E.

SECTION 140H. The department of elementary and secondary education shall promulgate rules and regulations for sections 133B, 140E, 140F and 140G to implement the requirements. Such regulations shall include a schedule for public school districts and charter schools to meet the planning and reporting requirements; provided, that such schedule shall prioritize implementation for school districts and charter schools that have significant race and ethnicity disparities between educator and student demographics.”;

By inserting after section 149 the following section:

“SECTION 149A. Sections 133B, 140E, 140F, 140G and 140H are hereby repealed.”; and

By inserting after section 150A (inserted by amendment) the following four sections:

“SECTION 150B. Section 116C of this act shall apply to contracts executed on or after the effective date of this act.

SECTION 150C. Sections 116D, 127A, 127B, 127C and 133B shall take effect 90 days after the effective date of this act.

SECTION 150D. Section 116F shall take effect 9 months after the effective date of this act.

SECTION 150E. Section 149A is effective 5 years after the effective date of this act.”.

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 154 members voted in the affirmative and 0 in the negative.

**[See [Yea and Nay No. 216](#) in Supplement.]**

Therefore the consolidated amendments were adopted.

Consolidated amendments adopted,— yea and nay No. 216.

#### *Engrossed Bill — Land Taking.*

The Chair (Ms. Hogan of Stow) then interrupted the pending matter and placed before the House, there being no objection, the engrossed Bill authorizing the town of Swansea to enter into a lease agreement for Medeiros Farm (see House, No. 4197, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Swansea,— land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 154 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),— yea and nay No. 217.

**[See [Yea and Nay No. 217](#) in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

#### *Unfinished Business.*

The House then returned to consideration of the House Bill relating to economic growth and relief for the Commonwealth (House, No. 5007, amended).

Pending the question on passing the bill, as amended, to be engrossed, Mr. Michlewitz of Boston and other members of the House moved to amend the bill in section 2A by inserting after item 1599-6082 (inserted by amendment) the following item:

“1599-6083 For a reserve to provide funds for various economic development projects; provided, if the Boston Landmarks Commission designates the Nazarro Community Center as a historical building then that not less than \$25,000,000 shall be expended for Boston Centers & Families within the City of Boston for the construction of a new community center within the North End section of Boston and not less than \$5,000,000 of said \$25,000,000 shall be expended for the rehabilitation of Nazarro Community Center in the North End section of Boston for the future use by a non-profit; provided further, that not less than \$100,000 shall be expended for Boston Asian: Youth Essential for capital improvements; provided further, that not less than \$75,000 shall be expended to the Chinatown Business Association in the city of Boston; provided further, that not less than \$300,000 shall be expended for the Bay Village Neighborhood Association for upgrades to Elliot Norton park and the Bay Village Garden in the city of Boston; provided further, that not less than \$250,000 shall be expended for the North End Waterfront Resilience Association for climate resiliency planning; provided further, that not less than \$50,000 shall be expended for a matching grant for the repair, replacement and reconstruction of the tennis courts at Lynnfield High School; provided further, that not less than \$50,000,000 shall be transferred to the Massachusetts Bay Transportation Authority for economic development improvements to transit stations in Norfolk county; provided further, that not less than \$25,000 shall be expended for shall be expended for the Reading-North Reading Chamber of Commerce; provided further, that not less than \$100,000 be expended to the town of Andover for the Tucker Family Field to support youth recreational athletic and sporting activities; and provided further, that not less than \$50,000 to the Friends of Christopher Columbus Park for park maintenance.....\$75,950,000”;

In section 3A by inserting after line item 7002-8056 the following three items:

“7002-8057 For various capital projects throughout the commonwealth; provided, that not less than \$1,000,000 shall be expended for the town of Brewster for the planning and development of the former Cape Cod Sea Camps property and First Light public beach; provided further, that not less than \$1,000,000 shall be expended for the town of Yarmouth for the planning, acquisition and redevelopment of abandoned or underutilized properties along the Route 28 corridor; provided further, that not less than \$3,400,000 shall be expended for the town of Orange for the clean-up and remediation of property at 16-36 West River street; provided further, that not less than \$1,000,000 shall be expended for the town of Yarmouth for the improvement of the tidal exchange of coastal waterways and inlets; provided further, that



not less than \$25,960 shall be expended for the town of Hull for the Waveland Service Station clean up and demolition; provided further, that not less than \$493,580 shall be expended for the town of Hingham for local economic recovery efforts; provided further, that not less than \$550,000 shall be expended for the town of Cohasset for the Elm street corridor; provided further, that not less than \$5,000,000 shall be expended for the maritime piers repair and rehabilitation program established in section 47 of chapter 23G of the General Laws; provided further, that not less than \$107,000 shall be expended for the town of Cohasset for the 40 Park Ave Retrofit; provided further, that not less than \$3,000,000 shall be expended for the Cape Ann Museum for renovations; provided further, that not less than \$1,000,000 shall be expended for the design, planning and construction of an outdoor swimming pool for the Cape Ann YMCA; provided further, that not less than \$50,000 shall be expended for the town of Saugus for local economic recovery efforts; provided further, that not less than \$25,000 shall be expended for the town of Saugus for the Cliftdale Square Planning and Zoning Review; provided further, that not less than \$1,000,000 shall be expended for the city of Revere for local economic recovery efforts; provided further, that not less than \$500,000 shall be expended for the Fall River Redevelopment Authority for the revitalization of the Flint neighborhood; provided further, that not less than \$600,000 shall be expended for the town of Freetown for equipment upgrades to the police communications tower and for the lease of space on 2 additional towers to alleviate dead zones; provided further, that not less than \$100,000 shall be expended for the Fishing Partnership Support Services for investments in the promotion of diversity, equity and inclusion policies within the commercial fishing industry in the commonwealth; provided further, that not less than \$2,000,000 shall be expended for the Charles River Vegetation Management; provided further, that not less than \$1,000,000 shall be expended for the new harbor master facility in Marion; provided further, that not less than \$2,500,000 shall be expended for the repair and renovation of low-income state housing in Malden; provided further, that not less than \$2,500,000 shall be expended for the city of Malden for repairs to public parking garages for the continued revitalization of Malden Center; provided further, that not less than \$2,500,000 shall be expended for the town of Ludlow for Westmass Area Development Corp to rehabilitate and redevelop blighted and decadent historical mill buildings and associated supporting infrastructure to further affordable housing and economic development projects; provided further, that not less than \$1,000,000 shall be expended for the renovation and redevelopment of the historic Fitchburg State Theater Block; provided further, that not less than \$500,000 shall be expended for the Prince Hall Grand Lodge in the city of Boston for the removal of environmentally hazardous materials from the vicinity of the Prince Hall; provided further, that not less than

\$200,000 shall be expended for a high-speed wireless service program in the downtown district in Lenox; provided further, that not less than \$1,000,000 shall be expended for the New England Historic Genealogical Society for improvements to areas that house and preserve the historical artifacts and historic and genealogical records of the commonwealth including, but not limited to, genealogical and historic records of members of the general court and genealogical records of formerly enslaved populations; provided further, that not less than \$50,000 shall be expended for expansions to public safety infrastructure at Tanglewood in Lenox; provided further, that not less than \$100,000 shall be expended for The Girls Design Academy to support STEAM after-school education in New Bedford; provided further, that not less than \$100,000 shall be expended for Boston Plan for Excellence for matching funds, for a gymnasium, auditorium and community center at the Dudley Street Neighborhood Charter School enabling individual and small group instruction for students impacted by the pandemic and for after-school use by Nubian Square community organizations; provided further, that not less than \$5,000,000 shall be expended for the renovation, including but not limited to accessibility upgrades, of the Old State House and the Old South Meeting House; provided further, that not less than \$5,000,000 shall be expended for the town of Wellfleet and the Friends of Herring River for uses including, but not limited to, the study, design, management, construction and undertaking of all necessary work and activities to develop and implement the Herring River Restoration Project, which will restore the natural tidal exchange, improve water quality, enhance migratory fish passage, restore shellfish habitat and increase coastal resilience on certain public and private lands, including land owned by the Chequessett Yacht and Country Club and other lands located in said towns; provided further, that not less than \$275,000 shall be expended for the towns of Cohasset, Hull and Scituate for the design of a collaborative regional sewer system allowing for economic development and housing expansion in each community; provided further, that not less than \$500,000 shall be expended for the city of Attleboro for the assessment of environmental contamination of developable sites on priority downtown corridors to include the Riverbank road area, Sturdy Hospital area, Forest street area and Falmouth street area; provided further, that not less than \$250,000 shall be expended for a pressure relief valve system on Jackson street associated with the redevelopment of the former Belchertown State School including the construction of over one hundred new mixed-income rental housing units; provided further, that not less than \$100,000 shall be expended for Dismas House of Massachusetts in Worcester county; provided further, that not less than \$500,000 shall be expended for the historic restoration of the Governor Bellingham-Cary House in Chelsea; provided further, that not less than \$500,000 shall be expended for the city of

Brockton for the building, acquisition and capital improvements of an Intergenerational Community Center; provided further, that not less than \$100,000 shall be expended for the Bridge Club of Greater Lowell for the multi-cultural recovery coach program; provided further, that not less than \$75,000 shall be expended for Project Learn, Inc. for the operation of the youth innovation hub learning in downtown Lowell for students to gain skills and credentials that prepare them for the workforce of tomorrow; provided further, that not less than \$50,000 shall be expended for the Megan House Foundation Inc., a residential treatment home for women ages 18 to 25, for intensive therapeutic services in Lowell; provided further, that not less than \$75,000 shall be expended for the operation of the Lowell Youth Leadership Program in Lowell to teach vital youth life skills; provided further, that not less than \$100,000 shall be expended for the renovation work for Acre Family Child Care's new training and office space in Lowell; provided further, that not less than \$1,000,000 shall be expended for the offset and coverage of any and all costs incurred and related to, but not limited to, operational costs and expenses involved with the demolition of the former Veterans Park Elementary School in Ludlow to assist in the preservation of the surrounding wetlands and groundwater; provided further, that not less than \$1,000,000 shall be expended for the infrastructure improvements of Hanson street in Lynn; provided further, that not less than \$1,000,000 shall be expended for the town of Plymouth for the redesign and reconstruction of town square in the heart of historic downtown Plymouth on the site of the original colonial settlement, to better promote the history of the site, increase visitation and enhance economic development and tourism; provided further, that not less than \$1,569,000 shall be expended for the town of Plymouth for upgrades to Memorial Hall to replace wiring, switches and fixtures throughout the building and for improvements to both the safety and function of the community and cultural event auditorium to attract more events and visitors to the hall; provided further, that not less than \$2,000,000 shall be expended for the town of Winchester for the modernization and renovation of the heating, venting and conditioning system in Winchester Town Hall; provided further that not less than \$3,000,000 shall be expended for the town of Winchester for the reconstruction of the South Reservoir Dam in Winchester; provided further, that not less than \$1,000,000 shall be expended for the town of Stoneham for the planning, design and construction of administrative offices for the Stoneham school department; provided further, that not less than \$2,000,000 shall be expended for the town of Stoneham for the planning, building and construction costs associated with the Stoneham High School construction project; provided further, that not less than \$500,000 shall be expended for disability accessibility upgrades and structural and electrical improvements to the Grand Army of the Republic Hall and Museum in Lynn; provided further, that

not less than \$150,000 shall be expended for Harbor park shoreline restoration in Lynn; provided further, that not less than \$100,000 shall be expended for the E-Team Machinist training program in Lynn; provided further, that not less than \$200,000 shall be expended for a feasibility study of a railroad-grade crossing relocation, transit-oriented development from North Main street to route 106 and a passenger parking structure at the MBTA intermodal transportation station in Mansfield; provided further, that not less than \$500,000 shall be expended for downtown revitalization through new street lighting and undergrounding of utility lines in Nahant; provided further, that not less than \$150,000 shall be expended for Caribbean Integration Community Development Inc; provided further, that not less than \$3,100,000 shall be expended for the city of Newton for the Pettee Square Streetscape Enhancement Project; provided further, that not less than \$1,500,000 shall be expended for the following service providers: (i) Audible Local Ledger, Inc.; (ii) Audio Journal, Incorporated; (iii) Berkshire 87 Talking Chronicle; (iv) Lowell Association for the Blind, Inc.; (v) Valley Eye Radio, Inc.; and (vi) the Talking Information Center, Inc. for one time upgrades to radio technology infrastructure to improve radio reception across the commonwealth, facilitate enhanced programming and increase listenership among blind and print disabled residents of the commonwealth; provided further, that not less than \$1,000,000 shall be expended for the acquisition and improvement of the property on and around Hampshire street, Osgood street and River street in Methuen for the development and revitalization of the Methuen historic downtown district to help existing businesses in this area rebound from pandemic-related effects and to support the Methuen master plan process as it relates to the official historic district; provided further, that not less than \$3,500,000 shall be expended for the Paramount Theater in Springfield; provided further, that not less than \$150,000 shall be expended for Massachusetts Minority Contractors of Dorchester; provided further, that not less than \$2,000,000 shall be expended for the development of 200 affordable senior housing units at the intersection of Walnut street and Commercial street in Foxborough; provided further, that not less than \$500,000 shall be expended for a green landscape equipment grant program administered by the executive office of energy and environmental affairs to assist cities and towns' transitions to low noise, clean energy electric landscape equipment and to provide zero interest loans to landscape maintenance providers for the same purpose, in order to protect the health and safety of vulnerable landscape workers who disproportionately come from environmental justice communities and to preserve air quality by reducing toxic emissions from the small, unregulated engines used in traditional landscape equipment; provided further, that not less than \$5,000,000 shall be expended for the town of Stoughton for the redevelopment of Stoughton center; provided

further, that not less than \$5,000,000 shall be expended for the town of Canton for the redevelopment of the recently acquired former St. Gerard Church property on Washington street; provided further, that not less than \$1,500,000 shall be expended for the purchase, survey, engineering and construction of affordable public housing projects in Wilmington; provided further, that not less than \$350,000 shall be expended for the proper outfitting of the new water treatment facility plant on Populatic street in Medway with administrative and technical tools, devices and equipment needed to commence operations with on-site staff; provided further, that not less than \$500,000 shall be expended for the museum at the Revere Heritage Site in Canton; provided further, that not less than \$3,000,000 shall be expended for Jefferson park in Cambridge; provided further, that not less than \$500,000 shall be expended for the Canton housing authority in Canton for the revitalization and improvements to the authority's public housing stock; provided further, that not less than \$50,000 shall be expended for the St. Alfio Society, otherwise known as Three Saints Inc., in Lawrence, for local tourism increases during the 2022 Feast of Three Saints, the organization's 100-year anniversary celebration, feast and cultural event; provided further, that not less than \$4,000,000 shall be expended for a sewer project in the Avon industrial park in Avon; provided further, that not less than \$500,000 shall be expended for the town of Winthrop for local economic recovery efforts; provided further, that not less than \$1,000,000 shall be expended for the Marine Biological Laboratory for the restoration of the seawall located in Woods Hole; provided further, that not less than \$40,000 shall be expended for the Downtown Worcester Business Improvement District to study the feasibility of constructing public restrooms and other public amenities in downtown Worcester; provided further, that not less than \$2,000,000 shall be expended for FalmouthNet, Inc. for the implementation of a town-wide, community-based fiber-optic network; provided further, that not less than \$1,000,000 shall be expended for the city of Northampton for water and sewer line work on Main street; provided further, that not less than \$5,000,000 shall be expended for construction of the Natick center parking garage; provided further, that not less than \$500,000 shall be expended for the city of Springfield for the revitalization of Main street in the Indian Orchard neighborhood; provided further, that not less than \$1,000,000 shall be expended for the purchase, survey, engineering and construction of affordable public senior housing projects in Dracut, including, but not limited to, the Greenmont avenue housing project; provided further, that not less than \$50,000 shall be expended for electronic crosswalk signs in Medford; provided further, that not less than \$250,000 shall be expended for the Greater Love Tabernacle of Dorchester; provided further, that not less than \$320,000 shall be expended for the city of Northampton to support Northampton.Live, downtown music and arts events, the

Empty Storefront Start-up business support fund, parking and greater accessibility for outdoor dining; provided further, that not less than \$25,000 shall be expended for the Envision hotel for the housing of people struggling with currently untreated substance abuse disorder; provided further, that not less than \$100,000 shall be expended for the city of Boston for building acquisition and capital improvements to a community center located in Grove Hall; provided further, that not less than \$250,000 shall be expended for the Enrichment Center in Dorchester; provided further, that not less than \$250,000 shall be expended for the Lena Park Community Center; provided further, that not less than \$125,000 shall be expended for renovations to Billerica town hall; provided further, that not less than \$1,000,000 shall be expended for the city of Northampton for the Community Resilience Hub, including emergency shelter supports as well as downtown and campsite cleanup; provided further, that not less than \$25,000 shall be expended for the Cape Cod Canal Region Chamber of Commerce for capital improvements to the Buzzards bay visitors station; provided further, that not less than \$125,000 shall be expended for a feasibility study and construction of the Billerica recreation center, senior center or intergenerational center; provided further, that not less than \$100,000 shall be expended for Springfield museums for the continued support for and buildout of the permanent Hispanic/Latino exhibit in the Wood Museum; provided further, that not less than \$125,000 shall be expended for sidewalk construction in Billerica; provided further, that not less than \$50,000 shall be expended for Community Action Agency of Somerville for unanticipated costs not covered by federal grants; provided further, that not less than \$100,000 shall be expended for the Worcester Green Corps for improvements to the staffing capacity of the program by employing public high school students and young people of color to work with neighborhood and business associations, colleges, universities and other nonprofits on citywide cleanup efforts, partake in weekly educational programming and pursue green and sustainable careers; provided further, that not less than \$1,000,000 shall be expended for grant funding with a public engagement process which requires two public hearings, web viewing and participation for a smart growth design surrounding the Kings highway station of South Coast Rail to promote environmentally sound and carbon neutral development of residential, commercial and retail properties; provided further, that not less than \$330,000 shall be expended for the city of Northampton for bridge lighting, beautification and connection downtown and recreational and outdoor dining support; provided further, that not less than \$5,000,000 shall be expended for the Zeiterion Performing Arts Center in New Bedford; provided further, that not less than \$125,000 shall be expended for the design and estimated construction costs for the restoration of the existing freight rail track and end stop on the New Bedford state

pier; provided further, that not less than \$750,000 shall be expended for the town of Boylston for radio communication upgrades for police, fire, highway and light departments; provided further, that not less than \$500,000 shall be expended for the town of Westhampton for a regional emergency operations center in case of significant weather emergency or fire or any other public health or safety emergency; provided further, that not less than \$100,000 shall be expended for the town of Wenham for the design, construction and installation of a bioretention system; provided further, that not less than \$100,000 shall be expended for the city of Somerville for flood mitigation in Duck village; provided further, that not less than \$12,500 shall be expended for Three Square Main Streets JP to support training equipment or employment needs associated with pandemic-related financial challenges; provided further, that not less than \$12,500 shall be expended for Mission Hill Main Streets to support training equipment or employment needs associated with pandemic-related financial challenges; provided further, that not less than \$25,000 shall be expended for the Lowell Angkor Dance Troupe to support the House Asian Caucus and to support ongoing grants to AAPI cultural centers, youth classes and programming; provided further, that not less than \$12,500 shall be expended for JP Center and South Main Streets to support training equipment or employment needs associated with pandemic-related financial challenges; provided further, that not less than \$12,500 shall be expended for Roslindale Main Streets to support training equipment or employment needs associated with pandemic-related financial challenges; provided further, that not less than \$150,000 shall be expended for the city known as the town of Barnstable for facade improvements to small businesses; provided further, that not less than \$75,000 shall be expended for the city known as the town of Barnstable for the Revisioning Main Street Hyannis project; provided further, that not less than \$9,000,000 shall be expended for affordable housing at the Anne M. Lynch Homes at Old Colony; provided further, that not less than \$100,000 shall be expended for the Michael J. Perkins Post American Legion Post #67 for plumbing, heating and energy efficiency improvements; provided further, that not less than \$500,000 shall be expended for infrastructure and construction of a boat renovation, storage and educational workshop space for the Azorean Maritime Heritage Society in New Bedford; provided further, that not less than \$85,000 shall be expended for the town of Westhampton for the hiring of a consultant to create guidelines, recommendations and zoning bylaw proposals that would allow for commercial development in areas with existing or new commercial uses; provided further, that not less than \$100,000 shall be expended for the Jamaica Plain Neighborhood Development Corporation to provide high-speed internet to strengthen home-based childcare businesses entrepreneurs; provided further, that not less than \$100,000 shall be expended

for barn and other building renovations at the Forbes House Museum in Milton; provided further, that not less than \$12,500 shall be expended for Uplift JP for events, programs and resources to address racist and anti-LGBTQ+ attacks on BIPOC-owned businesses and uplift community support and unity in the Jamaica Plain section of Boston; provided further, that not less than \$300,000 shall be expended for Volunteers of America of Massachusetts to make critical information technology infrastructure, equipment and property upgrades to enhance the ability to deliver integrated behavioral healthcare services to individuals in recovery from mental health and substance use disorders including formerly homeless veterans and their families; provided further, that not less than \$40,000 shall be expended for the Amherst Business Improvement District to construct a parklette to support downtown dining in Amherst; provided further, that not less than \$50,000 shall be expended for the Downtown Amherst Foundation to conduct a feasibility and construction cost analysis for its downtown music venue project; provided further, that not less than \$3,500,000 shall be expended for the town of Amherst for the upgrade of the Centennial water treatment plant; provided further, that not less than \$450,000 shall be expended for the town of Randolph for the creation and management of a household compost collection program; provided further, that not less than \$500,000 shall be expended for the Friends of the Bourne Rail Trail to conduct a feasibility study and related engineering and design studies to construct a rail corridor north of route 28 in Bourne; provided further, that not less than \$200,000 shall be expended for the Springfield Housing Authority for new roofs at Milton Court apartments; provided further, that not less than \$1,100,000 shall be expended for the Friends of the Jones Library to make ADA compliance improvements to the Jones Library project; provided further, that not less than \$2,000,000 shall be expended for Amherst regional public schools to install renewable energy alternatives; provided further, that not less than \$1,000,000 shall be expended for Lynn Housing Authority and for neighborhood development improvements to Wall plaza for asbestos remediation and renovations to kitchens and baths; provided further, that not less than \$500,000 shall be expended for the town of Douglas for upgrades to the E.N. Jenckes Store and Museum and for the repair of the foundation, roof and other critical infrastructure throughout the building; provided further, that not less than \$250,000 shall be expended for Silver Lake regional school district for upgrades and improvements to HVAC systems; provided further, that not less than \$500,000 shall be expended for the town of North Andover for downtown streetscape and infrastructure improvements; provided further, that not less than \$200,000 shall be expended for the George R. Bean Post for the costs associated with remaining open in Weymouth; provided further, that not less than \$2,500,000 shall be expended for Nusq Life Science Training Center Inc. for



workforce development and infrastructure; provided further, that not less than \$100,000 shall be expended for the South Shore Irish Heritage Trail for the maintenance and management of the South Shore Irish Heritage Trail to drive economic development to the 9 connecting communities; provided further, that not less than \$50,000 shall be expended for the city of Somerville for a street tree protection program to identify neighborhoods with street trees compromised by natural gas leaks; provided further, that not less than \$100,000 shall be expended for the Weymouth Teen center for a technology and the jobs program; provided further, that not less than \$10,000,000 shall be expended for the renovation of the Huntington Theatre, including, but not limited to, accessibility upgrades and historic preservation; provided further, that not less than \$250,000 shall be expended for the town of Topsfield for streetscape and beautification improvements; provided further, that not less than \$2,500,000 shall be expended for improvements to the Massachusetts Bay Transit Authority Franklin station in Franklin; provided further, that not less than \$5,000,000 shall be expended for the city of Framingham for downtown parking improvements including the renovation and creation of parking garages; provided further, that not less than \$250,000 shall be expended for Rebuilding Together Boston; and provided further, that not less than \$450,000 shall be expended for the Wildflower Alliance to expand peer respite programs to allow adults to seek care in a non-institutional setting as an alternative to hospital boarding.....\$154,473,040

7002-8058 For any community who wishes to construct their own broadband network, with preference given to those communities with a poverty rate of 45 per cent or less, as determined by the federal Department of Housing and Urban Development...\$10,000,000

7002-8059 For a reserve to establish and maintain a student loan fund aimed at strengthening the nursing instructor pipeline in the commonwealth; provided, that not less than \$10,000,000 shall be expended for the department of higher education for a tuition forgiveness program for the nursing instruction workforce pipeline within the state public university system; provided further, that the purpose of the program shall be to increase the number of qualified nursing faculty by providing funding to accredited schools of nursing to offer loans to students in advanced education nursing degree programs who are committed to becoming nurse faculty; provided further, that the department of higher education shall develop a strategy to recruit and retain students who plan to practice in an area with significant racial, ethnic and rural disparities; provided further, that any state public university system school of nursing affiliated with the application shall be accredited at the time of application; and provided further, that eligible applicants, full-time or part-time students pursuing a course of study in an advanced education nursing degree program that prepares the individual to become nurse faculty, shall commit to, immediately post-graduation,

serve as a university nursing instructor for a period of not less than 5 years.....\$10,000,000”;

By inserting after section 129 the following four sections:

“SECTION 129A. Item 7002-0010 of section 2 of chapter 24 of the acts of 2021 is hereby amended by inserting after the word ‘Kingston’, the second time it appears, the following words:- and such funds shall be made available until June 30, 2023.

SECTION 129B. Item 8000-0313 of said section 2 of said chapter 24 is hereby amended by inserting after the word ‘efforts’, the first time it appears, the following words:- and such funds shall be made available until June 30, 2023.

SECTION 129C. Item 8000-0313 of said section 2 of said chapter 24 is hereby amended by inserting after the word ‘2020’, the first time it appears, the following words:- and such funds shall be made available until June 30, 2023.

SECTION 129D. Item 1599-2023 of section 2A of chapter 102 of the acts of 2021 is hereby amended by adding the following words:- ; and provided further, that not less than \$1,500,000 shall be expended to the city of Boston for the coordination teams for triage treatment and service supports; and provided further, that not less than \$5,000,000 shall be expended to the city of Boston for post-treatment supportive housing.”; and

In section 146, in line 2297, by striking out the figures “883,000,000” and inserting in place thereof the figures: “1,057,473,040”.

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 154 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 218 in Supplement.]**

Therefore the consolidated amendments were adopted.

Mr. Michlewitz of Boston then moved to amend the bill in section 2A, in item 1599-6063 (inserted by amendment), by striking out the following: “provided further, that not less than \$50,000 shall be expended for the restructure, repair and replacement of Kidspot in the town of North Reading” and inserting in place thereof the following: “provided further, that not less than \$100,000 shall be expended for the restructure, repair and replacement of Kidspot in the town of North Reading”, by striking out the following: “provided further, that not less than \$50,000 shall be expended for the Stow Acres innovation, conservation, recreation and development partnership” and inserting in place thereof the following: “provided further, that not less than \$500,000 shall be expended for the Stow Acres innovation, conservation, recreation and development partnership”; and in said item by striking out the figures: “85,002,000” (inserted by amendment) and inserting in place thereof the figures: “85,537,000”;

In item 1599-6077 (inserted by amendment) by striking out the following: “provided further, that not less than \$500,000 shall be expended for the Southwick Civic Fund for a greenspace for community events and increased parking capacity in Methuen” and inserting in place thereof the following: “provided further, that not less than \$500,000 shall be expended for greenspace for community events and increased parking capacity at Greycourt park in Methuen”; and by striking out the following: “provided further, that not less than \$50,000 shall be expended for the New Lynn Coalition’s grocery delivery program for the Acord Food Pantry in Hamilton to increase capacity to serve people in Essex county” and inserting in place thereof the following: “provided further, that not less than \$50,000 shall be expended for the Acord Food Pantry in Hamilton to increase its capacity to serve people in Essex county”;

Consolidated amendments adopted,— yea and nay No. 218.

In section 4E (inserted by amendment) by striking out the following: “(h)”, the second time it appears, and inserting in place thereof the following:” (i)”;

and  
In section 144, in line 2274 and 2276, by striking out the figures: “1,275,000,000” and inserting in place thereof, in each instance, the figures: “1,427,245,775”.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz of Boston; and on the roll call 154 members voted in the affirmative and 0 in the negative.

**[See [Yea and Nay No. 219](#) in Supplement.]**

Therefore the bill (House, No. 5034, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to  
be engrossed,—  
yea and nay  
No. 219.

*Engrossed Bill.*

Mr. Ultrino of Malden being in the Chair,—

The engrossed Bill prohibiting discrimination based on natural and protective hairstyles (see House, No. 4554, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

Bill  
enacted.

*Order.*

Ms. Hogan of Stow being in the Chair,—

On motion of Mr. Mariano of Quincy,—

*Ordered*, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.; and that notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

Next  
sitting.

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Mr. Jones of North Reading then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at seventeen before ten o’clock P.M. (Ms. Hogan of Stow being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M.