

1 **SECTION 4.** Subdivision (2) of section 178K of chapter 6 of the General Laws, as
2 amended by section 6 of chapter 227 of the acts of 2020, is hereby further amended by striking
3 out the words “the department of developmental services” and inserting in place thereof the
4 following words:- the department of developmental services, the department of housing and
5 community development, the department of public utilities, the department of professional
6 licensure.

7 **SECTION 5.** Chapter 23J of the General Laws, as amended by section 14 of chapter 8 of
8 the acts of 2021, is hereby amended by adding the following section:-

9 Section 14. (a) There shall be established and set up on the books of the commonwealth a
10 separate fund known as the Offshore Wind Energy Career Training Trust Fund to be
11 administered by the center. The fund shall be credited with: (i) revenue from appropriations or
12 other money authorized by the general court and specifically designated to be credited to the
13 fund; (ii) interest earned on such revenues; and (iii) funds from public and private sources,
14 including, but not limited to, economic development initiatives included in proposals for long-
15 term contracts for offshore wind energy generation submitted to and approved by the department
16 of public utilities, and other gifts, grants and donations for the establishment and expansion of
17 workforce training and development initiatives to support the offshore wind energy industry.
18 Amounts credited to the fund shall not be subject to further appropriation and any money
19 remaining in the fund at the end of a fiscal year shall not revert to the General Fund.

20 (b) Subject to appropriation, the center shall make expenditures from the fund for the
21 following purposes:

22 (1) To provide grants to public higher education institutions and vocational-technical
23 education institutions for the adoption of basic safety training and basic technical training
24 programs; provided, that the center shall prioritize awards to institutions seeking accreditation in
25 internationally recognized training standards, including, but not limited to, standards developed
26 by the Global Wind Organization;

27 (2) To provide grants to public higher education institutions and vocational-technical
28 education institutions for the development, expansion and promotion of offshore wind
29 professional certificate programs, and courses tailored to careers in the offshore wind energy
30 industry for students in associate’s and baccalaureate degree programs;

31 (3) To provide grants to adult and community learning service providers, labor
32 organizations, public higher education institutions and vocational-technical education institutions
33 for the sponsorship of award, scholarship and paid internship programs to support the education
34 and training of individuals seeking careers in the offshore wind energy industry; provided, that
35 the center shall prioritize the promotion of careers in the skilled trades, water transportation,
36 operations and maintenance and other occupations that the center identifies as high priority;

37 (4) To provide grants to regional employment boards to develop a regional strategy to
38 support the development of the offshore wind energy industry and to publish their findings as an
39 addendum to their workforce development blueprints; and

40 (5) To leverage funds to secure future federal funding to support the offshore wind
41 energy industry in the commonwealth.

42 (c) The fund’s activity shall be included in the annual report required by section 5. The
43 center shall also annually file, no later than October 1 and at least 30 days prior to the
44 expenditure of any funds, a plan detailing the planned uses of funds in the upcoming calendar
45 year with the joint committee on telecommunications, utilities and energy and the house and
46 senate committees on ways and means; provided, that in the development of this plan the center
47 shall hold at least 1 public hearing to solicit stakeholder feedback.

48 (d) For the purposes of this section, “public higher education institutions” shall include
49 Quincy College.

50 **SECTION 6.** Chapter 25A of the General Laws is hereby amended by adding the
51 following section:-

52 Section 18. (a) Upon issuance by the department of a notice of non-compliance, any
53 alternative compliance payment, as defined in 225 CMR 14.02, owed by a retail electric supplier
54 pursuant to sections 11F, 11F1/2 and 17, including any interest, additional amount, addition to
55 debt or assessable penalty under section 7, together with any costs that may accrue in addition
56 thereto, shall constitute a debt to the department. Such debt shall also be a lien in favor of the
57 department upon all property and rights to property, whether real or personal, belonging to the
58 indebted retail electric supplier. The lien shall arise 30 days after the department issues the first
59 notice of non-compliance and shall continue until: (1) the debt is satisfied; (2) a judgment against
60 the retail electric supplier arising out of such debt is satisfied; (3) any such debt or judgment is
61 discharged by the department by a waiver or release under subsection (d); or (4) any such debt or
62 judgment becomes unenforceable by reason of the lapse of time. The lien created in favor of the
63 department for any such alternative compliance payment shall remain in effect for a period of 10
64 years after issuance of the notice of non-compliance. For a bankruptcy case under the United
65 States Code, the running of the period of limitations in this section shall be suspended for: (i) the
66 period during which the department is prohibited by reason of such case from collecting the lien
67 and (ii) the period during which a plan for payment of the lien is in effect and 6 months
68 thereafter. The running of the period of limitations shall be suspended for the period during
69 which the payment or collection is stayed pursuant to the retail electric supplier contesting the
70 lien. If the lien would extend beyond its initial or any subsequent 10-year period, the department
71 shall be authorized to refile its notice of lien. If any such refiled lien is filed within the required
72 refiling period, as defined in section 6323(g)(3) of the United States Internal Revenue Code, the
73 lien in favor of the department shall relate back to the date of the first such lien filing. The
74 department shall promulgate such regulations as may be necessary for the implementation of this
75 subsection.

76 (b) A lien imposed by this section shall not be perfected as against any mortgagee,
77 pledgee, purchaser, creditor or judgment creditor until notice thereof has been filed by the
78 department:

79 (1) With respect to real property or fixtures, in the registry of deeds of the county where
80 such property is situated, and

81 (2) With respect to personal property other than fixtures, in the filing office in which the
82 filing of a financing statement would perfect, under article 9 of chapter 106, an attached
83 nonpossessory security interest in tangible personal property belonging to the retail electric
84 supplier liable to pay the alternative compliance payment as if the retail electric supplier were
85 located in the commonwealth under section 9-307 of said chapter 106. The filing of any such lien
86 or of a waiver or release of any such lien shall be received and registered or recorded without
87 payment of any fee in the commonwealth.

88 (c) In any case where an alternative compliance payment becomes due upon issuance of a
89 notice of non-compliance, the department, in addition to other modes of relief, may direct a civil
90 action to be filed in a superior court of the commonwealth to collect the debt or enforce the lien
91 of the department under this section with respect to such liability, or to subject any property of
92 whatever nature, of the indebted retail electric supplier, or in which they have any right, title, or
93 interest, to the payment of such liability.

94 (d) The department may issue a waiver or release of any lien imposed by this section.
95 Such waiver or release shall be conclusive evidence that the lien upon the property covered by
96 the waiver or release is extinguished. The department shall issue a waiver or release of any lien
97 imposed by this section in any case where the debt for which such lien attached has been paid or
98 legally abated.

99 **SECTION 7.** Section 2YYYY of chapter 29 of the General Laws, as amended by section
100 5 of chapter 31 of the acts of 2020, is hereby further amended by striking out the second
101 paragraph and inserting in place thereof the following paragraph:-

102 The secretary may expend, without further appropriation: (i) not more than \$27,000,000
103 per year in fiscal year 2020 and not more than \$53,000,000 in fiscal year 2021 and not more than
104 \$60,000,000 in fiscal year 2022 from the fund to expand and support the residential treatment
105 system to treat individuals with a substance use disorder or co-occurring mental health and
106 substance use disorder; (ii) not more than \$11,000,000 per year in fiscal year 2020 and not more
107 than \$32,000,000 in fiscal year 2021 and not more than \$40,000,000 in fiscal year 2022 from the
108 fund to expand and support access to medication assisted treatment; (iii) not more than
109 \$8,000,000 per year in fiscal year 2020 and not more than \$15,000,000 per year in fiscal years
110 2021 and 2022 from the fund to expand and support access to recovery treatment support
111 services; and (iv) not more than \$4,000,000 per year in fiscal year 2020 and not more than
112 \$10,000,000 in fiscal year 2021 and not more than \$15,000,000 in fiscal year 2022 from the fund
113 to implement and support the American Society of Addiction Medicine assessment and care
114 planning across substance use treatment providers. For the purpose of accommodating timing
115 discrepancies between the receipt of revenues and related expenditures, the fund may incur
116 expenses, and the comptroller shall certify for payment, amounts not to exceed the most recent
117 revenue estimate as certified by the MassHealth director, as reported in the state accounting
118 system. Amounts credited to the fund shall not be subject to further appropriation and monies
119 remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be
120 available for expenditure in the subsequent fiscal year.

121 **SECTION 8.** Said chapter 29 is hereby further amended by inserting after section
122 2LLLLL, as inserted by section 54 of chapter 8 of the acts of 2021, the following section:-

123 Section 2MMMMM. There shall be an Academic Health Department Partnerships Trust
124 Fund. The fund shall be administered by the commissioner of public health to support the
125 administration of the academic health department and the academic volunteer corps programs of
126 the department of public health. There shall be credited to the fund all money received from
127 public or private sources including, but not limited to, gifts, grants, donations, bequests and
128 contributions of cash, securities or property in kind from persons or other governmental,
129 nongovernmental, quasi-governmental or local government entities. Expenditures from the fund
130 shall be made to support the academic health department and academic volunteer corps
131 programs, including, but not limited to: (i) staff administrative support, (ii) paid internships, (iii)
132 training and workforce development activities, and (iv) other services in support of the programs.
133 The department of public health may incur expenses and the comptroller may certify amounts for
134 payment in anticipation of expected receipts; provided, however, that no expenditure shall be
135 made from the fund which shall cause the fund to be deficient at the close of a fiscal year.
136 Amounts credited to the fund shall not be subject to further appropriation and money remaining
137 in the fund at the close of a fiscal year shall not revert to the General Fund and shall be available
138 for expenditure in the subsequent fiscal year.

139 **SECTION 9.** Section 9 of chapter 40A of the General Laws, as amended by section 20 of
140 chapter 358 of the acts of 2020, is hereby further amended by striking out the fourth paragraph
141 and inserting in place thereof the following paragraph:-

142 Zoning ordinances or by-laws may provide for special permits authorizing the transfer of
143 development rights of land within or between districts. These zoning ordinances or by-laws shall
144 include incentives such as increases in density of population, intensity of use, amount of floor
145 space or percentage of lot coverage, that encourage the transfer of development rights in a
146 manner that protect open space, preserve farmland, promote housing for persons of low and
147 moderate income or further other community interests; provided, however, that nothing herein
148 shall prohibit a zoning ordinance or by-law from allowing transfer of development rights to be
149 permitted as of right, without the need for a special permit or other discretionary zoning
150 approval.

151 **SECTION 10.** Subsection (b) of section 5 of chapter 44B of the General Laws, as
152 appearing in the 2018 Official Edition, is hereby amended by adding the following paragraph:-

153 (4) The community preservation committee may recommend and the legislative body of a
154 city or town may approve appropriations from the fund to acquire land, or real property interests
155 therein, held for railroad purposes to be used by the city or town for recreational use as a rail trail
156 as defined in section 35A of chapter 82. Notwithstanding subsection (a) of section 12, land, or
157 real property interests therein, acquired pursuant to this paragraph shall remain subject to any
158 property interest, including restrictions or reversionary interests, required to be held by the
159 grantor or the United States pursuant to the federal National Trails System Act of 1968, as
160 amended. Notwithstanding the definition of real property interest in section 2, land, or real
161 property interests therein, acquired pursuant to this paragraph shall be considered a real property
162 interest for purposes of this chapter, and a conservation restriction that meets the requirements of
163 sections 31 to 33, inclusive, of chapter 184 shall be required.

164 **SECTION 11.** Section 6 of chapter 62 of the General Laws, as most recently amended
165 by section 57 of chapter 358 of the acts of 2020, is hereby amended by adding the following
166 subsection:-

167 (x)(1) An employer that is not a business corporation subject to the excise under chapter
168 63, shall be allowed a credit equal to \$5,000 or 30 per cent of the wages paid to each qualified
169 employee with a disability in the first taxable year of employment, whichever is less, against the
170 tax liability imposed by this chapter. Such employer shall be allowed a credit equal to \$2,000 or
171 30 per cent of the wages paid to each qualified employee with a disability in each subsequent
172 taxable year of employment, whichever is less, against the tax liability imposed by this chapter.
173 If a credit allowed by this subsection exceeds the tax otherwise due under this chapter, 100 per
174 cent of the balance of such credit may, at the option of the taxpayer, be refundable to the
175 taxpayer. In order to qualify, the employee with a disability shall be: (i) certified by the
176 Massachusetts rehabilitation commission as meeting the definition of disability under the
177 Americans with Disabilities Act, 42 U.S.C. section 12102; (ii) capable of working
178 independently; (iii) physically or mentally impaired in a manner that constitutes or results in a
179 substantial impediment to employment for the individual; and (iv) hired by the employer after
180 July 1, 2021.

181 (2) To be eligible for a credit under this subsection: (a) the primary place of employment
182 and the primary place of residence of the employee shall be in the commonwealth; (b) the
183 business shall receive the applicable certification from the Massachusetts rehabilitation
184 commission that the employee qualifies not later than the day the employee begins work;
185 provided, that reasonable exceptions to this timeframe may be established through regulation;
186 and (c) the employee shall be employed by the business for a period of at least 12 consecutive
187 months prior to and in the taxable year in which the credit is claimed.

188 (3) An employer that is eligible for and claims the credit allowed under this subsection in
189 a taxable year with respect to a qualified employee with a disability shall be eligible for such
190 credit in the subsequent taxable year with respect to such qualified employee. Any credit allowed
191 under this subsection shall not be transferable.

192 (4) The secretary of health and human services, in consultation with the commissioner,
193 shall promulgate regulations establishing an application process for the credit.

194 (5) The credit under this subsection shall be attributed on a pro rata basis to the owners,
195 partners or members of the legal entity entitled to the credit under this subsection, and shall be
196 allowed as a credit against the tax due under this chapter of such owners, partners or members, in
197 a manner determined by the commissioner.

198 **SECTION 12.** Chapter 63 of the General Laws is hereby amended by inserting after
199 section 38HH the following 2 sections:-

200 Section 38II. (a) A business corporation engaged in business in the commonwealth shall
201 be allowed a credit equal to \$5,000 or 30 per cent of the wages paid to each qualified employee
202 with a disability in the first taxable year of employment, whichever is less, against the tax
203 liability imposed by this chapter. Such employer shall be allowed a credit equal to \$2,000 or 30
204 per cent of the wages paid to each qualified employee with a disability in each subsequent

205 taxable year of employment, whichever is less, against the tax liability imposed by this chapter.
206 If a credit allowed by this section exceeds the tax otherwise due under this chapter, 100 per cent
207 of the balance of such credit may, at the option of the taxpayer, be refundable to the taxpayer. In
208 order to qualify, the employee with a disability shall be: (i) certified by the Massachusetts
209 rehabilitation commission as meeting the definition of disability under the Americans with
210 Disabilities Act, 42 U.S.C. section 12102; (ii) capable of working independently; (iii) physically
211 or mentally impaired in a manner that constitutes or results in a substantial impediment to
212 employment for the individual; and (iv) hired by the employer after July 1, 2021.

213 (b) To be eligible for a credit under this section: (i) the primary place of employment and
214 the primary place of residence of the employee shall be in the commonwealth; (ii) the business
215 shall receive the applicable certification from the Massachusetts rehabilitation commission that
216 the employee qualifies not later than the day the employee begins work; provided, reasonable
217 exceptions to this timeframe may be established through regulation; and (iii) the employee shall
218 be employed by the business corporation for a period of at least 12 consecutive months prior to
219 and in the taxable year in which the credit is claimed.

220 (c) In the case of a business corporation that is subject to a minimum excise under this
221 chapter, the amount of the credit allowed by this section shall not reduce the excise to an amount
222 less than such minimum excise.

223 (d) A business corporation that is eligible for and claims the credit allowed under this
224 section in a taxable year with respect to a qualified employee with a disability shall be eligible
225 for such credit in the subsequent taxable year with respect to such qualified employee. Any credit
226 allowed under this section shall not be transferable.

227 (e) The secretary of health and human services, in consultation with the commissioner,
228 shall promulgate regulations establishing an application process for the credit.

229 Section 38JJ. (a) The purpose of this section shall be to attract capital investment to
230 businesses in rural areas of the commonwealth in order to promote the retention and expansion
231 of existing jobs, stimulate the creation of new jobs and attract new business and industry to rural
232 areas of the commonwealth.

233 (b) For the purposes of this section, the following words shall, unless the context clearly
234 requires otherwise, have the following meanings:

235 “Affiliate”, an entity that directly or indirectly through 1 or more intermediaries, controls,
236 is controlled by, or is under common control with another entity. An entity shall be controlled by
237 another entity if: (i) the controlling entity holds, directly or indirectly, the majority voting or
238 ownership interest in the controlled entity; or (ii) has control over the day-to-day operations of
239 the controlled entity by contract or law.

240 “Closing date”, the date on which a rural growth fund has collected all of the funds
241 specified by subsection (c).

242 “Credit-eligible capital contribution”, an investment of cash by a person subject to tax
243 under this chapter in a rural growth fund that equals the amount specified on a tax credit
244 certificate issued by MOBD under paragraph (5) of subsection (c); provided, however, that the

245 investment shall purchase an equity interest in the rural growth fund or purchase, at par value or
246 premium, a debt instrument that has a maturity date at least 5 years from the closing date.

247 “Investment authority”, the amount stated on the notice issued under paragraph (5) of
248 subsection (c) certifying the rural growth fund; provided, however, that at least 60 per cent of a
249 rural growth fund’s investment authority shall be comprised of credit-eligible capital
250 contributions.

251 “Jobs created”, newly created positions of employment that were not previously located
252 in the commonwealth at the time of the initial rural growth investment in the rural business
253 concern and that require a minimum of 35 hours worked each week, measured each year by
254 subtracting the number of employment positions at the time of the initial rural growth investment
255 in the rural business concern from the monthly average of employment positions for the
256 applicable year. The monthly average shall be calculated by adding together the number of
257 employment positions existing on the last day of each month of the applicable year and dividing
258 by 12. Such number shall not be less than zero.

259 “Jobs retained”, positions requiring a minimum of 35 hours worked each week that
260 existed prior to the initial rural growth investment. Retained jobs shall be counted each year
261 based on the monthly average of employment positions for the applicable year. The monthly
262 average shall be calculated by adding together the number of employment positions existing on
263 the last day of each month of the applicable year and dividing by 12. Such number shall not
264 exceed the initial amount of retained jobs reported and shall be reduced each year if employment
265 at the rural business concern drops below such number.

266 “MOBD”, the Massachusetts office of business development established in section 1 of
267 chapter 23A.

268 “Principal business operations”, the place or places where at least 80 per cent of its
269 employees work or where employees that are paid at least 80 per cent of its payroll work;
270 provided, however, that an out-of-state business that has agreed to relocate employees using the
271 proceeds of a rural growth investment to establish its principal business operations in a rural area
272 in the commonwealth shall be deemed to have its principal business operations in the new
273 location if it satisfies this definition within 180 days after receiving the rural growth investment,
274 unless MOBD agrees to a later date.

275 “Rural area”, a municipality with a population density of less than 500 residents per
276 square mile, according to the latest decennial census of the United States.

277 “Rural business concern”, a business that, at the time of the initial investment in the
278 company by a rural growth fund: (i) has fewer than 250 employees and not more than
279 \$10,000,000 in revenue for the preceding taxable year; (ii) has its principal business operations
280 in 1 or more rural areas in the commonwealth; and (iii) is engaged in industries related to
281 manufacturing, plant sciences, services or technology or other industries as MOBD may approve,
282 or, if not engaged in such industries, MOBD makes a determination that the investment will be
283 highly beneficial to the economic growth of the commonwealth.

284 “Rural business investment company”, as defined in 7 U.S.C. 2009cc.

285 “Rural growth fund”, an entity certified by MOBD under subsection (c).

286 “Rural growth investment”, any capital or equity investment in a rural business concern
287 or any loan to a rural business concern with a stated maturity at least 1 year after the date of
288 issuance.

289 “Small business investment company”, a small business investment company licensed
290 pursuant to 15 U.S.C. 681.

291 (c)(1) MOBD shall accept applications for approval as a rural growth fund; provided,
292 however, that the application shall include:

293 (i) the total investment authority sought by the applicant under the business plan;

294 (ii) the following documents and other evidence:

295 (A) a copy of the applicant’s or an affiliate of the applicant’s license as a rural business
296 investment company or as a small business investment company; and evidence sufficient to
297 prove that at least 1 principal in a rural business investment company or a small business
298 investment company is, and has been for at least 4 years, an officer or employee of the applicant
299 or of an affiliate of the applicant on the date the application is submitted; and

300 (B) evidence sufficient to prove, to the satisfaction of MOBD, that as of the date the
301 application is submitted, the applicant or affiliates of the applicant have invested at least
302 \$50,000,000 in non-public companies located in rural areas;

303 (iii) an estimate of the number of jobs created and jobs retained in the commonwealth as
304 a result of the applicant’s rural growth investments;

305 (iv) a business plan that includes a revenue impact assessment projecting state and local
306 tax revenue to be generated by the applicant’s proposed rural growth investments prepared by a
307 nationally recognized third-party independent economic forecasting firm using a dynamic
308 economic forecasting model that analyzes the applicant’s business plan over the 10 years
309 following the date the application is submitted to MOBD; provided, however, that the dynamic
310 forecasting model shall consider the economic impact of retained jobs as well as created jobs in
311 the business plan;

312 (v) a signed affidavit from each investor stating the amount of credit-eligible capital
313 contributions each taxpayer commits to make; and

314 (vi) a non-refundable application fee of \$5,000.

315 (2) MOBD shall make an application determination within 30 days of receipt in the order
316 in which the applications are received. MOBD shall deem applications received on the same day
317 to have been received simultaneously. MOBD shall not approve more than \$100,000,000 in
318 investment authority and not more than \$60,000,000 in credit-eligible capital contributions under
319 this section. If a request for investment authority exceeds said limit, MOBD shall reduce the
320 investment authority and the credit-eligible capital contributions for that application as necessary
321 to avoid exceeding the limit. If multiple applications received on the same day request a
322 combined investment authority that exceeds said limit, MOBD shall proportionally reduce the

323 investment authority and the credit eligible capital contributions for those applications as
324 necessary to avoid exceeding the limit.

325 (3) MOBD shall deny an application submitted under this section if:

326 (i) the application is incomplete or the application fee is not paid in full;

327 (ii) the applicant does not satisfy all the criteria described in clause (ii) of paragraph (1);

328 (iii) the revenue impact assessment submitted under clause (iv) of paragraph (1) does not
329 demonstrate that the applicant's business plan, and associated created and retained jobs, shall
330 result in a positive economic impact on the commonwealth over a 10-year period that exceeds
331 the cumulative amount of tax credits that would be issued to the applicant's investors under
332 subsection (d) if the application were approved;

333 (iv) the credit-eligible capital contributions described in affidavits submitted under clause
334 (v) of paragraph (1) do not equal at least 60 per cent of the total amount of investment authority
335 sought under the applicant's business plan; or

336 (v) MOBD has already approved the maximum amount of investment authority and credit
337 eligible capital contributions allowed under paragraph (2).

338 (4) If MOBD denies an application, the applicant may provide additional information to
339 MOBD to complete, clarify or cure defects in the application identified by MOBD within 15
340 days of the notice of denial for reconsideration and determination. If the applicant completes,
341 clarifies or cures its application within 15 days after the date of the notice of denial, the
342 application shall be considered complete as of the original date of submission. If the applicant
343 fails to provide the information to complete, clarify or cure its application within the 15-day
344 period, the application shall remain denied and shall be resubmitted in full with a new date of
345 submission. MOBD shall review and reconsider such applications within 30 days and before any
346 pending application submitted after the original submission date of the reconsidered application.

347 (5) MOBD shall not deny a rural growth fund application or reduce the requested
348 investment authority for reasons other than those described in paragraphs (2) and (3). Upon
349 approval of an application, MOBD shall provide a written approval to the applicant as a rural
350 growth fund specifying the amount of the applicant's investment authority and a tax credit
351 certificate to each investor whose affidavit was included in the application specifying the amount
352 of the investor's credit-eligible capital contribution.

353 (6) After receiving the approval issued under paragraph (5), a rural growth fund shall:

354 (i) within 60 days:

355 (A) collect the credit-eligible capital contributions from each taxpayer issued a tax credit
356 certificate under paragraph (5), and

357 (B) collect 1 or more investments of cash that, when added to the contributions collected
358 under subclause (A), equal the rural growth fund's investment authority; provided, however, that
359 at least 10 per cent of the rural growth fund's investment authority shall be comprised of equity

360 investments contributed by affiliates of the rural growth fund, including employees, officers and
361 directors of such affiliates; and

362 (ii) within 65 days, send to MOBD documentation sufficient to prove that the amounts
363 described in clause (i) have been collected.

364 (7) If the rural growth fund fails to fully comply with paragraph (6), the rural growth
365 fund's approval shall lapse and the corresponding investment authority and credit-eligible capital
366 contributions under said paragraph (6) shall not count toward the limits on the program size
367 prescribed in paragraph (2). MOBD shall first award lapsed investment authority pro rata to each
368 rural growth fund that was awarded less than the requested investment authority under said
369 paragraph (2), which a rural growth fund may allocate to its investors at its discretion. Any
370 remaining investment authority may be awarded by MOBD to new applicants.

371 (d)(1) There is hereby allowed a nonrefundable tax credit for taxpayers that made a
372 credit-eligible capital contribution to a rural growth fund and were issued a tax credit certificate
373 under paragraph (5) of subsection (c). The credit may be claimed against the tax imposed by this
374 chapter. The credit may not be sold, transferred or allocated to any other entity other than an
375 affiliate subject to the tax imposed by this chapter.

376 (2) On the closing date, the taxpayer shall earn a vested credit equal to the amount of the
377 taxpayer's credit-eligible capital contribution to the rural growth fund as specified on the tax
378 credit certificate. The taxpayer may claim up to 25 per cent of the credit authorized under this
379 subsection for each of the taxable years that includes the third, fourth, fifth or sixth anniversary
380 of the closing date, exclusive of amounts carried forward pursuant to paragraph (3).

381 (3) If the amount of the credit for a taxable year exceeds the tax otherwise due for that
382 year, the excess shall be carried forward to ensuing taxable years until fully used. A taxpayer
383 claiming a credit under this section shall submit a copy of the tax credit certificate with the
384 taxpayer's return for each taxable year for which the credit is claimed.

385 (e)(1) MOBD shall revoke a tax credit certificate issued under subsection (c) if any of the
386 following occurs with respect to a rural growth fund before the rural growth fund exits the
387 program in accordance with paragraph (4):

388 (i) the rural growth fund in which the credit-eligible capital contribution was made does
389 not invest 100 per cent of its investment authority in rural growth investments in the
390 commonwealth within 2 years of the closing date; provided, however, that, for the purpose of
391 satisfying the requirements of this clause, the maximum amount of rural growth investments that
392 a rural growth fund may count with respect to a single rural business concern, including amounts
393 invested in affiliates of the rural business concern, may not exceed the greater of \$5,000,000 or
394 20 per cent of the rural growth fund's investment authority;

395 (ii) the rural growth fund, after satisfying clause (i), fails to maintain rural growth
396 investments equal to 100 per cent of its investment authority until the sixth anniversary of the
397 closing date; provided, however, that an investment shall be considered to be maintained even if
398 the investment is sold or repaid if the rural growth fund reinvests an amount equal to the capital
399 returned or recovered by the fund from the original investment, exclusive of any profits realized,
400 in other rural growth investments in the commonwealth within 12 months of the receipt of such

401 capital; provided further, that amounts received periodically by a rural growth fund shall be
402 treated as continually invested in rural growth investments if the amounts are reinvested in 1 or
403 more rural growth investments by the end of the following calendar year; provided, further, that,
404 for purposes of satisfying the requirements of this clause, the maximum amount of rural growth
405 investments that a rural growth fund may count with respect to a single rural business concern,
406 including amounts invested in affiliates of the rural business concern, may not exceed the greater
407 of \$5,000,000 or 20 per cent of the rural growth fund's investment authority;

408 (iii) the rural growth fund, before exiting the program in accordance with paragraph (4),
409 makes a distribution or payment that results in the rural growth fund having less than 100 per
410 cent of its investment authority invested in rural growth investments in the commonwealth or
411 available for investment in rural growth investments and held in cash and other marketable
412 securities; or

413 (iv) the rural growth fund makes a rural growth investment in a rural business concern
414 that directly or indirectly through an affiliate owns, has the right to acquire an ownership interest,
415 makes a loan to, or makes an investment in the rural growth fund, an affiliate of the rural growth
416 fund or an investor in the rural growth fund; provided, however, that this clause shall not apply
417 to investments in publicly traded securities by a rural business concern or an owner or affiliate of
418 such concern; and provided further, that a rural growth fund shall not be considered an affiliate
419 of a rural business concern solely as a result of its rural growth investment.

420 (2) Before revoking 1 or more tax credit certificates under this subsection, MOBD shall
421 notify the rural growth fund of the reasons for the pending revocation. The rural growth fund
422 shall have 90 days from the date the notice was received to correct any violation outlined in the
423 notice to the satisfaction of MOBD and avoid revocation of the tax credit certificate.

424 (3) If tax credit certificates are revoked under this subsection, the associated investment
425 authority and credit-eligible capital contributions shall not count toward the limit on total
426 investment authority and credit-eligible capital contributions described in paragraph (2) of
427 subsection (c). MOBD shall first award reverted authority pro rata to each rural growth fund that
428 was awarded less than the requested investment authority under paragraph (2) of subsection (c).
429 MOBD may award any remaining investment authority to new applicants.

430 (4) On or after the sixth anniversary of the closing date, a rural growth fund may apply to
431 MOBD to exit the program and no longer be subject to this section. MOBD shall respond to the
432 application within 30 days of receipt. In evaluating the application, the fact that no tax credit
433 certificates have been revoked and that the rural growth fund has not received a notice of
434 revocation that has not been cured under paragraph (2) shall be sufficient evidence to prove that
435 the rural growth fund is eligible to exit. MOBD shall not unreasonably deny an application
436 submitted under this paragraph. If the application is denied, the notice shall include the reasons
437 for the denial.

438 (5) MOBD shall not revoke a tax credit certificate after the rural growth fund's exit from
439 the program.

440 (6) Once a rural growth fund has been deemed eligible to exit under paragraph (4), if the
441 number of jobs created and jobs retained by the rural business concerns that received rural

442 growth investments from the rural growth fund, calculated pursuant to reports filed by the rural
443 growth fund pursuant to subsection (g), is less than the number projected in the rural growth
444 fund's business plan filed as part of its application for certification under subsection (c), then the
445 commonwealth shall receive a percentage of any distribution or payment made to the equity
446 holders of the rural growth fund in excess of the rural growth fund's investment authority and an
447 amount equal to any projected increase in the equity holders' federal or state tax liability,
448 including penalties and interest, related to the equity holders' ownership, management or
449 operation of the fund; provided, that the percentage shall be equal to the percentage shortfall of
450 the number of jobs created and retained relative to the projected jobs created and retained, as
451 such number of jobs is certified under subsection (g) of this section; provided, however, that all
452 reports filed by a rural growth fund under subsection (g) shall be taken into account to arrive at a
453 summation of jobs created and retained.

454 (7) If the rural growth fund's rural growth investments achieved an internal rate of return
455 that is 20 per cent or greater, the commonwealth shall receive 15 per cent of any distribution or
456 payment made to the equity holders of the rural growth fund in excess of the rural growth fund's
457 investment authority and an amount equal to any projected increase in the equity holders' federal
458 or state tax liability, including penalties and interest, related to the equity holders' ownership of
459 the fund. Any amounts payable to the commonwealth pursuant to paragraph (6) shall be in
460 addition to amounts due under this paragraph.

461 (8) All amounts payable to the commonwealth pursuant to paragraph (6) and (7) shall be
462 subject to appropriation for purposes of supporting rural school aid.

463 (f) A rural growth fund, before making a rural growth investment, may request from
464 MOBD a written opinion as to whether the business in which it proposed to invest is a rural
465 business concern. MOBD, not later than the 15th business day after the date of receipt of the
466 request, shall notify the rural growth fund of its determination. If MOBD fails to notify the rural
467 growth fund by the 15th business day after the date of receipt of the request of its determination,
468 the business in which the rural growth fund proposes to invest shall be considered a rural
469 business concern.

470 (g)(1) Each rural growth fund shall submit a report to MOBD on or before the fifth
471 business day after the second anniversary of the closing date. The report shall provide
472 documentation as to the rural growth fund's rural growth investments and include:

473 (i) a bank statement evidencing each rural growth investment;

474 (ii) the name, location and industry of each business receiving a rural growth investment,
475 including either the determination letter set forth in subsection (f) or evidence that the business
476 qualified as a rural business concern at the time the investment was made;

477 (iii) the number of jobs created or jobs retained as a result of the rural growth fund's rural
478 growth investments as of the last day of the preceding 2 calendar years; provided, however, that
479 job numbers shall be certified by each rural business concern's independent certified public
480 accountant that is licensed to do business in the commonwealth or by the rural growth fund's
481 nationally recognized independent certified public accounting firm. MOBD shall publish a list of
482 nationally recognized independent certified public accounting firms, which shall include at least

483 10 firms, within 12 months of certifying the first rural growth fund and shall periodically update
484 the list as MOBD deems appropriate; and

485 (iv) any other information required by MOBD.

486 (2) On or before the last day of February of each year following the year in which the
487 report required under paragraph (1) is due, the rural growth fund shall submit an annual report to
488 MOBD, which shall include the following:

489 (i) the number of jobs created or jobs retained as a result of the rural growth fund's rural
490 growth investments as of the last day of the preceding calendar year, which number shall be
491 independently certified in accordance with clause (iii) of paragraph (1);

492 (ii) the average annual salary of the positions described in clause (i); and

493 (iii) any other information required by MOBD.

494 (h) MOBD shall promulgate regulations necessary to implement the provisions in this
495 section.

496 **SECTION 13.** Chapter 128 of the General Laws is hereby amended by striking out
497 section 38, as appearing in the 2018 Official Edition, and inserting in place thereof the following
498 section:-

499 Section 38. Whoever violates any provision of sections 33 through 35, inclusive, shall,
500 for a first violation be subject to a civil administrative penalty of not more than \$30, for a second
501 violation be subject to a civil administrative penalty of not more than \$75 and for a subsequent
502 violation be subject to a civil administrative penalty of not more than \$150.

503 Whoever violates any provisions of sections 36B or 36C shall, for a first violation be
504 subject to a civil administrative penalty of not more than \$2,000, for a second violation be
505 subject to a civil administrative penalty of not more than \$5,000 and for a subsequent violation
506 be subject to a civil administrative penalty of not more than \$10,000.

507 **SECTION 14.** Section 38B of said chapter 128, as so appearing, is hereby amended by
508 inserting after the word "upkeep", in lines 4, 18, 29 and 31, in each instance, the following
509 words:- , programming, promotion.

510 **SECTION 15.** Chapter 176Q of the General Laws is hereby amended by striking out
511 section 8, as so appearing, and inserting in place thereof the following section:-

512 Section 8. (a) The connector shall enter into interagency agreements with the department
513 of revenue, the executive office of health and human services, the department of public health,
514 the executive office of labor and workforce development, the registry of motor vehicles, the
515 department of correction, the center for health information and analysis and any other state
516 agencies, departments, divisions, commissions, authorities or political subdivisions. The
517 agreements shall authorize the foregoing agencies, departments, divisions, commissions,
518 authorities and political subdivisions to furnish information, including personal data as defined in
519 section 1 of chapter 66A, that is necessary for the connector to perform its duties under this
520 chapter, including the determination of an individual's eligibility for federal advanced premium

521 tax credits and federal point-of-service cost-sharing reductions and adjudication of appeals
522 arising from such determinations. Such written agreements shall include provisions permitting
523 the department of revenue to furnish the data available under the wage reporting system
524 established under section 3 of chapter 62E. The department of revenue may furnish the connector
525 with information on the cases of persons so identified, including, but not limited to, name, social
526 security number and other data to ensure positive identification, name and identification number
527 of employer and amount of wages and gross income received from all sources. Except as
528 described in subsection (b), the connector shall not otherwise utilize any of the data received
529 from the department of revenue for any solicitations or advertising.

530 (b) In order to reduce the incidence of uninsurance in the commonwealth, the department
531 of revenue shall, at the request and with the consent of a taxpayer on the taxpayer's personal
532 income tax return, provide the connector with information from the taxpayer's personal income
533 tax return in order for the connector to assess eligibility for health coverage options offered
534 through the connector. The connector, upon evaluating such eligibility, shall contact individuals
535 about the health coverage options that may be available to them through the connector. Any
536 interagency agreement between the connector and the department of revenue shall specify the
537 operational requirements necessary to implement this subsection.

538 (c) The connector may receive and use any information provided pursuant to section 23
539 of chapter 118E as necessary for the connector to perform the duties under this chapter, including
540 the determination of an individual's eligibility for federal advanced premium tax credits and
541 federal point-of-service cost-sharing reductions and adjudication of appeals arising from such
542 determinations.

543 **SECTION 16.** Subdivision (1) of section 27A of chapter 221 of the General Laws, as so
544 appearing, is hereby amended by adding the following sentence:- The supreme judicial court may
545 by rule or order make exceptions to the 10-year retention requirement set forth in this subdivision
546 for papers filed in or relating to matters involving alleged violations of laws, rules or regulations
547 regarding motor vehicle civil infractions, motor vehicle parking, littering, bicycles, pedestrians,
548 municipal dog control or non-criminal dispositions of municipal ordinance or by-law violations or
549 other non-criminal regulatory offenses; provided, however, that such papers shall be retained for
550 not less than 5 years following the final disposition of the matter.

551 **SECTION 17.** Section 3 of chapter 372 of the acts of 1984, as amended by chapter 274 of
552 the acts of 2010, is hereby further amended by striking out, in lines 15 and 82, the words
553 "environmental affairs" and inserting in place thereof, in each instance, the following words:-
554 energy and environmental affairs, or a designee,.

555 **SECTION 18.** Section 44 of chapter 85 of the acts of 1994, as most recently amended by
556 section 69 of chapter 209 of the acts of 2018, is hereby further amended by striking out the
557 words "cottages on Peddock's Island in the Boston Harbor Islands National Park Area", as
558 appearing in section 1 of chapter 67 of the acts of 2011, and inserting in place thereof the
559 following words:- cottages, buildings of the Fort Andrews Complex and associated land
560 delineated by the department on Peddock's Island in the Boston Harbor Islands National
561 Recreation Area.

562 **SECTION 19.** Section 109 of chapter 133 of the acts of 2016 is hereby amended by
563 inserting after the figure “175” the following words:- , inserted by section 1 of chapter 183 of the
564 acts of 2016,.

565 **SECTION 20.** Section 112 of said chapter 133 is hereby amended by inserting after the
566 figure “176A” the following words:- , inserted by section 2 of chapter 183 of the acts of 2016,.

567 **SECTION 21.** Section 114 of said chapter 133 is hereby amended by inserting after the
568 figure “176B” the following words:- , inserted by section 3 of chapter 183 of the acts of 2016,.

569 **SECTION 22.** Section 116 of said chapter 133 is hereby amended by inserting after the
570 figure “176G” the following words:- , inserted by section 4 of chapter 183 of the acts of 2016,.

571 **SECTION 23.** Section 200 of said chapter 133 is hereby amended by striking out the
572 figure “2021” and inserting in place thereof the following figure:- 2022.

573 **SECTION 24.** Section 138 of chapter 219 of the acts of 2016 is hereby amended by
574 striking out the words “through the tax year beginning on January 1, 2021”.

575 **SECTION 25.** Section 59 of chapter 358 of the acts of 2020 is hereby amended by striking
576 out the figure “54” and inserting in place thereof the following figure:- 58.

577 **SECTION 26.** Section 61 of said chapter 358 is hereby amended by striking out the figure
578 “56” and inserting in place thereof the following figure:- 60.

579 **SECTION 27.** Subsection (f) of section 93 of said chapter 358 is hereby amended by
580 striking out the figure “2021” and inserting in place thereof the following figure:- 2022.

581 **SECTION 28.** Notwithstanding subparagraph (13) of paragraph (a) of Part B of section 3
582 of chapter 62 of the General Laws, a deduction under said subparagraph (13) of said paragraph
583 (a) of said Part B of said section 3 of said chapter 62 shall not be allowed for the taxable year
584 beginning January 1, 2022.

585 **SECTION 29.** Notwithstanding any general or special law to the contrary, the comptroller
586 shall, during fiscal year 2022, but prior to the calculation of the fiscal year 2022 consolidated net
587 surplus in accordance with section 5C of chapter 29 of the General Laws, transfer not more than
588 \$1,875,000,000 to the General Fund from the Commonwealth Stabilization Fund, established by
589 section 2H of said chapter 29, upon the written request of the secretary of administration and
590 finance. The comptroller, in consultation with the secretary, may take the overall cash flow needs
591 of the commonwealth into consideration in determining the timing of any transfer of funds. The
592 comptroller shall provide a schedule of transfers to the secretary and to the senate and house
593 committees on ways and means.

594 **SECTION 30.** (a) Notwithstanding any general or special law to the contrary, the
595 unexpended balances in items 0699-0015 and 0699-9100 of section 2 shall be deposited into the
596 State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General Laws
597 before the certification of the fiscal year 2022 consolidated net surplus under section 5C of
598 chapter 29 of the General Laws. The amount deposited shall be an amount equal to 10 per cent of
599 all payments received by the commonwealth in fiscal year 2022 under the master settlement

600 agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior
601 Court, No. 95-7378; provided, however, that if in fiscal year 2022 the unexpended balances of
602 said items 0699-0015 and 0699-9100 of said section 2 are less than 10 per cent of all payments
603 received by the commonwealth in fiscal year 2022 under the master settlement agreement
604 payments, an amount equal to the difference shall be transferred to the State Retiree Benefits
605 Trust Fund from payments received by the commonwealth under the master settlement
606 agreement.

607 (b) Notwithstanding any general or special law to the contrary, the payment percentage
608 set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2022.

609 **SECTION 31.** Notwithstanding any general or special law to the contrary, the amounts
610 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be
611 made available for the Commonwealth's Pension Liability Fund established in section 22 of said
612 chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said
613 chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said
614 chapter 32, including retirement benefits payable by the state employees' retirement system and
615 the state teachers' retirement system, for the costs associated with a 3 per cent cost-of-living
616 adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement
617 systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said
618 chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of
619 1984. The state board of retirement and each city, town, county and district shall verify these
620 costs, subject to rules that shall be adopted by the state treasurer. The state treasurer may make
621 payments upon a transfer of funds to reimburse certain cities and towns for pensions of retired
622 teachers, including any other obligation that the commonwealth has assumed on behalf of a
623 retirement system other than the state employees' retirement system or state teachers' retirement
624 system, including the commonwealth's share of the amounts to be transferred pursuant to section
625 22B of said chapter 32. The payments under this section shall be made only pursuant to
626 distribution of money from the Commonwealth's Pension Liability Fund and any distribution,
627 and the payments for which distributions are required, shall be detailed in a written report filed
628 quarterly by the secretary of administration and finance with the chairs of the senate and house
629 committees on ways and means and the senate and house chairs of the joint committee on public
630 service in advance of the distribution. Distributions shall not be made in advance of the date on
631 which a payment is actually to be made. If the amount transferred pursuant to subdivision (1) of
632 section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual
633 pension obligations, the excess amount shall be credited to the Pension Reserves Investment
634 Trust Fund established in subdivision (8) of said section 22 of said chapter 32 to reduce the
635 unfunded pension liability of the commonwealth.

636 **SECTION 32.** Notwithstanding any general or special law to the contrary, the secretary
637 of health and human services shall, not later than June 30, 2022, make available \$40,000,000
638 from the MassHealth Delivery System Reform Trust Fund established in section 2SSSS of
639 chapter 29 of the General Laws to the comptroller for deposit in the General Fund to reimburse
640 the commonwealth for Medicaid-related expenses incurred in fiscal year 2022 as certified by the
641 secretary of health and human services.

642 **SECTION 33.** Notwithstanding any general or special law to the contrary, not later than
643 August 1, 2021 and without further appropriation, the comptroller shall transfer \$10,000,000

644 from the General Fund to the Offshore Wind Energy Career Training Trust Fund established in
645 section 14 of chapter 23J of the General Laws.

646 **SECTION 34.** Notwithstanding any general or special law to the contrary, the secretary
647 of administration and finance, in consultation with the secretary of health and human services,
648 may transfer not more than a total of \$12,800,000 from the prescription advantage program in
649 item 9110-1455 of section 2 and the Health Safety Net Trust Fund established in section 66 of
650 chapter 118E of the General Laws in fiscal year 2022 to support the Medicare Saving or
651 Medicare Buy-In programs established in section 25A of chapter 118E of the General Laws;
652 provided, however, that the secretary of health and human services shall certify to the senate and
653 house committees on ways and means, not less than 45 days in advance of the transfer, in
654 writing, the amount to be transferred and an explanation of the amount of expected savings to
655 those programs resulting from the transfer.

656 **SECTION 35.** Notwithstanding any general or special law to the contrary, payments
657 from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General
658 Laws may be made either as safety net care payments under the commonwealth's waiver
659 pursuant to section 1115 of the federal Social Security Act, 42 U.S.C. 1315, or as an adjustment
660 to service rate payments under Title XIX and XXI of the Social Security Act or a combination of
661 both. Other federally permissible funding mechanisms available for certain hospitals, as defined
662 by regulations of the executive office of health and human services, may be used to reimburse up
663 to \$70,000,000 of uncompensated care pursuant to sections 66 and 69 of said chapter 118E using
664 sources distinct from the funding made available to the Health Safety Net Trust Fund.

665 **SECTION 36.** Notwithstanding any general or special law to the contrary, not later than
666 October 1, 2021 and without further appropriation, the comptroller shall transfer from the
667 General Fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E of
668 the General Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and
669 community health centers required pursuant to this act, for the purposes of making initial gross
670 payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1,
671 2021. These payments shall be made to hospitals before, and in anticipation of, the payment by
672 hospitals of their gross liability to the Health Safety Net Trust Fund. The comptroller shall
673 transfer from the Health Safety Net Trust Fund to the General Fund, not later than June 30, 2022,
674 the amount of the transfer authorized by this section and any allocation of that amount as
675 certified by the director of the health safety net office.

676 **SECTION 37.** Notwithstanding any general or special law to the contrary, in hospital
677 fiscal year 2022, the office of inspector general may expend up to a total of \$1,000,000 from the
678 Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws for
679 costs associated with maintaining a health safety net audit unit within the office. The unit shall
680 continue to oversee and examine the practices in hospitals including, but not limited to, the care
681 of the uninsured and the resulting free charges. The unit shall also study and review the Medicaid
682 program under said chapter 118E including, but not limited to, a review of the program's
683 eligibility requirements, utilization, claims administration and compliance with federal mandates.
684 The inspector general shall submit a report to the clerks of the house of representatives and the
685 senate and the house and senate committees on ways and means on the results of the audits and
686 any other completed analyses not later than March 1, 2022.

687 **SECTION 38.** Notwithstanding any general or special law to the contrary, nursing
688 facility rates effective October 1, 2021 under section 13D of chapter 118E of the General Laws
689 shall be developed using the costs of calendar year 2019, or any subsequent year that the
690 secretary of health and human services may select in the secretary’s discretion.

691 **SECTION 39.** Notwithstanding any general or special law to the contrary, the executive
692 office for administration and finance shall transfer up to \$15,000,000 from the Commonwealth
693 Care Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health
694 Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws.

695 **SECTION 40.** Notwithstanding any general or special law to the contrary, the bureau of
696 purchased services in the operational services division shall determine prices for programs under
697 chapter 71B of the General Laws in fiscal year 2022 by increasing the final fiscal year 2021 price
698 by the rate of inflation as determined by the division. The division shall adjust prices for
699 extraordinary relief pursuant to subsection (4) of 808 CMR 1.06. The division shall accept
700 applications for program reconstruction and special circumstances in fiscal year 2022. The
701 division shall authorize the annual price for out-of-state purchasers requested by a program, not
702 to exceed a maximum price determined by the bureau, by identifying the most recent price
703 calculated for the program and applying the estimated rate of inflation for each year, as
704 determined by the bureau under section 22N of chapter 7 of the General Laws, in which the rate
705 of inflation is frozen beginning with fiscal year 2004, in a compounded manner for each fiscal
706 year.

707 **SECTION 41.** Notwithstanding any special or general law to the contrary, for fiscal year
708 2022, of the \$94,000,000 transferred in item 1595-6370 of section 2E, \$90,500,000 shall be
709 considered operating assistance and distributed to regional transit authorities based on fiscal year
710 2021 distributions, in accordance with the fiscal year 2020 bilateral memorandum of
711 understanding between each regional transit authority and the Massachusetts Department of
712 Transportation; provided, however, that each regional transit authority shall receive operating
713 assistance from this item of not less than the amount received in fiscal year 2021; and provided
714 further, that notwithstanding the forgoing, \$3,500,000 of said operating assistance shall be
715 distributed to each regional transit authority using a formula based on total transit ridership, the
716 population of its member communities and service coverage area, provided that the formula be
717 unanimously agreed to by all regional transit authorities and approved by the department. The
718 operating assistance amount shall be spent to advance the goals and targets as agreed to in the
719 fiscal year 2020 bilateral memoranda of understanding between each regional transit authority
720 and the department.

721 Of the amount to be distributed under item 1595-6370 of section 2E, \$3,500,000 shall be
722 distributed as performance grants to regional transit authorities. The performance grants shall be
723 distributed to regional transit authorities that best demonstrate compliance with, or a
724 commitment to, the service decisions, quality of service and environmental sustainability
725 recommendations from the report of the task force on regional transit authority performance and
726 funding established pursuant to section 72 of chapter 154 of the acts of 2018. The department
727 may require each regional transit authority to provide data on ridership, customer service and
728 satisfaction, asset management and financial performance, including farebox recovery, and shall
729 compile any collected data into a report on the performance of regional transit authorities and
730 each authority’s progress toward meeting the performance metrics established in the

731 memorandum of understanding. The report shall be filed with the clerks of the senate and house
732 of representatives, the senate and house committees on ways and means and the joint committee
733 on transportation not later than December 31, 2021.

734 **SECTION 42.** The department of mental health, in consultation with the department of
735 public health and the executive office of public safety and security, shall provide targeted
736 outreach to frontline workers, including, but not limited to, healthcare workers and first
737 responders and their families, to provide information about supports and other resources
738 available to individuals experiencing trauma related to the outbreak of the 2019 novel
739 coronavirus, also known as COVID-19. Targeted outreach shall provide information to frontline
740 workers to: (i) help recognize feelings of anxiety, depression, sadness, anger or substance use
741 disorder related to the outbreak of COVID-19; (ii) access information about available resources;
742 (iii) identify available resources in different regions throughout the commonwealth; and (iv)
743 identify programs offered by public and private employers available to frontline workers
744 experiencing trauma related to the outbreak of COVID-19.

745 **SECTION 43.** The department of public health shall conduct a study and report on the
746 effects of the outbreak of the 2019 novel coronavirus, also known as COVID-19, on frontline
747 healthcare workers, including, but not limited to, nurses, nurse practitioners, physician assistants,
748 certified nurse aids, physicians and other healthcare providers in the commonwealth and their
749 families. The study shall inform current and future practices for the wellbeing and maintenance
750 of frontline healthcare workers. The department shall examine mental health effects, including,
751 but not limited to: (i) trauma; (ii) stress related disorders; (iii) depression; (iv) anxiety; and (v)
752 substance use disorders. The study and report shall include data on the role of the frontline
753 healthcare worker and various demographic factors including, but not limited to: gender, race,
754 ethnicity, geographic location and age. The study and report shall include data from frontline
755 healthcare workers in various locations throughout the commonwealth and shall identify trends.
756 The department shall submit a written report with the clerks of the house of representatives and
757 the senate, the house and senate committees on ways and means and the joint committee on
758 public health not later than September 1, 2022.

759 **SECTION 44.** The commissioner of public health shall establish a public information
760 campaign to educate and promote awareness to pharmacies and the public, including, but not
761 limited to, clinicians and pharmacists about individuals' eligibility to receive a 12-month
762 prescription for contraceptives after a 3-month trial period as required by chapter 120 of the acts
763 of 2017. Information shall include, but not be limited to, the availability of a 12-month supply of
764 contraceptives. The commissioner shall partner with insurers, pharmacies, advocacy
765 organizations and employers to ensure that the campaign reaches pharmacists, clinicians and
766 individuals eligible to receive a 12-month prescription for contraceptives in the commonwealth.

767 **SECTION 45.** (a) There shall be a special commission established pursuant to section
768 2A of chapter 4 of the General Laws to review and develop recommendations and best practices
769 for local and regional public safety response to mental health emergencies in the commonwealth.
770 Mental health emergencies shall include, but not be limited to, situations where an individual is:
771 (i) imminently threatening harm to themselves or others in a life-threatening manner; (ii)
772 severely disoriented; (iii) experiencing a severe inability to function; or (iv) otherwise distraught
773 and out of control.

774 (b) The commission shall consist of the following 17 members: the chairs of the joint
775 committee on mental health, substance use and recovery, who shall serve as co-chairs; the
776 secretary of public safety and security, or a designee; the commissioner of mental health, or a
777 designee; 1 person to be appointed by the speaker of the house of representatives; 1 person to be
778 appointed by the senate president; 1 person to be appointed by the minority leader of the house
779 of representatives; 1 person to be appointed by the minority leader of the senate; 5 persons to be
780 appointed by the co-chairs, each of whom shall be a police officer from diverse geographic
781 locations and communities throughout the commonwealth; and 1 representative from each of the
782 following organizations: the National Alliance on Mental Illness of Massachusetts, Inc., the
783 Massachusetts chapter of the National Association of Social Workers, Inc., the Association for
784 Behavioral Healthcare Inc., and the Massachusetts Association for Mental Health, Inc.

785 (c) The commission shall examine ways to effectively, safely and efficiently respond to
786 mental health emergencies in the commonwealth. The commission shall review: (i) the current
787 local and regional public safety response to mental health emergencies in the commonwealth; (ii)
788 practices in other states for responding to mental health emergencies by public safety officials;
789 (iii) training programs, including, but not limited to, training for police officers pursuant to
790 section 116G of chapter 6 of the General Laws and trainings for other individuals necessary to
791 respond to mental health emergencies, including, but not limited to, emergency medical
792 technicians, social workers or other clinical mental health professionals; (iv) specific responses
793 and best practices for individuals of all ages experiencing mental health emergencies; (v)
794 effective de-escalation techniques; (vi) whether trained personnel, including, but not limited to,
795 social workers or other clinical mental health professionals, should respond in such emergencies
796 or accompany police officers in responding to such emergencies; and (vii) whether the response
797 should be by trained personnel in plain clothes.

798 (d) The commission shall recommend best practices for local and regional public safety
799 response to mental health emergencies, including, but not limited to, trainings, manner of de-
800 escalation, safety practices, personnel responding, including response in plain clothes or uniform
801 and type of response. Not later than September 1, 2022, the commission shall submit a report of
802 its review and recommendations, if any, together with drafts of legislation necessary to carry
803 those recommendations into effect by filing the same with the clerks of the house of
804 representatives and the senate, the joint committee on public safety and homeland security and
805 the joint committee on mental health, substance use and recovery.

806 **SECTION 46.** (a) There shall be a special commission to examine the department of
807 public health's nursing home licensure process and requirements. The commission shall consist
808 of the following 13 members: the commissioner of public health, or a designee, who shall serve
809 as chair; the chairs of the joint committee of public health; the chairs of the joint committee on
810 elder affairs; the secretary of elder affairs, or a designee; the secretary of health and human
811 services, or a designee; the assistant secretary for MassHealth, or a designee; and 5 persons to be
812 appointed by the governor, 1 of whom shall be a representative of the Massachusetts Senior Care
813 Association, Inc., 1 of whom shall be a representative of LeadingAge Massachusetts, Inc., 1 of
814 whom shall be a representative of Massachusetts Association of Residential Care Homes, Inc., 1
815 of whom shall be a representative of the Massachusetts Senior Action Council, Inc. and 1 of
816 whom shall be an expert on long-term care and aging policy. In making appointments, the

817 governor shall, to the maximum extent feasible, ensure that the commission represents a broad
818 distribution of diverse perspectives and geographic regions throughout the commonwealth.

819 (b) The commission shall review current licensure requirements for nursing homes in the
820 commonwealth, current licensure practices for other healthcare industries in the commonwealth
821 and successful nursing home licensure programs in other states and best practices. The
822 commission shall make recommendations to modify nursing home licensure requirements
823 including, but not limited to: (i) strengthening suitability review; (ii) improving processes for
824 review of new owners; and (iii) increasing transparency of the department of public health's
825 licensure and suitability determination process. The commission shall make recommendations
826 based on successful licensure programs in other healthcare industries in the commonwealth and
827 other successful licensing programs in other states.

828 (c) The commission shall hold not less than 3 public meetings in different geographic
829 regions throughout the commonwealth and solicit feedback from various stakeholders.

830 (d) Not later than October 1, 2023, the commission shall submit a report and
831 recommendations, if any, together with drafts of legislation necessary to carry those
832 recommendations into effect by filing the same with the clerks of the house of representatives
833 and the senate, the house and senate committees on ways and means and the joint committee on
834 public health.

835 **SECTION 47.** (a) There shall be a special commission established pursuant to section
836 2A of chapter 4 of the General Laws to investigate and study the promotion and celebration of
837 the two hundred and fiftieth anniversary of the American Revolution. The commission shall
838 consist of the following members: the chairs of the joint committee on tourism, arts and cultural
839 development, who shall serve as co-chairs; 2 members of the house of representatives, 1 of
840 whom shall be appointed by the speaker of the house of representatives, and 1 of whom shall be
841 appointed by the house minority leader; 2 members of the senate, 1 of whom shall be appointed
842 by the president of the senate, and 1 of whom shall be appointed by the senate minority leader; 2
843 members who shall be appointed by the state secretary; 1 member who shall be appointed by the
844 mayor of the city of Boston; the commissioner of conservation and recreation, or a designee; the
845 adjutant general, or a designee; the president of the Massachusetts Historical Society, or a
846 designee; the executive director of the American Antiquarian Society, or a designee; the
847 president of the Massachusetts Council for Social Studies, Inc., or a designee; the executive
848 director of the commission on Indian affairs, or a designee; the executive director of the New
849 England Historic Genealogical Society, or a designee; the executive director of Preservation
850 Mass Inc., or a designee; the executive director of the Massachusetts Foundation for the
851 Humanities, or a designee; the executive director of the Massachusetts cultural council, or a
852 designee; the executive director of the Massachusetts Lodging Association, Inc., or a designee;
853 and 15 members who shall be appointed by the governor, 1 of whom shall be a representative of
854 the executive office of education, 1 of whom shall be a representative of the Colonial Society of
855 Massachusetts, 1 of whom shall be a representative of the Greater Boston Convention & Visitors
856 Bureau, Inc., 1 of whom shall be a representative of the Museum of African American History,
857 Incorporated in the city of Boston, 2 of whom shall be scholars from an institution of higher
858 learning with expertise in the area of colonial, revolutionary era history or American civics, 1 of
859 whom shall be a member of the greater Boston business community, 2 of whom shall be
860 employees of the National Park Service with experience in geographical areas of the

861 commonwealth of importance to Revolutionary War history, 1 of whom shall be a member of the
862 Wampanoag Tribe of Gay Head Aquinnah, 1 of whom shall be a member of the Mashpee
863 Wampanoag Tribe, 1 of whom shall be a representative of the Freedom Trail Foundation, Inc., 2
864 of whom shall be representatives of the office of travel and tourism and 1 of whom shall be a
865 representative of the Massachusetts chapter of the National Society Daughters of the American
866 Revolution.

867 (b) As part of its study and investigation, the commission shall: (i) develop a
868 comprehensive plan for promoting and celebrating the two hundred and fiftieth anniversary of
869 the American Revolution; (ii) identify all opportunities for individuals, municipalities or other
870 actors across the commonwealth to participate in celebrations of the anniversary and recognize
871 the particular history of their geographical areas; (iii) investigate and promote under-represented
872 voices in the American Revolution including, but not limited to, women, native peoples and
873 persons of color; and (iv) submit a report to the governor, the speaker of the house of
874 representatives, the president of the senate and the clerks of the house of representatives and the
875 senate that may, upon agreement of the governor, the speaker of the house of representatives and
876 the president of the senate, be published for distribution to the public and that shall contain an
877 overview of the commonwealth's particular role in the American Revolution and notable battles,
878 events and figures of the era.

879 **SECTION 48.** The credits authorized in subsection (x) of section 6 of chapter 62 of the
880 General Laws and section 38II of chapter 63 of the General Laws shall be available for qualified
881 employees with a disability who are hired after July 1, 2021 and shall be available for the tax
882 year beginning on January 1, 2023 and for subsequent tax years.

883 **SECTION 49.** The Massachusetts office of business development shall accept
884 applications for approval as a rural growth fund as required under subsection (b) of section 38JJ
885 of chapter 63 of the General Laws not more than 90 days after the effective date of this act.

886 **SECTION 50.** Except as otherwise specified, this act shall take effect on July 1, 2021.