
Outside Sections

Section 3 Local Aid Distribution.....	5
Sections 4 - 111	19
Section 4 - Long Term Care Ombudsman Office 1	19
Section 5 - Major Roadways Transfer 1	22
Section 6 - DALA Appeal Fees.....	22
Section 7 - Job Order Contracting	22
Section 8 - Delegation Threshold	24
Section 9 - Cashless Lottery Payments.....	24
Section 10 - Community Behavioral Health Promotion and Prevention Trust Fund	24
Section 11 - Public Health Council Meetings	24
Section 12 - Security of Identity Documents and Confidential Information 1	25
Section 13 - Security of Identity Documents and Confidential Information 2	25
Section 14 - Child Fatality Review Team Relocation 1	25
Section 15 - Long Term Care Ombudsman Office 2.....	28
Section 16 - Long Term Care Ombudsman Office 3.....	28
Section 17 - Long Term Care Ombudsman Office 4.....	28
Section 18 - Long Term Care Ombudsman Office 5.....	28
Section 19 - Long Term Care Ombudsman Office 6.....	29
Section 20 - Long Term Care Ombudsman Office 7.....	29
Section 21 - Gaming Revenue	29
Section 22 - Sick Leave Buy Back 1.....	29
Section 23 - Regulatory Modernization 1.....	30
Section 24 - Regulatory Modernization 2.....	31
Section 25 - Regulatory Modernization 3.....	32
Section 26 - Regulatory Modernization 4.....	32
Section 27 - Regulatory Modernization 5.....	33
Section 28 - Regulatory Modernization 6.....	34
Section 29 - Regulatory Modernization 7.....	34
Section 30 - Regulatory Modernization 8.....	34
Section 31 - Pension Transfer Schedule	36
Section 32 - Sheriff Salaries 1	36
Section 33 - Sheriff Salaries 2.....	36
Section 34 - Sheriff Salaries 3.....	36
Section 35 - Child Fatality Review Team Relocation 2	37

Section 36 - Security of Identity Documents and Confidential Information 3	37
Section 37 - Security of Identity Documents and Confidential Information 4	37
Section 38 - Security of Identity Documents and Confidential Information 5	37
Section 39 - Security of Identity Documents and Confidential Information 6	38
Section 40 - Security of Identity Documents and Confidential Information 7	38
Section 41 - Security of Identity Documents and Confidential Information 8	38
Section 42 - Security of Identity Documents and Confidential Information 9	38
Section 43 - Security of Identity Documents and Confidential Information 10	39
Section 44 - Security of Identity Documents and Confidential Information 11	39
Section 45 - Security of Identity Documents and Confidential Information 12	39
Section 46 - Security of Identity Documents and Confidential Information 13	40
Section 47 - Disability Employment Tax Credit 1	40
Section 48 - Sales Tax Modernization 1	41
Section 49 - Sales Tax Modernization 2	41
Section 50 - Sales Tax Modernization 3	42
Section 51 - Sales Tax Integrity.....	43
Section 52 - Disability Employment Tax Credit 2	43
Section 53 - Scope of Illegal Tobacco Task Force 1	44
Section 54 - Scope of Illegal Tobacco Task Force 2.....	44
Section 55 - Gas Pipeline Safety 1	44
Section 56 - Gas Pipeline Safety 2.....	45
Section 57 - Laboratory Analysis of Cocaine	45
Section 58 - Nuclear Power Plant Assessment 1.....	45
Section 59 - Nuclear Power Plant Assessment 2.....	46
Section 60 - Nuclear Power Plant Assessment 3.....	46
Section 61 - Nuclear Power Plant Assessment 4.....	46
Section 62 - Security of Identity Documents and Confidential Information 14	46
Section 63 - Catastrophic Illness in Children Relief Fund 1	47
Section 64 - Catastrophic Illness in Children Relief Fund 2	47
Section 65 - Nursing Facility Assessment 1.....	47
Section 66 - Nursing Facility Assessment 2.....	48
Section 67 - Sunday Hunting.....	48
Section 68 - MBTA Board 1	48
Section 69 - MBTA Budget Date Change 1	50
Section 70 - MBTA Budget Date Change 2	50
Section 71 - MBTA Capital Budget.....	50
Section 72 - RTA Operating Assistance	50

Section 73 - Gas Pipeline Safety 3.....	51
Section 74 - Gas Pipeline Safety 4.....	51
Section 75 - Gas Pipeline Safety 5.....	51
Section 76 - Gas Pipeline Safety 6.....	52
Section 77 - Gas Pipeline Safety 7.....	52
Section 78 - CPCS Hour Caps	53
Section 79 - CPCS Billing Change	53
Section 80 - Court Obsolete or Useless Papers	54
Section 81 - Electronic Publication of Mass Decisions 1.....	54
Section 82 - Electronic Publication of Mass Decisions 2.....	54
Section 83 - Electronic Publication of Mass Decisions 3.....	54
Section 84 - TNC Assessment Distribution 1	55
Section 85 - TNC Assessment Distribution 2.....	55
Section 86 - TNC Assessment Distribution 3.....	56
Section 87 - FY 2021 Stabilization Fund Deposit.....	56
Section 88 - FY20 Consolidated Net Surplus	57
Section 89 - Other Post-Employment Benefits Liability	57
Section 90 - Pension Cost of Living Adjustment	57
Section 91 - Sick Leave Buy Back 2.....	58
Section 92 - Sick Leave Buy Back 3.....	58
Section 93 - Sick Leave Buy Back 4.....	59
Section 94 - TNC Assessment Distribution 4.....	59
Section 95 - Charitable Deduction Report	59
Section 96 - Major Roadways Transfer 2.....	60
Section 97 - Expanded Medicare Savings Program Transfer	60
Section 98 - Health Safety Net Administration	60
Section 99 - Initial Gross Payments to Qualifying Acute Care Hospitals.....	61
Section 100 - Inspector General's Health Care Audits.....	61
Section 101 - MassHealth Dental Coverage.....	61
Section 102 - Nursing Facility Base Year	62
Section 103 - Transfers Between Health Funds	62
Section 104 - FY21 RTA Funding Distribution	62
Section 105 - MBTA Board 2.....	63
Section 106 - MassCAN FY21 Funding Transfer.....	63
Section 107 - Major Roadways Effective Date.....	63
Section 108 - Regulatory Modernization Effective Date.....	63
Section 109 - Disability Employment Tax Credit Effective Date	64

Section 110 - Sales Tax Modernization Effective Date	64
Section 111 - Effective Date	64

Section 3 Local Aid Distribution

Additional local aid information based on the Governor's FY2021 Budget for individual cities and towns is available at <https://www.mass.gov/lists/cherry-sheet-estimates>

SECTION 3.

Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2021 the distribution of Unrestricted General Government Aid to cities and towns of the balance of the State Lottery and Gaming Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund and the Gaming Local Aid Fund, shall be \$1,160,218,724 and shall be apportioned to cities and towns in accordance with this section.

For fiscal year 2021 the total amounts to be distributed to each city, town, and regional school district, as calculated pursuant to chapter 70 of the General Laws and paid from item 7061-0008 of section 2, shall be as set forth in the following lists; provided that for purposes of calculating preliminary local contributions, municipal revenue growth factors shall be calculated in a manner consistent with calculations made in FY20; provided that the effort reduction percentage shall be 100 per cent; provided further that the minimum aid per pupil dollar amount shall be \$30; provided further that the total statewide target local contribution shall be 59 per cent. If there is a conflict between the language of said chapter 70 and the distribution listed below, the distribution below shall control. The specified amounts listed below shall be deemed in full satisfaction of the amounts due under said chapter 70.

The department of elementary and secondary education shall not consider health care costs for retired teachers to be part of net school spending for any district in which such costs were not considered part of net school spending in fiscal year 1994 and for any district that has not accepted the provisions of section 260 of chapter 165 of the acts of 2014; provided, that any district for whom such costs are not so considered shall have included as part of net school spending an amount equal to the increase in the foundation budget for the district associated with health care costs of retired teachers.

No payments to cities, towns or counties maintaining an agricultural school under this section shall be made after November 30 of the fiscal year until the commissioner of revenue certifies acceptance of the prior fiscal year's annual financial reports submitted under section 43 of chapter 44 of the General Laws. Advance payments shall be made for some or all of periodic local reimbursement or assistance programs to any city, town, regional school district, or agricultural school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and approved by the secretary of administration and finance, under guidelines established by the secretary.

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
ABINGTON	9,967,638	2,147,383
ACTON	0	1,526,974
ACUSHNET	6,400,252	1,655,116
ADAMS	0	2,555,606
AGAWAM	19,586,102	4,021,495
ALFORD	0	15,319
AMESBURY	9,251,967	2,123,641

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
AMHERST	6,155,133	9,190,117
ANDOVER	11,840,491	1,950,551
AQUINNAH	0	2,551
ARLINGTON	15,983,039	8,281,625
ASHBURNHAM	0	867,927
ASHBY	0	477,978
ASHFIELD	93,653	202,658
ASHLAND	8,037,119	1,476,191
ATHOL	0	2,889,997
ATTLEBORO	42,863,639	6,227,508
AUBURN	12,270,204	1,869,476
AVON	2,491,680	756,589
AYER	0	826,375
BARNSTABLE	13,027,483	2,296,139
BARRE	0	981,757
BECKET	76,893	99,133
BEDFORD	5,918,827	1,253,084
BELCHERTOWN	13,952,486	1,857,359
BELLINGHAM	8,709,835	1,852,270
BELMONT	9,657,467	2,464,763
BERKLEY	4,026,368	664,187
BERLIN	0	220,081
BERNARDSTON	0	317,492
BEVERLY	10,262,735	6,374,735
BILLERICA	19,494,834	6,356,520
BLACKSTONE	216,810	1,494,140
BLANDFORD	43,865	138,607
BOLTON	4,598	215,524
BOSTON	223,802,045	206,814,233
BOURNE	5,275,573	1,600,210
BOXBOROUGH	27,190	275,357
BOXFORD	1,769,773	530,655
BOYLSTON	87,735	373,910
BRAINTREE	18,781,860	6,246,510
BREWSTER	1,027,550	431,014
BRIDGEWATER	76,278	3,975,853
BRIMFIELD	1,369,336	425,596
BROCKTON	207,593,871	22,856,301
BROOKFIELD	1,709,953	538,976
BROOKLINE	15,236,227	6,930,529
BUCKLAND	13,134	334,247

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
BURLINGTON	7,107,670	2,858,748
CAMBRIDGE	18,140,291	23,450,989
CANTON	6,615,864	2,340,894
CARLISLE	1,029,242	239,464
CARVER	10,056,329	1,594,674
CHARLEMONT	104,682	190,811
CHARLTON	6,867	1,581,495
CHATHAM	0	164,285
CHELMSFORD	11,352,788	5,540,518
CHELSEA	92,519,408	8,965,341
CHESHIRE	7,795	670,586
CHESTER	65,229	196,530
CHESTERFIELD	133,624	150,712
CHICOPEE	72,831,646	12,570,157
CHILMARK	0	4,095
CLARKSBURG	1,805,065	397,106
CLINTON	15,214,723	2,569,675
COHASSET	2,792,332	561,617
COLRAIN	0	315,048
CONCORD	3,801,497	1,266,381
CONWAY	628,834	195,091
CUMMINGTON	73,864	91,064
DALTON	236,731	1,241,975
DANVERS	7,324,360	3,109,066
DARTMOUTH	10,053,631	2,751,778
DEDHAM	6,147,360	3,569,707
DEERFIELD	1,123,813	524,301
DENNIS	0	594,498
DEVENS	308,558	0
DIGHTON	0	844,072
DOUGLAS	8,795,975	796,620
DOVER	890,166	209,985
DRACUT	20,166,586	3,824,677
DUDLEY	0	1,950,380
DUNSTABLE	0	268,489
DUXBURY	5,470,406	967,609
EAST BRIDGEWATER	11,113,840	1,633,968
EAST BROOKFIELD	186,646	316,585
EAST LONGMEADOW	12,181,538	1,580,080
EASTHAM	386,070	162,632
EASTHAMPTON	8,081,262	3,068,271

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
EASTON	10,253,931	2,390,480
EDGARTOWN	915,666	72,714
EGREMONT	0	68,874
ERVING	478,075	73,368
ESSEX	0	267,266
EVERETT	80,882,132	7,541,535
FAIRHAVEN	8,284,667	2,461,553
FALL RIVER	142,815,969	26,013,502
FALMOUTH	6,876,759	1,513,382
FITCHBURG	60,559,065	9,315,656
FLORIDA	552,697	54,333
FOXBOROUGH	9,126,120	1,625,957
FRAMINGHAM	58,051,703	10,860,401
FRANKLIN	28,581,491	2,697,306
FREETOWN	462,184	1,036,554
GARDNER	21,504,732	4,625,737
GEORGETOWN	5,566,858	781,991
GILL	0	265,519
GLOUCESTER	6,928,783	4,359,751
GOSHEN	96,411	87,329
GOSNOLD	8,345	2,289
GRAFTON	11,201,105	1,706,808
GRANBY	4,686,110	963,839
GRANVILLE	0	175,016
GREAT BARRINGTON	0	828,442
GREENFIELD	13,998,487	3,465,637
GROTON	0	845,589
GROVELAND	65,440	794,603
HADLEY	1,295,020	495,430
HALIFAX	3,082,292	990,916
HAMILTON	0	733,408
HAMPDEN	0	751,027
HANCOCK	215,705	61,632
HANOVER	7,100,619	2,312,418
HANSON	14,955	1,397,885
HARDWICK	17,940	508,193
HARVARD	2,010,001	1,616,599
HARWICH	0	470,205
HATFIELD	856,846	340,609
HAVERHILL	65,266,087	10,728,702
HAWLEY	6,010	47,241

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
HEATH	0	91,333
HINGHAM	8,086,471	1,722,783
HINSDALE	104,923	243,053
HOLBROOK	8,768,032	1,610,673
HOLDEN	0	2,087,064
HOLLAND	938,358	220,329
HOLLISTON	8,017,396	1,690,450
HOLYOKE	81,413,360	11,086,410
HOPEDALE	6,115,110	711,812
HOPKINTON	7,614,589	857,515
HUBBARDSTON	0	491,723
HUDSON	12,100,186	2,176,780
HULL	3,901,346	2,313,393
HUNTINGTON	258,496	376,214
IPSWICH	3,381,960	1,752,273
KINGSTON	4,405,735	1,047,769
LAKEVILLE	86,508	893,176
LANCASTER	0	1,043,451
LANESBOROUGH	11,970	376,551
LAWRENCE	221,780,106	21,433,394
LEE	2,103,549	679,829
LEICESTER	9,848,667	1,895,361
LENOX	1,287,735	581,849
LEOMINSTER	48,966,752	6,247,543
LEVERETT	298,991	194,848
LEXINGTON	14,656,494	1,672,967
LEYDEN	0	89,878
LINCOLN	1,192,019	743,147
LITTLETON	4,088,238	775,952
LONGMEADOW	5,753,522	1,525,110
LOWELL	175,807,304	27,495,426
LUDLOW	13,871,253	3,334,724
LUNENBURG	7,926,925	1,154,370
LYNN	216,041,608	24,440,558
LYNNFIELD	4,470,781	1,135,300
MALDEN	53,370,630	13,695,321
MANCHESTER	0	242,759
MANSFIELD	19,074,239	2,434,940
MARBLEHEAD	6,042,837	1,243,063
MARION	873,304	246,308
MARLBOROUGH	31,701,125	5,942,298

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
MARSHFIELD	14,783,083	2,364,782
MASHPEE	4,687,716	401,622
MATTAPOISETT	852,595	442,428
MAYNARD	5,482,091	1,714,962
MEDFIELD	6,364,134	1,582,380
MEDFORD	12,281,966	13,241,095
MEDWAY	10,566,999	1,331,782
MELROSE	9,566,957	5,598,287
MENDON	36,046	446,094
MERRIMAC	48,767	918,465
METHUEN	51,062,388	5,935,266
MIDDLEBOROUGH	18,070,799	2,691,351
MIDDLEFIELD	13,290	58,031
MIDDLETON	1,686,731	597,278
MILFORD	31,117,885	3,334,213
MILLBURY	7,939,921	1,933,016
MILLIS	4,863,952	1,142,886
MILLVILLE	71,717	444,645
MILTON	10,255,241	3,507,529
MONROE	70,604	20,072
MONSON	7,569,095	1,424,964
MONTAGUE	0	1,564,443
MONTEREY	0	50,472
MONTGOMERY	21,222	94,734
MOUNT WASHINGTON	7,831	32,722
NAHANT	531,493	412,455
NANTUCKET	3,650,169	86,491
NATICK	10,369,201	4,159,728
NEEDHAM	11,508,550	1,905,626
NEW ASHFORD	180,437	22,173
NEW BEDFORD	170,504,247	25,111,416
NEW BRAINTREE	17,893	144,104
NEW MARLBOROUGH	0	63,929
NEW SALEM	0	113,261
NEWBURY	16,934	565,335
NEWBURYPORT	4,305,110	2,784,075
NEWTON	25,601,983	6,415,063
NORFOLK	3,489,705	1,046,842
NORTH ADAMS	13,852,423	4,842,948
NORTH ANDOVER	9,301,217	2,237,119
NORTH ATTLEBOROUGH	20,807,141	3,140,570

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
NORTH BROOKFIELD	4,309,108	869,827
NORTH READING	7,223,537	1,938,240
NORTHAMPTON	7,640,719	4,797,944
NORTHBOROUGH	4,039,700	1,217,638
NORTHBRIDGE	15,666,151	2,304,235
NORTHFIELD	4,025	394,398
NORTON	12,899,390	2,268,815
NORWELL	4,076,301	1,170,203
NORWOOD	9,588,465	5,077,551
OAK BLUFFS	1,186,385	79,389
OAKHAM	6,682	209,433
ORANGE	5,449,896	1,764,155
ORLEANS	436,104	187,506
OTIS	0	39,704
OXFORD	10,616,544	2,244,642
PALMER	10,958,030	2,189,214
PAXTON	5,056	590,706
PEABODY	22,397,919	7,879,867
PELHAM	238,051	173,763
PEMBROKE	13,694,372	1,834,986
PEPPERELL	0	1,629,253
PERU	90,082	124,668
PETERSHAM	437,893	125,145
PHILLIPSTON	0	201,361
PITTSFIELD	50,599,102	9,424,963
PLAINFIELD	27,764	54,766
PLAINVILLE	2,949,281	828,157
PLYMOUTH	26,608,077	4,277,410
PLYMPTON	747,280	258,975
PRINCETON	0	323,206
PROVINCETOWN	293,691	150,994
QUINCY	35,216,167	20,844,125
RANDOLPH	20,033,421	5,674,059
RAYNHAM	0	1,241,303
READING	10,954,059	3,538,916
REHOBOTH	0	1,137,910
REVERE	80,085,790	11,229,204
RICHMOND	368,399	118,102
ROCHESTER	2,085,449	463,636
ROCKLAND	15,471,083	2,885,782
ROCKPORT	1,522,076	477,660

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
ROWE	141,275	4,301
ROWLEY	25,476	589,509
ROYALSTON	0	196,252
RUSSELL	210,857	269,605
RUTLAND	0	1,009,814
SALEM	25,943,232	7,530,306
SALISBURY	14,443	689,734
SANDISFIELD	0	37,827
SANDWICH	7,231,108	1,230,376
SAUGUS	6,563,878	4,004,863
SAVOY	517,349	126,483
SCITUATE	6,341,233	2,195,998
SEEKONK	6,824,407	1,343,294
SHARON	7,575,317	1,528,115
SHEFFIELD	0	265,943
SHELBURNE	4,606	285,474
SHERBORN	727,206	236,453
SHIRLEY	0	1,432,218
SHREWSBURY	20,254,858	3,040,867
SHUTESBURY	633,536	185,117
SOMERSET	9,320,262	1,674,290
SOMERVILLE	20,645,438	27,504,540
SOUTH HADLEY	8,702,261	2,851,004
SOUTHAMPTON	2,565,346	695,565
SOUTHBOROUGH	3,022,801	477,453
SOUTHBRIDGE	23,056,762	3,840,385
SOUTHWICK	0	1,376,980
SPENCER	29,909	2,469,048
SPRINGFIELD	390,357,663	41,325,341
STERLING	0	756,801
STOCKBRIDGE	0	108,813
STONEHAM	5,695,265	4,057,012
STOUGHTON	17,154,907	3,495,670
STOW	2,748	459,541
STURBRIDGE	3,872,734	845,731
SUDBURY	5,071,218	1,528,083
SUNDERLAND	877,968	551,750
SUTTON	5,519,445	852,138
SWAMPSCOTT	4,662,489	1,412,997
SWANSEA	9,656,254	2,050,279
TAUNTON	68,053,417	9,181,443

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
TEMPLETON	0	1,522,232
TEWKSBURY	13,427,135	3,038,252
TISBURY	895,833	107,041
TOLLAND	0	20,177
TOPSFIELD	1,304,087	669,565
TOWNSEND	0	1,434,654
TRURO	414,329	32,842
TYNGSBOROUGH	7,458,424	1,054,952
TYRINGHAM	57,222	13,859
UPTON	39,979	581,188
UXBRIDGE	9,491,954	1,502,036
WAKEFIELD	6,849,798	3,677,550
WALES	1,009,576	257,838
WALPOLE	8,290,481	2,782,121
WALTHAM	16,846,792	10,482,675
WARE	10,692,747	1,884,630
WAREHAM	13,453,820	2,159,803
WARREN	0	987,638
WARWICK	0	138,832
WASHINGTON	7,877	103,106
WATERTOWN	6,006,111	7,281,383
WAYLAND	5,379,354	986,751
WEBSTER	14,842,422	2,702,806
WELLESLEY	9,419,784	1,414,125
WELLFLEET	222,884	63,806
WENDELL	0	190,245
WENHAM	0	467,593
WEST BOYLSTON	3,059,625	869,758
WEST BRIDGEWATER	4,207,062	713,840
WEST BROOKFIELD	328,839	531,692
WEST NEWBURY	5,234	323,452
WEST SPRINGFIELD	33,407,198	3,912,339
WEST STOCKBRIDGE	0	106,139
WEST TISBURY	0	202,763
WESTBOROUGH	8,411,817	1,264,994
WESTFIELD	37,815,126	6,872,073
WESTFORD	17,285,685	2,319,899
WESTHAMPTON	480,620	158,184
WESTMINSTER	0	714,605
WESTON	4,010,930	408,334
WESTPORT	4,604,612	1,328,093

MUNICIPALITY	Chapter 70	Unrestricted General Government Aid
WESTWOOD	5,725,253	796,400
WEYMOUTH	28,610,885	9,518,524
WHATELY	267,140	146,497
WHITMAN	112,729	2,643,342
WILBRAHAM	0	1,597,636
WILLIAMSBURG	725,096	330,492
WILLIAMSTOWN	0	1,042,221
WILMINGTON	11,565,770	2,714,423
WINCHENDON	11,530,760	1,836,495
WINCHESTER	9,822,769	1,615,140
WINDSOR	26,462	113,362
WINTHROP	7,400,483	4,601,980
WOBURN	9,663,902	6,535,290
WORCESTER	293,503,420	45,364,420
WORTHINGTON	370,166	137,119
WRENTHAM	3,819,373	1,017,746
YARMOUTH	0	1,378,268
Total Municipal Aid	4,713,611,874	1,160,218,724

Regional School District	Chapter 70
ACTON BOXBOROUGH	15,344,131
ADAMS CHESHIRE	10,392,373
AMHERST PELHAM	9,603,427
ASHBURNHAM WESTMINSTER	12,522,992
ASSABET VALLEY	6,257,109
ATHOL ROYALSTON	18,371,257
AYER SHIRLEY	8,352,131
BERKSHIRE HILLS	2,962,488
BERLIN BOYLSTON	2,168,314
BLACKSTONE MILLVILLE	11,037,349
BLACKSTONE VALLEY	8,325,277
BLUE HILLS	5,698,051
BRIDGEWATER RAYNHAM	22,942,664
BRISTOL COUNTY	3,274,000
BRISTOL PLYMOUTH	12,577,066
CAPE COD	2,211,347
CENTRAL BERKSHIRE	8,819,269
CHESTERFIELD GOSHEN	755,290
CONCORD CARLISLE	2,787,671
DENNIS YARMOUTH	8,188,848
DIGHTON REHOBOTH	13,042,556
DOVER SHERBORN	2,400,245
DUDLEY CHARLTON	24,595,063
ESSEX NORTH SHORE	5,351,357
FARMINGTON RIVER	501,190
FRANKLIN COUNTY	4,390,196
FREETOWN LAKEVILLE	11,187,073
FRONTIER	2,872,965
GATEWAY	5,684,289
GILL MONTAGUE	7,135,439
GREATER FALL RIVER	19,360,981
GREATER LAWRENCE	29,247,949
GREATER LOWELL	31,006,894
GREATER NEW BEDFORD	28,750,127
GROTON DUNSTABLE	10,989,593
HAMILTON WENHAM	3,965,867
HAMPDEN WILBRAHAM	12,007,964
HAMPSHIRE	3,291,753
HAWLEMONT	639,136
KING PHILIP	7,654,720
LINCOLN SUDBURY	3,193,039
MANCHESTER ESSEX	3,089,138

Regional School District	Chapter 70
MARTHAS VINEYARD	2,897,010
MASCONOMET	5,254,659
MENDON UPTON	12,514,066
MINUTEMAN	2,109,633
MOHAWK TRAIL	6,083,924
MONOMOY	3,852,164
MONTACHUSETT	15,656,117
MOUNT GREYLOCK	3,585,377
NARRAGANSETT	9,990,564
NASHOBA	7,366,234
NASHOBA VALLEY	3,736,904
NAUSET	3,562,729
NEW SALEM WENDELL	705,059
NORFOLK COUNTY	1,299,779
NORTH MIDDLESEX	20,487,923
NORTHAMPTON SMITH	916,415
NORTHBORO SOUTHBORO	3,210,514
NORTHEAST METROPOLITAN	11,527,909
NORTHERN BERKSHIRE	5,161,888
OLD COLONY	3,296,364
OLD ROCHESTER	3,076,034
PATHFINDER	6,211,164
PENTUCKET	13,252,232
PIONEER	4,190,501
QUABBIN	16,704,328
QUABOAG	9,193,810
RALPH C MAHAR	5,450,610
SHAWSHEEN VALLEY	6,508,761
SILVER LAKE	8,266,723
SOMERSET BERKLEY	6,142,834
SOUTH MIDDLESEX	6,499,717
SOUTH SHORE	4,459,168
SOUTHEASTERN	18,020,608
SOUTHERN BERKSHIRE	2,006,921
SOUTHERN WORCESTER	11,655,265
SOUTHWICK TOLLAND GRANVILLE	9,889,008
SPENCER EAST BROOKFIELD	13,741,904
TANTASQUA	9,514,449
TRI COUNTY	5,744,738
TRITON	8,846,331
UPISLAND	891,322
UPPER CAPE COD	3,284,518

Regional School District	Chapter 70	
WACHUSETT	29,969,019	
WHITMAN HANSON	24,886,620	
WHITTIER	11,352,261	
<hr/>		
TOTALS	Chapter 70	Unrestricted General Government Aid
Total Regional Aid	765,922,666	
Total Municipal and Regional Aid	5,479,534,540	1,160,218,724



Section 4 - Long Term Care Ombudsman Office 1

SECTION 4. Chapter 6A of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after section 16BB the following section:-

Section 16CC. (a). As used in this section, the following words shall, unless the context requires otherwise, have the following meanings:-

"Act", any action or decision made by an owner, employee or agent of a long term care facility or assisted living residence, or by a government agency, or any condition within a long term care facility or assisted living residence which affects the service to a resident.

"Administrative action", any action taken to resolve issues through negotiation and mediation with a long term care facility or assisted living residence.

"Assisted living residence", any entity that meets the requirements of chapter 19D and is subject to certification by the department of elder affairs.

"Designee", staff of the long term care ombudsman or a member of a designated local long term care ombudsman program, whether on a compensated or volunteer basis.

"Long term care facility", any facility subject to licensure by the department of public health under section 71 of chapter 111.

"Resident", any person who is receiving treatment or care in a long term care facility or assisted living residence including, but not limited to, application or admission, retention, confinement, commitment, period of residence, transfer, discharge and instances directly related to such status.

(b) The secretary of health and human services shall, subject to appropriation or the receipt of federal funds, establish a statewide long term care ombudsman office for the purpose of advocating on behalf of residents. The statewide long term care ombudsman shall receive, investigate and resolve through administrative action complaints filed by residents, individuals acting on their behalf or any individual organization or government agency that has reason to believe a long term care facility or assisted living residence, organization or government agency has engaged in activities, practices or omissions that constitute violations of applicable statutes or regulations or may have an adverse effect upon the health, safety, welfare or rights of residents of such long term care facilities or assisted living residences. The secretary of health and human services shall appoint an ombudsman to act as the director of the ombudsman office who shall be a person qualified by training and experience to perform the duties of the office. Said ombudsman shall not be subject to section 9A of chapter 30 or chapter 31.

(c) The ombudsman, or a designee, shall be permitted access at any time deemed reasonable and necessary by the ombudsman to any consenting individual resident; provided, that there is neither a commercial purpose nor effect to the access and the purpose is to do any of the following: (i) visit, talk with and make personal, social and legal services available to a resident; (ii) inform residents of their rights and entitlements and their correspondent obligations, under federal and state laws, by means of educational materials and discussion in groups and with individual residents; (iii) assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits, or assist residents in action against agencies responsible for such programs, as well as in all other matters in which residents are aggrieved and may include advising litigation; or (iv) engage in other methods of assisting, advising and representing residents so as to extend to them full enjoyment of their rights.

Upon entering, the ombudsman, or designee, shall notify the long term care facility or assisted living residence staff of his or her presence and, upon request, shall produce identification. Prior to entering the room of an individual resident, the ombudsman, or designee, shall identify himself or herself and explain the purpose of the visit. The ombudsman or designee shall have the right to visit privately with the resident provided the resident has given permission for the visit. The ombudsman, or designee, shall respect the confidentiality of communications and shall not subject the resident to photographing, filming, videotaping or audiotaping without consent. The long term care facility or assisted living residence may not release information in a resident's medical record to the ombudsman, or designee, without consent of the resident or resident's representative.

(d) The ombudsman, or designee, shall have the right of entry into long term care facilities and assisted living residences at any time it is considered necessary and reasonable by the ombudsman, or designee, for the purpose of: (i) investigating and resolving through administrative action complaints made by residents or on their behalf; (ii) interviewing residents, with their consent, in private; (iii) offering the services of the ombudsman or designee to any resident, in private; (iv) interviewing employees or agents of the long term care facility or assisted living residence; (v) consulting regularly with the long term care facility or assisted living residence administration; or (vi) providing services authorized by law or by regulation.

The ombudsman, or designee, shall have access to any resident's records with consent of the resident or the resident's representative, and to records of any public agency necessary to the duties of the office, including records on patient abuse complaints. If the ombudsman, or designee, reasonably believes that a complaint situation exists which may only be resolved by the inspection of the resident's personal, financial or medical records, and if the resident lacks the capacity to give consent, and the resident has no legal representative, or the ombudsman has reason to believe that the resident representative is not acting in the best interest of the resident, the said ombudsman or designee shall have access to the records of the resident without the resident's written authorization.

(e) The ombudsman shall establish procedures to protect the confidentiality of residents' records and files. Such procedures shall meet the following requirements: (i) no information or records maintained by the ombudsman office shall be disclosed unless the ombudsman, or designee, authorizes such disclosure and (ii) the ombudsman, or designee, shall not disclose the identity of any complainant or resident involved in any complaint unless the complainant or resident or a legal representative of either provides consent in writing, or through the use of ancillary aids and services as necessary, or communication of such consent orally or visually, and that consent is documented to allow such disclosure and specifies to whom the identity may be disclosed, or a court orders such disclosure.

The ombudsman, or designee, may initiate an investigation of any long term care facility or assisted living residence even in the absence of a specific complaint.

If the ombudsman, or designee, determines that any act of any long term care facility or assisted living residence may adversely affect the health, safety, welfare or rights of a resident, the ombudsman, or designee, shall make specific recommendations for the elimination or correction of such act. If the ombudsman, or designee, determines that an act of any long term care facility or assisted living residence may constitute a violation of any applicable federal or state statute or regulation, the ombudsman may report such findings and conclusions to the regulatory agency or agencies having jurisdiction to enforce said statute or regulation and to the office of the attorney general.

Within a reasonable period of time after the completion of an investigation the ombudsman may notify the long term care facility or assisted living residence of the findings.

(f) The ombudsman may contract with a local entity to host a local ombudsman program and provide designated staff to act on behalf of the ombudsman in the receipt, investigation and resolution through administrative action of complaints. The ombudsman may contract with any public agency or private

nonprofit organization to act on behalf of the ombudsman in the receipt, investigation and resolution through administrative action of complaints. No designee shall be an agency or organization responsible for licensing or certifying long term care facilities or assisted living residences or an association or an affiliate or agent of an association of long term care facilities or assisted living residences. A designee shall operate in compliance with any rules and regulations established by the ombudsman for the implementation of the ombudsman program. The ombudsman shall carry out the responsibilities of the local program in any area where no local ombudsman program has been established. The ombudsman shall, to the extent practicable, contract with agencies and organizations that agree to carry out such responsibilities on a volunteer basis.

(g) The ombudsman shall: (i) establish and conduct a training program for persons employed by or associated with the ombudsman or any designated local ombudsman program who perform the duties and responsibilities enumerated in section (e) regarding the receipt, investigation and resolution through administrative action of complaints, and certify such persons upon satisfactory completion of such training programs; (ii) provide information to public agencies regarding the problems of residents in long term care facilities and assisted living residences; (iii) ensure that complete records are maintained of complaints received or initiated, actions taken, findings and recommendations in response to such complaints and other action, including the facilities' responses; (iv) maintain a statewide uniform reporting system to collect and analyze data relating to complaints and conditions in long term care facilities and assisted living residences for the purpose of identifying and resolving significant problems; (v) file a report of the activities of the long term care ombudsman office and the ombudsman's recommendation concerning long term care facilities and assisted living residences and the protection of the rights of residents with the secretary of health and human services, the governor and the general court within 120 days following the end of each fiscal year, and make such report available to the public, the assistant secretary of the administration for community living, the division of health care facility licensing and certification at the department of health, the assisted living certification unit at the department of elder affairs and other appropriate governmental entities; (vi) carry out other activities consistent with the requirements of 42 U.S.C. 3024(a)(12); (vii) ensure the program operates in compliance with 42 U.S.C. 3001 et seq. and federal regulations; (viii) represent the interests of the residents before governmental agencies and seek administrative, legal and other remedies to protect the health, safety, welfare and rights of the residents; and (ix) analyze, comment on and monitor the development and implementation of federal, state and local laws, regulations and other governmental policies and actions that pertain to the health, safety, welfare and rights of the residents, with respect to the adequacy of services provided by long term care facilities and assisted living residences.

(h) The ombudsman, a designee, and any employee of a designated local ombudsman program working directly for such designee, whether on a compensated or volunteer basis, shall not be liable in any civil or criminal action by reason of the good faith performance of official duties. No person shall willfully interfere with a representative of the ombudsman office in the good faith performance of official duties. If such willful interference occurs, the ombudsman may petition the superior court department to enjoin such interference and grant appropriate relief.

No long term care facility, assisted living residence or other entity shall retaliate against any resident or employee of such facility, residence or entity who in good faith filed a complaint with, or provided information to, the ombudsman or designee. A long term care facility or assisted living residence that retaliates against a resident or employee for filing a complaint with, or having provided information to, the ombudsman or designee, shall be liable to the person so retaliated against by a civil action for up to treble damages, costs and attorney's fees.

(i) The ombudsman shall promulgate regulations to implement this section.

Summary:

This section, along with six others, removes the Long Term Care Ombudsman Program from the Executive Office of Elder Affairs and establishes a Long Term Care Ombudsman Office within the Executive Office of Health and Human Services.

Section 5 - Major Roadways Transfer 1

SECTION 5. Section 1 of chapter 6C of the General Laws, as so appearing, is hereby amended by striking out the definition of "Designated parkways" and inserting in place thereof the following definition:-

"Designated parkways," McGrath and O'Brien highways in the cities of Cambridge and Somerville, the Carrol parkway, Middlesex avenue in the city of Medford, William Casey highway overpass in the Jamaica Plain section of the city of Boston, Columbia road in the South Boston section of the city of Boston, Morton Street in the city of Boston, Storrow drive in the city of Boston, Morrissey boulevard in the city of Boston, Soldiers Field road in the city of Boston, Day boulevard in the city of Boston and Gallivan boulevard in the Dorchester section of the city of Boston, all formerly operated and maintained by the department of conservation and recreation.

Summary:

This section, along with one other, transfers care and custody of certain major parkways, specifically Morrissey Boulevard, Storrow Drive, Soldiers Field Road, and Day Boulevard from the Department of Conservation and Recreation to the Massachusetts Department of Transportation.

Section 6 - DALA Appeal Fees

SECTION 6. The fifth paragraph of section 4H of chapter 7 of the General Laws, as so appearing, is hereby amended by adding the following 2 sentences:- The division shall establish a fee structure for all appeals, except for (i) appeals brought through the bureau of special education appeals, pursuant to this section and section 2A of chapter 71B; (ii) appeals from decisions by the commissioner of veterans' services, pursuant to section 2 of chapter 115; and (iii) appeals from the contributory retirement appeal board, pursuant to section 16 of chapter 32. The maximum fee shall not exceed \$300 for any appeal and may include a waiver for financial hardship, as determined by the division.

Summary:

This section enables the Division of Administrative Law Appeals to set a schedule of fees for appeals, except for retirement board appeals, veterans' appeals and special education appeals. The schedule may include a waiver for financial hardship, would be approved by the Secretary of Administration and Finance, and would set a limit of \$300 for the appeal fees.

Section 7 - Job Order Contracting

SECTION 7. Chapter 7C of the General Laws is hereby amended by inserting after section 2 the following section:-

Section 2A. (a) As used in this section, the following words shall have the following meanings unless the context clearly indicates otherwise:-

"Job order", an agreed upon fixed-price order issued by a public agency to a contractor pursuant to a job order contract for the contractor's performance of a specific maintenance, repair, alteration or conversion project consisting solely of tasks, materials and equipment selected from those specified and priced in the job order contract.

"Job order contract", a contract for the performance of a maintenance, repair, alteration and conversion projects, or a subset thereof, that: (i) is limited to a specified term; (ii) includes specifications consisting

of technical descriptions of the included various tasks, materials and equipment at stated unit prices but that do not specify the specific projects to be performed by the contractor; (iii) contains a fixed contractor's mark up over the unit prices, as described under clause (ii); and (iv) in accordance with which 1 or more specified state agencies may enter into fixed price job orders with the contractor for the performance of specific projects, consisting solely of combinations of the tasks, materials and equipment specified in the contract and at the unit prices specified in the contract plus the contractor's mark-up.

"Maintenance", day-to-day routine, normally recurring, repairs, equipment adjustments and upkeep.

"Repair", work required to restore a facility or system to a condition in which it may continue to be approximately and effectively used for its designated purpose and anticipated life or to comply with code requirements by overhaul, reprocessing or replacement of constituent parts or materials that do not meet code requirements or have deteriorated by either action of the elements or wear and tear in use.

(b) Notwithstanding any general or special law to the contrary, the commissioner may establish a program for the use of job order contracts by higher education facilities subject to the department of higher education and by the division of capital asset management and maintenance with respect to properties for which it is responsible.

(c) The commissioner may procure contracts for services related to the creation and use of job order contracts including, but not limited to, the creation of task descriptions, specifications and unit prices for use in job order contracts, and agency training and other services related to such contracts. Such procurement may be conducted in accordance with the procedures specified in applicable regulations governing the procurement of commodities or services.

(d) The commissioner may procure job order contracts for use by state agencies, consisting of the division of capital asset management and maintenance and any higher education facilities subject to the department of higher education. Contracts authorized under this section shall: (i) be limited to job orders estimated to cost not more than \$1,000,000 each; (ii) have a maximum term of 2 years; and (iii) be procured through the procedures specified in section 39M of chapter 30, except that: (A) the amount of the bid deposit shall be \$5,000; (B) a contractor who is awarded a job order under a job order contract shall be certified by the division for the category of work specified in the contract; and (C) the amount of surety bonds required by the contract may be satisfied with respect to each particular job order before the commencement of any work under that job order. The commissioner shall award a job order contract to the eligible and responsible bidder who offers the lowest mark-up over the base unit prices specified in the contract specifications.

(e) Not later than February 1 and July 1 of each year, the commissioner shall biannually prepare and submit a report on the job order contract program to the chairs of the joint committee on state administration and regulatory oversight. The report shall include an analysis of the cost effectiveness of job order contracting and any other public benefits resulting from job order contracts.

Summary:

This section makes permanent the job order contracting pilot program operated by the Division of Capital Asset Management and Maintenance.

Section 8 - Delegation Threshold

SECTION 8. Section 5 of said chapter 7C, as so appearing, is hereby amended by striking out, in lines 4 and 13, both times it appears, the figure "250,000" and inserting in place thereof the following figure:- 300,000.

Summary:

This section increases the dollar threshold from \$250,000 to \$300,000 for building projects that state agencies or authorities may control and supervise.

Section 9 - Cashless Lottery Payments

SECTION 9. Section 24 of chapter 10 of the General Laws, as so appearing, is hereby amended by striking out, in line 17, the word "agents" and inserting in place thereof the following words:- agents; provided, that said restriction shall not govern the transmittal of lottery information and sales for the purpose of facilitating point of sale transactions, provided, further that said restriction shall govern point of sale transactions involving credit cards as defined in section 1 of chapter 140D and that point of sale transactions under this section shall be subject to the restrictions set forth in subsection (b) of section 51 of chapter 18.

Summary:

The section permits the sale of lottery products by remote methods such as debit cards. The prohibition on the use of credit cards to buy lottery products would remain in effect.

Section 10 - Community Behavioral Health Promotion and Prevention Trust Fund

SECTION 10. Subsection (b) of section 35GGG of said chapter 10, as inserted by section 7 of chapter 208 of the acts of 2018, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The fund shall be administered by the secretary of health and human services who may expend monies in the fund, without further appropriation, to support critical public health needs affecting children and young adults, or, in consultation with the community behavioral health promotion and prevention commission established in section 219 of chapter 6, may issue grants from the fund to community organizations to establish or support evidence-based and evidence-informed programs for children and young adults pursuant to subsection (c).

Summary:

This section authorizes spending from the Community Behavioral Health Promotion and Prevention Trust Fund on programs to support critical public health needs affecting children and young adults.

Section 11 - Public Health Council Meetings

SECTION 11. Subsection (f) of section 3 of chapter 17 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out the words "once a month" and inserting in place thereof the following words:- once every 90 days.

Summary:

This section requires the Public Health Council to meet at least once every ninety days.

Section 12 - Security of Identity Documents and Confidential Information 1

SECTION 12. Section 4 of said chapter 17, as so appearing, is hereby amended by inserting, in lines 39 and 43, after the words "registry and", in each instance, the following word:- statewide.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 13 - Security of Identity Documents and Confidential Information 2

SECTION 13. The second paragraph of said section 4 of said chapter 17, as so appearing, is hereby further amended by striking out, in lines 43 to 59, inclusive, the fifth through ninth sentences.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 14 - Child Fatality Review Team Relocation 1

SECTION 14. Chapter 18C of the General Laws is hereby amended by inserting after section 14 the following section:-

Section 15. (a) As used in this section, the following words shall have the following meanings:-

"Child", a person under the age of 18.

"Fatality", any death of a child.

"Local team", a local child fatality review team established pursuant to subsection (c).

"Near fatality", an act that, as certified by a physician, places a child in serious or critical condition.

"State team", the state fatality review team established by subsection (b).

"Team", the state or a local team.

(b) There shall be a state child fatality review team within the office of the child advocate.

Notwithstanding section 172 of chapter 6, members of the state team shall be subject to criminal offender record checks to be conducted by the colonel of the state police, on behalf of the child advocate. All members shall serve without compensation for their duties associated with membership on the state team.

The state team shall consist of at least the following members: the child advocate appointed under section 3 of chapter 18C or a designee, who shall co-chair the state team; the commissioner of public health or a designee, who shall co-chair the state team; the chief medical examiner or a designee; the attorney general or a designee; the commissioner of children and families or a designee; the commissioner of elementary and secondary education or a designee; a representative selected by the Massachusetts District Attorneys Association; the colonel of the state police or a designee; the commissioner of mental health or a designee; the commissioner of developmental services or a designee; the director of the Massachusetts center for sudden infant death syndrome, located at the Boston Medical Center, or a designee; the commissioner of youth services or a designee; the commissioner of early education and care or a designee; a representative selected by the Massachusetts chapter of the American Academy of Pediatrics who has experience in diagnosing or

treating child abuse and neglect; a representative selected by the Massachusetts Hospital Association; the chief justice of the juvenile division of the trial court or a designee; the president of the Massachusetts Chiefs of Police Association Incorporated or a designee; and any other person, selected by the co-chairs or by majority vote of the members of the state team, with expertise or information relevant to an individual case.

The purpose of the state team shall be to decrease the incidence of preventable child fatalities and near fatalities by: (i) developing an understanding of the causes and incidence of child fatalities and near fatalities and (ii) advising the governor, the general court and the public by recommending changes in law, policy and practice that will prevent child fatalities and near fatalities.

To achieve its purpose, the state team shall: (i) develop model investigative and data collection protocols for local teams; (ii) provide information to local teams and law enforcement agencies for the purpose of the protection of children; (iii) provide training and written materials to local teams to assist them in carrying out their duties; (iv) review reports from local teams; (v) study the incidence and causes of child fatalities and near fatalities in the commonwealth; (vi) analyze community, public and private agency involvement with the children and their families prior to and subsequent to fatalities or near fatalities; (vii) develop a protocol for the collection of data regarding fatalities and near fatalities and provide training to local teams on the protocol; (viii) develop and implement rules and procedures necessary for its own operation; and (ix) provide the governor, the general court and the public with annual written reports, subject to confidentiality restrictions, which shall include, but not be limited to, the state team's findings and recommendations.

(c) There shall be a local child fatality review team in each of the eleven districts headed by a district attorney. Notwithstanding section 172 of chapter 6, members of a local team shall be subject to criminal offender record checks to be conducted by the district attorney. All members shall serve without compensation for their duties associated with membership on a local team.

Each local team shall be comprised of at least the following members: the district attorney of the county, who shall chair the local team; the chief medical examiner or a designee; the commissioner of children and families or a designee; a pediatrician with experience in diagnosing or treating child abuse and neglect, appointed by the state team; a local police officer from the municipality where a child fatality or near fatality occurred, appointed by the chief of police of that municipality; a state law enforcement officer, appointed by the colonel of state police; the chief justice of the juvenile division of the trial court or a designee; the director of the Massachusetts center for sudden infant death syndrome, located at the Boston Medical Center, or a designee; a representative or representatives from the department of public health or the office of the child advocate; and any other person with expertise or information relevant to an individual case who may attend meetings, on an ad hoc basis, by agreement of the permanent members of each local team. Those other persons may include, but shall not be limited to, local or state law enforcement officers, hospital representatives, medical specialists or subspecialists, or designees of the commissioners of developmental services, mental health, youth services, education and early education and care.

The purpose of each local team shall be to decrease the incidence of preventable child fatalities and near fatalities by: (i) coordinating the collection of information on fatalities and near fatalities; (ii) promoting cooperation and coordination between agencies responding to fatalities and near fatalities and in providing services to family members; (iii) developing an understanding of the causes and incidence of child fatalities and near fatalities in the county; and (iv) advising the state team on changes in law, policy or practice which may affect child fatalities and near fatalities.

To achieve its purpose, each local team shall: (i) review, establish and implement model protocols from the state team; (ii) review, subject to the approval of the local district attorney, all individual fatalities and near fatalities in accordance with the established protocol; (iii) meet periodically, but at least four times per calendar year, to review the status of fatality and near fatality cases and recommend methods of improving coordination of services between member agencies; (iv) collect, maintain and provide

confidential data as required by the state team; and (v) provide law enforcement or other agencies with information for the purposes of the protection of children.

At the request of the local district attorney, the local team shall be immediately provided with: (i) information and records relevant to the cause of the fatality or near fatality maintained by providers of medical or other care, treatment or services, including dental and mental health care; (ii) information and records relevant to the cause of the fatality or near fatality maintained by any state, county or local government agency including, but not limited to, birth certificates, medical examiner investigative data, parole and probation information records and law enforcement data post-disposition, except that certain law enforcement records may be exempted by the local district attorney; (iii) information and records of any provider of social services, including the state department of children and families, relevant to the child or the child's family, that the local team deems relevant to the review; and (iv) demographic information relevant to the child and the child's immediate family, including but not limited to, address, age, race, gender and economic status. The district attorney may enforce this paragraph by seeking an order of the superior court.

(d) Any privilege or restriction on disclosure established pursuant to chapter 66A, section 70 of chapter 111, section 11 of chapter 111B, section 18 of chapter 111E, chapters 112, 123, or sections 20B, 20J or 20K of chapter 233 or any other law relating to confidential communications shall not prohibit the disclosure of this information to the chair of the state team or a local team. Any information considered to be confidential pursuant to the aforementioned statutes may be submitted for a team's review upon the determination of that team's chair that the review of this information is necessary. The chair shall ensure that no information submitted for a team's review is disseminated to parties outside the team. Under no circumstances shall any member of a team violate the confidentiality provisions set forth in the aforementioned statutes.

Except as necessary to carry out a team's purpose and duties, members of a team and persons attending a team meeting may not disclose any information relating to the team's business.

Team meetings shall be closed to the public. Information and records acquired by the state team or by a local team pursuant to this chapter shall be confidential, exempt from disclosure under chapter 66, and may only be disclosed as necessary to carry out a team's duties and purposes.

Statistical compilations of data which do not contain any information that would permit the identification of any person may be disclosed to the public.

(e) Members of a team, persons attending a team meeting and persons who present information to a team may not be questioned in any civil or criminal proceeding regarding information presented in or opinions formed as a result of a team meeting.

(f) Information, documents and records of the state team or of a local team shall not be subject to subpoena, discovery or introduction into evidence in any civil or criminal proceeding; provided, however, that information, documents and records otherwise available from any other source shall not be immune from subpoena, discovery or introduction into evidence through these sources solely because they were presented during proceedings of a team or are maintained by a team.

(g) Nothing in this section shall limit the powers and duties of the child advocate or district attorneys.

Summary:

This section, along with one other, relocates the state child fatality review team from the Office of the Chief Medical Examiner to the Office of the Child Advocate and modifies the composition of the state and local child fatality review teams.

Section 15 - Long Term Care Ombudsman Office 2

SECTION 15. Sections 27 to 35, inclusive, of chapter 19A of the General Laws are hereby repealed.

Summary:

This section, along with six others, removes the Long Term Care Ombudsman Program from the Executive Office of Elder Affairs and establishes a Long Term Care Ombudsman Office within the Executive Office of Health and Human Services.

Section 16 - Long Term Care Ombudsman Office 3

SECTION 16. Section 4 of chapter 19D of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 19 and 20, the words ", including expansion of the ombudsman program provided for by section seven".

Summary:

This section, along with six others, removes the Long Term Care Ombudsman Program from the Executive Office of Elder Affairs and establishes a Long Term Care Ombudsman Office within the Executive Office of Health and Human Services.

Section 17 - Long Term Care Ombudsman Office 4

SECTION 17. Section 7 of said chapter 19D is hereby repealed.

Summary:

This section, along with six others, removes the Long Term Care Ombudsman Program from the Executive Office of Elder Affairs and establishes a Long Term Care Ombudsman Office within the Executive Office of Health and Human Services.

Section 18 - Long Term Care Ombudsman Office 5

SECTION 18. Section 9 of said chapter 19D of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in line 31, the words "section seven hereof" and inserting in place thereof the following words:- section 16CC of chapter 6A.

Summary:

This section, along with six others, removes the Long Term Care Ombudsman Program from the Executive Office of Elder Affairs and establishes a Long Term Care Ombudsman Office within the Executive Office of Health and Human Services.

Section 19 - Long Term Care Ombudsman Office 6

SECTION 19. Said section 9 of said chapter 19D, as so appearing, is hereby further amended by inserting after the words "numbers of the", in line 55, the following words:- statewide long term care.

Summary:

This section, along with six others, removes the Long Term Care Ombudsman Program from the Executive Office of Elder Affairs and establishes a Long Term Care Ombudsman Office within the Executive Office of Health and Human Services.

Section 20 - Long Term Care Ombudsman Office 7

SECTION 20. Said section 9 of said chapter 19D, as so appearing, is hereby further amended by inserting after the word "office", in line 56, the following words:- established under section 16CC of chapter 6A.

Summary:

This section, along with six others, removes the Long Term Care Ombudsman Program from the Executive Office of Elder Affairs and establishes a Long Term Care Ombudsman Office within the Executive Office of Health and Human Services.

Section 21 - Gaming Revenue

SECTION 21. Clause (2) of section 59 of chapter 23K of the General Laws, as amended by section 3 of chapter 142 of the acts of 2019, is hereby amended by striking out subclause (j) and inserting in place thereof the following subclause:-

(j) 15 per cent to the Commonwealth Transportation Fund established pursuant to section 2ZZZ of chapter 29;.

Summary:

This section alters the current statutory framework for Category 1 gaming revenue in order to dedicate 15% of Category 1 gaming revenue to the Commonwealth Transportation Fund instead of the Transportation Infrastructure and Development Fund.

Section 22 - Sick Leave Buy Back 1

SECTION 22. Section 31A of chapter 29 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following 2 subsections:-

(e) No employee of the commonwealth shall accrue more than 1,000 hours of unused sick leave credits.

(f) No employee of a public institution of higher education listed in section 5 of chapter 15A shall accrue more than 1,000 hours of unused sick leave credits.

Summary:

This section, along with three others, limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It also freezes the accrual of sick time for any employee who has already accrued more than 1,000 hours.

Section 23 - Regulatory Modernization 1

SECTION 23. Chapter 30A of the General Laws is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Section 1. In this chapter, the following words and phrases shall have the following meaning, unless the context requires otherwise:-

"Adjudicatory proceeding", a proceeding before an agency in which the legal rights, duties or privileges of specifically named persons are required by constitutional right or by any provision of the General Laws to be determined after opportunity for an agency hearing. Without enlarging the scope of this definition, adjudicatory proceeding does not include (a) proceedings solely to determine whether the agency shall institute or recommend institution of proceedings in a court; or (b) proceedings for the arbitration of labor disputes voluntarily submitted by the parties to such disputes; or (c) proceedings for the disposition of grievances of employees of the commonwealth; or (d) proceedings to classify or reclassify, or to allocate or reallocate, appointive offices and positions in the government of the commonwealth; or (e) proceedings to determine the equalized valuations of the several cities and towns; or (f) proceedings for the determination of wages under section 26T of chapter 121.

"Agency" or "state agency", as defined in section 1 of chapter 29; provided that "state agency" or "agency" shall not include the legislative and judicial departments; the governor and council; military or naval boards, commissions or officials; the department of correction; the department of youth services; the parole board; the division of dispute resolution of the division of industrial accidents; the personnel administrator; the civil service commission; and the appellate tax board.

"Executive office", those offices enumerated in section 2 of chapter 6A.

"Interpretive rules", rules or statements issued by an agency to advise the public of the agency's construction of the statutes and regulations which it administers.

"Last known address", the most recent postal address or electronic mail address provided by a person or group.

"Party" to an adjudicatory proceeding means: (a) the specifically named persons whose legal rights, duties or privileges are being determined in the proceeding; and (b) any other person who as a matter of constitutional right or by any provision of the General Laws is entitled to participate fully in the proceeding, and who upon notice as required in paragraph (1) of section 11 makes an appearance; and (c) any other person allowed by the agency to intervene as a party. Agencies may by regulation not inconsistent with this section further define the classes of persons who may become parties.

"Person" includes all political subdivisions of the commonwealth.

"Proposed regulation", a proposal by an agency to adopt, amend or repeal an existing regulation.

"Regulation" includes the whole or any part of every rule, regulation, standard or other requirement of general application and future effect, including the amendment or repeal thereof, adopted by an agency to implement or interpret the law enforced or administered by it, but does not include: (a) advisory rulings issued under section 8; or (b) regulations concerning only the internal management or discipline of the adopting agency or any other agency, and not substantially affecting the rights of or the procedures available to the public or that portion of the public affected by the agency's activities; or (c) interpretive rules; or (d) regulations relating to the use of the public works, including streets and highways, when the substance of such regulations is indicated to the public by means of signs or signals; or (e) decisions issued in adjudicatory proceedings.

"Small business", a business entity or agriculture operation, including its affiliates, that: (i) is independently owned and operated; (ii) has a principal place of business in the commonwealth; and (iii) would be defined as a "small business" under applicable federal law, as established in the United States Code and promulgated from time to time by the United States Small Business Administration.

"Substantial evidence", such evidence as a reasonable mind might accept as adequate to support a conclusion.

Summary:

This section, along with seven others, makes updates to the State Administrative Procedure Act (APA), including making the Massachusetts Register available to the public online.

Section 24 - Regulatory Modernization 2

SECTION 24. Section 2 of said chapter 30A, as appearing in the 2018 Official Edition, is hereby amended by striking out the second and third paragraphs and inserting in place thereof the following 2 paragraphs:-

Prior to the adoption, amendment or repeal of any regulation as to which a public hearing is required, an agency shall hold a public hearing. Within the time specified by any law, or, if no time is specified, then at least 14 days prior to the date of the public hearing, the agency shall give notice of such hearing by (a) publishing notice of such hearing in such manner as is specified by any law, or, if no manner is specified, then on the website of the agency or executive office and in newspapers, and, where appropriate, in such trade, industry or professional publications as the agency may select; (b) notifying any person to whom specific notice must be given, such notice to be given by delivering or mailing a copy of the notice to the last known address of the person required to be notified; (c) notifying any person or group filing a written request for notice of agency rule making hearings, such request to be renewed annually in December, such notice to be given by delivering or mailing a copy of the notice to the last known address of the person or group required to be notified; and (d) filing a copy of such notice with the state secretary.

The notice shall refer to the statutory authority under which the action is proposed; give the time and place of the public hearing; either state the express terms or describe the substance of the proposed regulation; where an existing regulation is being amended, provide a copy of the amended regulation which makes clear the changes being proposed and include any additional matter required by any law.

Summary:

This section authorizes electronic publication of a notice of public hearing and requires the publication of a redline where a regulation is being amended.

Section 25 - Regulatory Modernization 3

SECTION 25. Said section 2 of said chapter 30A, as so appearing, is hereby further amended by striking out the fifth and sixth paragraphs and inserting in place thereof the following 2 paragraphs:-

That small business impact statement shall include, but not be limited to, the following:

- (1) an estimate of the number of small businesses subject to the proposed regulation;
- (2) projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation;
- (3) the appropriateness of performance standards versus design standards;
- (4) an identification of regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation;
- (5) an analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth;
- (6) an analysis of whether the proposed regulation is likely to require small businesses to hire additional employees in order to comply; and
- (7) audits, inspections or other regulatory enforcement activities with which the small business will have to comply.

The public hearing shall comply with any requirements imposed by law, but shall not be subject to the provisions of this chapter governing adjudicatory proceedings. The agency shall make available on its website all written comments received by the agency regarding the proposed regulation, or a summary thereof.

Summary:

This section requires additional information to be included in the small business impact statement and requires the electronic publication of comments received.

Section 26 - Regulatory Modernization 4

SECTION 26. Said section 2 of said chapter 30A, as so appearing, is hereby further amended by adding the following paragraph:-

Interpretive rules shall not be subject to the requirements of this section.

Summary:

This section provides that interpretive rules shall not be subject to the requirements of section 2 of the State Administrative Procedure Act (APA).

Section 27 - Regulatory Modernization 5

SECTION 27. Section 3 of said chapter 30A, as so appearing, is hereby amended by striking out the second through sixth paragraphs, inclusive, and inserting in place thereof the following 5 paragraphs:-

The agency shall, within the time specified by law, or, if no time is specified, then at least 14 days prior to its proposed action: (a) publish notice of its proposed action in such manner as is specified by any law, or, if no manner is specified, then on the website of the agency or executive office and in newspapers, and, where appropriate, in such trade, industry or professional publications as the agency may select; (b) notify any person to whom specific notice must be given, such notice to be given by delivering or mailing a copy of the notice to the last known address of the person required to be notified; (c) notify any person or group filing written request for notice of agency rule making proceedings, such request to be renewed annually in December, such notice to be given by delivering or mailing a copy of the notice to the last known address of the person or groups required to be notified; and (d) file a copy of such notice with the state secretary.

The notice shall refer to the statutory authority under which the action is proposed; give the time and place of any public hearing or state the anticipated time of agency action; state the manner in which data, views, or arguments may be submitted to the agency by any interested person; either state the express terms or describe the substance of the proposed action; where an existing regulation is being amended, provide a copy of the amended regulation which makes clear the changes being proposed and include any additional matter required by any law.

A small business impact statement shall be filed with the state secretary on the same day the notice is filed and shall accompany the notice.

That small business impact statement shall include, but not be limited to, the following:

- (1) an estimate of the number of small businesses subject to the proposed regulation;
- (2) projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation;
- (3) the appropriateness of performance standards versus design standards;
- (4) an identification of regulations of the promulgating agency, or of another agency or department of the commonwealth, which may duplicate or conflict with the proposed regulation;
- (5) an analysis of whether the proposed regulation is likely to deter or encourage the formation of new businesses in the commonwealth;
- (6) an analysis of whether the proposed regulation is likely to require small businesses to hire additional employees in order to comply; and
- (7) audits, inspections or other regulatory enforcement activities with which the small business will have to comply.

The agency shall afford interested persons an opportunity to present data, views or arguments in regard to the proposed action orally or in writing. If the agency finds that oral presentation is unnecessary or impracticable, it may require that presentation be made in writing. The agency shall make available on its website all written comments received by the agency regarding the proposed regulation, or a summary thereof.

Summary:

This section authorizes electronic publication of a notice of public hearing and requires the publication of a redline where a regulation is being amended. This section also requires additional information to be included in the small business impact statement and requires the electronic publication of comments received.

Section 28 - Regulatory Modernization 6

SECTION 28. Said section 3 of said chapter 30A, as so appearing, is hereby further amended by adding the following paragraph:-

Interpretive rules shall not be subject to the requirements of this section.

Summary:

This section provides that interpretive rules shall not be subject to the requirements of section 3 of the State Administrative Procedure Act (APA).

Section 29 - Regulatory Modernization 7

SECTION 29. Section 4 of said chapter 30A, as so appearing, is hereby amended by inserting, in line 4, after the word "agency", the following words:- , or where an agency is within an executive office, the executive office,.

Summary:

This section clarifies that an interested person may petition an Executive Office for action on regulations.

Section 30 - Regulatory Modernization 8

SECTION 30. Chapter 30A of the General Laws is hereby amended by striking out sections 6 through 6B, inclusive, and inserting in place thereof the following 3 sections:-

Section 6. Documents required or authorized to be published by this section shall be published by the state secretary in a publication entitled the "Massachusetts Register". The Massachusetts Register shall be published on the website of the office of the state secretary where it shall be available to the public at no cost. The state secretary may also contract and arrange, subject to all pertinent statutes, for the biweekly printing and distribution of the Massachusetts Register. The prices to be charged for the printed version of the Massachusetts Register may be set without reference to the statutory charges for public documents fixed by chapter 262.

There shall be published in the Massachusetts Register the following documents: (1) executive orders, except those not having general applicability and legal effect or effective only against state agencies or persons in their capacity as officers, agents or employees thereof; (2) all regulations filed in accordance with section 5; (3) all notices filed in accordance with sections 2 and 3, except that the secretary may summarize the content of any notice filed; provided, however, that the state secretary indicate that the full text of the notice may be inspected and copied in the office of the state secretary during business hours; and (4) any other item or portion thereof which the state secretary deems to be of sufficient public interest.

The Massachusetts Register shall begin with a table of contents listing the documents contained therein which shall include a brief summary for each document identifying the purpose of any proposed regulations and whether small business is likely to be substantially affected by said regulations.

Each biweekly issue shall contain all documents required or authorized to be published, filed with the state secretary up to the day fixed by the secretary as the deadline for that issue.

Regulations other than emergency regulations, which are adopted under sections 2 or 3, shall become effective only when published online in accordance with this section, or, in the case of any regulation as to which a later effective date is required by any law, or is specified in such regulation by the agency adopting the same, upon such later date or upon such publication, whichever last occurs. Emergency regulations shall become effective when filed with the state secretary, or at such later time as may be required by law or be specified therein, and shall remain in effect no longer than 3 months following filing except as provided in sections 2 and 3.

The state secretary shall make available upon request of any person or group the biweekly issues of the Massachusetts Register and shall transmit, without charge, a copy of each issue thereof to (1) the clerk of the house of representatives; (2) the clerk of the senate; (3) the house counsel and senate counsel; and (4) the state librarian; provided, however, that providing electronic access to the Massachusetts Register shall satisfy these requirements.

The online publication in the Massachusetts Register of a document creates a rebuttable presumption (1) that it was duly issued, prescribed or promulgated; (2) that all the requirements of this chapter and regulations prescribed under it relative to the document have been complied with; and (3) that the text of the regulations as published online in the Massachusetts Register is a true copy of the attested regulation as filed by the agency.

For the purpose of this section and section 6A the word "regulation" shall not include any regulation whose principal purpose and effect is to prescribe or approve rates chargeable for goods, services, or other things by specifically named persons and shall not include any portion of an existing publication which has been adopted as and incorporated by reference in a regulation of any agency, and which the state secretary determines is unnecessary to republish by reason of its already being reasonably available to that portion of the public affected by said agency's activities.

The contents of the Massachusetts Register shall be judicially noticed and, without prejudice to any other mode of citation, may be cited by volume and page number.

Section 6A. The state secretary shall cause to be published all currently effective agency regulations in a special publication of the Massachusetts Register on the website of the office of the state secretary, to be designated as the "Code of Massachusetts Regulations".

The Code of Massachusetts Regulations shall be updated by the state secretary on a biweekly basis.

Section 6B. Each agency shall include on its website links to (a) the agency's current regulations within the Code of Massachusetts Regulations, as published on the website of the state secretary, and (b) a list of any proposed regulations with the time and place of any public hearing or the anticipated time of agency action; the manner in which data, views or arguments may be submitted to the agency by any interested person; the substance of the proposed action; and where an existing regulation is being amended, a copy of the amended regulation which makes clear the changes being proposed.

Summary:

This section requires online publication of the Massachusetts Register and the Code of Massachusetts Regulations, while authorizing hard copy publication of those documents.

Section 31 - Pension Transfer Schedule

SECTION 31. Subdivision (1) of section 22C of chapter 32 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

Notwithstanding any general or special law to the contrary, appropriations or transfers made to the Commonwealth's Pension Liability Fund in fiscal years 2021 to 2023, inclusive, shall be made in accordance with the following funding schedule: \$3,115,163,858 in fiscal year 2021, \$3,415,154,137 in fiscal year 2022 and \$3,744,033,480 in fiscal year 2023. Notwithstanding any provision of this subdivision to the contrary, any adjustments to these amounts shall be limited to increases in the schedule amounts for each of the specified years.

Summary:

This section replaces the now-obsolete pension funding schedule that has been in place between fiscal years 2018 and 2020 with a new schedule for fiscal years 2021 through 2023.

Section 32 - Sheriff Salaries 1

SECTION 32. Section 17 of chapter 37 of the General Laws, as so appearing, is hereby amended by striking out, in line 14, the figure "151,709" and inserting in place thereof the following figure:- 163,087.

Summary:

This section, along with two others, increases the salaries of the Commonwealth's Sheriffs to correspond with funding proposed for fiscal year 2021.

Section 33 - Sheriff Salaries 2

SECTION 33. Said section 17 of said chapter 37, as so appearing, is hereby further amended by striking out, in line 15, the figure "119,771" and inserting in place thereof the following figure:- 128,754.

Summary:

This section, along with two others, increases the salaries of the Commonwealth's Sheriffs to correspond with funding proposed for fiscal year 2021.

Section 34 - Sheriff Salaries 3

SECTION 34. Said section 17 of said chapter 37, as so appearing, is hereby further amended by striking out, in line 16, the figure "95,816" and inserting in place thereof the following figure:- 103,002.

Summary:

This section, along with two others, increases the salaries of the Commonwealth's Sheriffs to correspond with funding proposed for fiscal year 2021.

Section 35 - Child Fatality Review Team Relocation 2

SECTION 35. Section 2A of chapter 38 of the General Laws is hereby repealed.

Summary:

This section, along with one other, relocates the state child fatality review team from the Office of the Chief Medical Examiner to the Office of the Child Advocate and modifies the composition of the state and local child fatality review teams.

Section 36 - Security of Identity Documents and Confidential Information 3

SECTION 36. Section 1 of chapter 46 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 4 to 6, inclusive, the words "section 4 of chapter 17, or, as the commissioner of public health may require, relative to births, marriage, acknowledgments and adjudications of paternity" and inserting in place thereof the following words:- section 3 of chapter 111, or, as the commissioner of public health may require, relative to births, marriage acknowledgments and adjudications of parentage.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 37 - Security of Identity Documents and Confidential Information 4

SECTION 37. Said section 1 of said chapter 46, as so appearing, is hereby further amended by inserting, in line 7, after the first sentence the following 2 sentences:- Reports and certificates of individually identifiable births, deaths and marriage shall contain only such information minimally necessary to establish fact of birth, death or marriage. Other health and demographic information collected shall be disseminated only in accordance with section 24B of chapter 111.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 38 - Security of Identity Documents and Confidential Information 5

SECTION 38. Said section 1 of said chapter 46, as so appearing, is hereby further amended by striking out, in line 12, the word "father" and inserting in place thereof the following words:- second parent.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 39 - Security of Identity Documents and Confidential Information 6

SECTION 39. Said section 1 of said chapter 46, as so appearing, is hereby further amended by striking out, in line 13, the word "paternity" and inserting in place thereof the following word:- parentage.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 40 - Security of Identity Documents and Confidential Information 7

SECTION 40. Said section 1 of said chapter 46, as so appearing, is hereby further amended by striking out, in line 23, the words "for women".

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 41 - Security of Identity Documents and Confidential Information 8

SECTION 41. Said section 1 of said chapter 46, as so appearing, is hereby further amended by striking out, in line 26, the word "mother" and inserting in place thereof the following word:- parents.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 42 - Security of Identity Documents and Confidential Information 9

SECTION 42. Said chapter 46 is hereby further amended by striking out section 2A, as so appearing, and inserting in place thereof the following section:-

Section 2A. Examination and issuance of copies of records and returns of births, deaths or fetal deaths, or of the notices of intention of marriage and marriage shall not be permitted except upon proper judicial order, or upon request of a person seeking his own birth or marriage record, or his attorney, parent, guardian or the decedent's personal representative, or a person whose official duties, in the opinion of the municipal clerk or registrar, or the state registrar of vital records and statistics, as the case may be, entitle him to the information contained therein, nor shall certified copies thereof be furnished unless positive identification is provided. The state registrar of vital records and statistics may propose regulations regarding rules and exceptions for access and identification which are to be promulgated according to the requirements of section 3 of chapter 111. The provisions of this section shall not apply to such records which are for births and marriage, more than 90 years from date of birth or date of marriage, respectively, and for deaths more than 50 years from date of death.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 43 - Security of Identity Documents and Confidential Information 10

SECTION 43. Said chapter 46 is hereby further amended by striking out section 12, as so appearing, and inserting in place thereof the following section:-

Section 12. Except as hereinafter provided, the clerk of a city or town shall transmit upon registration an electronic or certified copy of the record of each birth and death recorded, if the parents of the child born were at the time of said birth residents of any other city or town in the commonwealth, or if the deceased at the time of his death was a resident of any other city or town aforesaid or was a war veteran and was buried in any other city or town aforesaid, and transmit such copy to the clerk of the city or town where such parents or deceased person were so resident, setting forth the name of the street and number of the house, if any, where such parents or deceased person so resided and, in the case of a deceased war veteran as aforesaid, to the clerk of the city or town where he was buried, setting forth the cemetery or other place of burial.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 44 - Security of Identity Documents and Confidential Information 11

SECTION 44. Section 19B of said chapter 46 is hereby repealed.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 45 - Security of Identity Documents and Confidential Information 12

SECTION 45. Section 33 of said chapter 46 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in line 17, the words "have the capacity for authorized users to enter" and inserting in place thereof the following words:- be used by all individuals and entities required to report.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 46 - Security of Identity Documents and Confidential Information 13

SECTION 46. Said section 33 of said chapter 46, as so appearing, is hereby further amended by striking out, in lines 22 to 24, inclusive, the words "The database shall have the capacity for the chief medical examiner to enter information required for a medical examiner's certificate of death and" and inserting in place thereof the following words:- The office of the chief medical examiner shall enter information required for a medical examiner's certificate of death and the database shall have the capacity.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 47 - Disability Employment Tax Credit 1

SECTION 47. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby further amended by adding the following subsection:-

(w)(1) An employer that is not a business corporation subject to the excise under chapter 63, shall be allowed a credit equal to \$2,000 or 30 per cent of the wages paid to each qualified employee with a disability in a taxable year, whichever is less, against the tax liability imposed by this chapter. If a credit allowed by this subsection exceeds the tax otherwise due under this chapter, 100 per cent of the balance of such credit may, at the option of the taxpayer, be refundable to the taxpayer. In order to qualify, the employee with a disability must be certified by the Massachusetts rehabilitation commission as meeting the definition of disability in the Americans with Disabilities Act, 42 U.S.C. sections 12101 et seq.; capable of working independently; physically or mentally impaired in a manner that constitutes or results in a substantial impediment to employment for the individual; and hired by the employer after July 1, 2020.

(2) To be eligible for a credit under this subsection: (a) the primary place of employment and the primary place of residence of the employee must be in the commonwealth, (b) the business shall receive the applicable certification from the Massachusetts rehabilitation commission that the employee qualifies not later than the day the employee begins work; provided, reasonable exceptions to this timeframe may be established through regulation, and (c) the employee must have been employed by the business for a period of at least 18 consecutive months prior to and in the taxable year in which the credit is claimed.

(3) An employer that is eligible for and claims the credit allowed under this subsection in a taxable year with respect to a qualified employee with a disability shall be eligible for a credit of up to \$2,000 in the subsequent taxable year with respect to such qualified employee. Any credit allowed under this subsection shall not be transferable.

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

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

Summary:

This section, along with two others, establishes a tax credit for businesses that employ an individual with a disability for a minimum of eighteen consecutive months.

Section 48 - Sales Tax Modernization 1

SECTION 48. Section 16 of chapter 62C of the General Laws, as so appearing, is hereby amended by striking out the word "twenty", in lines 74 and 89, and inserting in place thereof, each time it appears, the following figure:- 30.

Summary:

This section allows the Department of Revenue to require that vendors file returns for the sales and use tax, the local option meals excise, and the room occupancy tax within 30 days after the relevant filing period.

Section 49 - Sales Tax Modernization 2

SECTION 49. Said chapter 62C is hereby amended by inserting after section 16A the following section:-

Section 16B. With respect to returns required to be filed under subsections (g) and (h) of section 16, the commissioner, notwithstanding the due date of the return or payment date as set forth in said section 16, or any other provision of law, may promulgate regulations requiring a preliminary remittance of tax collected on account of each tax period prior to the due date of the applicable return, provided that such regulations shall apply only to operators whose cumulative liability in the previous 12 month period with respect to returns filed under said subsection (g) is more than \$100,000, and to vendors whose cumulative liability in the previous 12 month period with respect to returns filed under said subsection (h) is more than \$100,000.

The commissioner may by regulation provide the manner and conditions under which such preliminary remittances shall be made, including the determination of the groups of vendors from whom preliminary remittances are required.

If any person required by this section or by regulation of the commissioner to make such a preliminary remittance fails to make such payment on or before the date prescribed therefor, there shall be imposed upon such person a penalty of 5 per cent of the amount of the underpayment, unless it is shown that such failure is due to reasonable cause and not to willful neglect. For purposes of this paragraph, the term "underpayment" means the excess of the amount of the preliminary remittance required to be so made over the amount, if any, paid on or before the date prescribed therefor.

Summary:

This section permits the Commissioner of Revenue to require vendors to remit an initial payment of the sales and use tax, the local option meals excise, and room occupancy tax, but exempts vendors who collected \$100,000 or less of those taxes in the previous year from such a requirement.

Section 50 - Sales Tax Modernization 3

SECTION 50. Said chapter 62C is hereby further amended by inserting after section 16B the following section:-

Section 16C. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:-

"Third party payment processor", any person engaged in the business of remitting payments to vendors or operators under chapters 64G, 64H, 64I, 64L or 64N, in association with credit card, debit card or similar payment arrangements that compensate the vendor or operator in transactions subject to the excise under said chapters.

"Vendor or operator", a business that is obliged to file a return under section 16; provided that businesses with gross sales below a certain threshold, to be set by the commissioner in regulation, shall not be a "vendor or operator" if the business notifies a third party payment processor in writing that it is exempt from the provisions of this section.

(b) Any vendor or operator shall, in connection with seeking payments from or through a third party payment processor, separately identify tax amounts charged in association with the excise under chapters 64G, 64H, 64I, 64L or 64N and non-tax amounts for which payment is sought. Such separate identification shall be conducted in a manner approved by the commissioner, taking into account established industry practices to the extent practicable.

(c) A third party payment processor receiving a request for payment from a vendor or operator shall directly pay the identified tax portion of such request to the commissioner on a daily basis, at substantially the same time that any non-tax balance is paid to the vendor or operator.

(d) A third party payment processor shall report total payments made to the commissioner on a monthly return, in a manner provided by the commissioner, which return shall identify each vendor or operator to whom payments were made during the month and the amount of tax paid to the commissioner during the month in association with transactions with each such vendor or operator during that period.

(e) A third party payment processor shall report to each vendor or operator on a monthly basis, in a manner provided by the commissioner, the total tax remitted to the commissioner with respect to transactions of the particular vendor or operator during the monthly period.

(f) Tax amounts paid to the commissioner by a third party payment processor in association with the processing of transactions of a particular vendor or operator during the month shall be available as a credit to the vendor or operator in the filing of returns showing tax due under chapters 64G, 64H, 64I, 64L or 64N, as applicable.

Summary:

This section requires third party processors (predominantly credit card companies) to remit to the Commonwealth, on a daily basis, the portion of a sale that is attributable to sales tax, with an effective date of July 1, 2023. There would be no change to the current schedule for reporting and remitting the sales tax for cash sales.

Section 51 - Sales Tax Integrity

SECTION 51. Said chapter 62C is hereby further amended by inserting after section 35E the following section:-

Section 35F. (a) The following words as used in this section shall, unless the context otherwise requires, have the following meaning:

(1) "Automated sales suppression device" or "zapper", a software program, carried on a memory stick or removable compact disc, accessed through an Internet link, or accessed through any other means, that falsifies the electronic records of electronic cash registers and other point-of-sale systems, including, but not limited to, transaction data and transaction reports.

(2) "Phantom-ware", a hidden, preinstalled, or installed at a later time programming option embedded in the operating system of an electronic cash register or hardwired into the electronic cash register that can be used to create a virtual second till or may eliminate or manipulate transaction records that may or may not be preserved in digital formats to represent the true or manipulated record of transactions in the electronic cash register.

(b) Any person who sells, offers for sale, purchases, installs, transfers, maintains or repairs, or possesses in the commonwealth any automated sales suppression device or zapper or phantom-ware, shall, in addition to any other penalty provided by this chapter, be subject to a civil penalty of not more than \$10,000 for the first offense, or \$25,000 in the case of a seller, and not more than \$25,000 for each subsequent offense, or \$50,000 in the case of a seller. Such penalty shall be paid upon notice by the commissioner and shall be assessed and collected in the same manner as a tax.

Summary:

This section imposes civil penalties on those who sell or install "zapper" software, which is software that falsifies the electronic records of electronic cash registers and other point-of-sale systems.

Section 52 - Disability Employment Tax Credit 2

SECTION 52. Chapter 63 of the General Laws is hereby amended by inserting after section 38HH the following section:-

Section 38II. (a) A business corporation engaged in business in the commonwealth shall be allowed a credit against its excise due under this chapter in an amount equal to \$2,000 or 30 per cent of the wages paid to each qualified employee with a disability in a taxable year, whichever is less. If a credit allowed by this section exceeds the tax otherwise due under this chapter, 100 per cent of the balance of such credit may, at the option of the taxpayer, be refundable to the taxpayer. In order to qualify, the employee with a disability must be certified by the Massachusetts rehabilitation commission as meeting the definition of disability in the Americans with Disabilities Act, 42 U.S.C. sections 12101 et seq.; capable of working independently; physically or mentally impaired in a manner that constitutes or results in a substantial impediment to employment for the individual; and hired by the employer after July 1, 2020.

(b) To be eligible for a credit under this section: (i) the primary place of employment and the primary place of residence of the employee must be in the commonwealth, (ii) the business shall receive the applicable certification from the Massachusetts rehabilitation commission that the employee qualifies not later than the day the employee begins work; provided, reasonable exceptions to this timeframe may be established through regulation, and (iii) the employee must have been employed by the

business for a period of at least 18 consecutive months prior to and in the taxable year in which the credit is claimed.

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

(d) A business corporation that is eligible for and claims the credit allowed under this section in a taxable year with respect to a qualified employee with a disability shall be eligible for a credit of up to \$2,000 in the subsequent taxable year with respect to such qualified employee. Any credit allowed under this section shall not be transferable.

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

Summary:

This section, along with two others, establishes a tax credit for businesses that employ an individual with a disability for a minimum of eighteen consecutive months.

Section 53 - Scope of Illegal Tobacco Task Force 1

SECTION 53. Section 40 of chapter 64C of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 2 and 3, the words, "contraband tobacco distribution" and inserting in place thereof the following words:- the distribution of contraband tobacco and tobacco products, as defined in section 6 of chapter 270.

Summary:

This section, along with one other, expands the scope of the Illegal Tobacco Task Force to include vaping products.

Section 54 - Scope of Illegal Tobacco Task Force 2

SECTION 54. Said section 40 of said chapter 64C, as so appearing, is hereby further amended by striking out, in line 16, the words "illegal tobacco distribution" and inserting in place thereof the following words:- the distribution of tobacco and tobacco products, as defined in section 6 of chapter 270.

Summary:

This section, along with one other, expands the scope of the Illegal Tobacco Task Force to include vaping products.

Section 55 - Gas Pipeline Safety 1

SECTION 55. Section 40 of chapter 82 of the General Laws, as amended by section 12 of chapter 142 of the acts of 2019, is hereby amended by inserting, in line 6, after the word "gas", the following words:- water,.

Summary:

This section, along with six others, increases the safety of the Commonwealth's gas pipeline infrastructure by requiring gas companies to file plans to address aging or leaking natural gas infrastructure, requiring municipal water companies to comply with Dig Safe regulations, and increasing the penalties for violations of various safety regulations.

Section 56 - Gas Pipeline Safety 2

SECTION 56. Said chapter 82 is hereby amended by striking out section 40E, as so appearing, and inserting in place thereof the following section:-

Section 40E. Any person or company found by the department, after a hearing, to have violated any provision of sections 40A to 40E, inclusive, shall be fined not more than \$200,000; provided that nothing herein shall be construed to require the forfeiture of any penal sum by a residential property owner for the failure to premark for an excavation on such person's residential property.

Summary:

This section, along with six others, increases the safety of the Commonwealth's gas pipeline infrastructure by requiring gas companies to file plans to address aging or leaking natural gas infrastructure, requiring municipal water companies to comply with Dig Safe regulations, and increasing the penalties for violations of various safety regulations.

Section 57 - Laboratory Analysis of Cocaine

SECTION 57. Section 31 of chapter 94C of the General Laws, as so appearing, is hereby amended by striking out clause (4) of paragraph (a) of Class B and inserting in place thereof the following clause:-

(4) Coca leaves, and the salts, optical and geometric isomers and salts of isomers, excluding coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; of cocaine, ecgonine, pseudococaine, allococaine and pseudoallococaine, their derivatives, their salts, isomers and salts of their isomers; or any compound, mixture, or preparation which contains any quantity of any of the substances referred to in this paragraph.

Summary:

Current law defines cocaine as coming from a plant, requiring the State Police lab to conduct a separate test to confirm that each sample of cocaine it analyzes is not synthetically produced. This section brings our statutory definition of cocaine in line with that of the majority of states, eliminating the need for that separate test and realizing associated cost, time and resource savings at the lab.

Section 58 - Nuclear Power Plant Assessment 1

SECTION 58. Section 5K of chapter 111 of the General Laws, as so appearing, is hereby amended by striking out, in line 65, the words "existing and proposed".

Summary:

This section, along with three others, authorizes the Department of Public Health to assess the operators of nuclear reactors that are in the process of being decommissioned for associated radiation monitoring and emergency planning costs.

Section 59 - Nuclear Power Plant Assessment 2

SECTION 59. Said section 5K of said chapter 111, as so appearing, is hereby further amended by inserting, in line 66, after the word "commonwealth", the following words:- , including a nuclear power plant that is no longer operating, until the U.S. Nuclear Regulatory Commission has approved all areas of the site for unrestricted use, excluding the Independent Spent Fuel Storage Installation licensed by the U.S. Nuclear Regulatory Commission, and the unrestricted use areas meet the radiological release criteria established in regulations promulgated pursuant to section 5N. Such assessments shall be.

Summary:

This section, along with three others, authorizes the Department of Public Health to assess the operators of nuclear reactors that are in the process of being decommissioned for associated radiation monitoring and emergency planning costs.

Section 60 - Nuclear Power Plant Assessment 3

SECTION 60. Subsection (E) of said section 5K of said chapter 111, as so appearing, is hereby amended by striking out the second and third sentences.

Summary:

This section, along with three others, authorizes the Department of Public Health to assess the operators of nuclear reactors that are in the process of being decommissioned for associated radiation monitoring and emergency planning costs.

Section 61 - Nuclear Power Plant Assessment 4

SECTION 61. Said section 5K of said chapter 111, as so appearing, is hereby further amended by striking out, in lines 91 and 92, the words "General Fund and credited to the department" and inserting in place thereof the following words:- Radiation Control Trust account.

Summary:

This section, along with three others, authorizes the Department of Public Health to assess the operators of nuclear reactors that are in the process of being decommissioned for associated radiation monitoring and emergency planning costs.

Section 62 - Security of Identity Documents and Confidential Information 14

SECTION 62. Said chapter 111 is hereby amended by striking out section 24B, as so appearing, and inserting in place thereof the following section:-

Section 24B. Upon the birth of any child, or the marriage or death of any individual within the commonwealth, the physician, certified nurse midwife, administrator or other person in charge of a hospital, municipal clerk or any other person responsible for reporting a birth, death or marriage pursuant to chapter 46 shall forward to the commissioner any information, including the residence address and social security number of each parent or party, as required by the commissioner for administrative, research and statistical purposes, including the purposes of the IV-D agency as set forth in chapter 119A. Access to such information by the IV-D agency shall include electronic access. Such

data that is included in the certificate of birth shall be transmitted within ten days of the birth of the child and shall not constitute a public record and shall not be available except for the foregoing purposes. Disclosure of information for research purposes which may identify any person named in any vital record or report may only be made in accordance with regulations promulgated pursuant to section 3 of chapter 111, which regulations shall require the submission of written requests for information by researchers and the execution of research agreements that protect the confidentiality of the information provided. Such agreements shall prohibit the release by the researcher of any information that might identify any person except for approved purposes. For the purposes of this chapter, research means a systematic investigation designed primarily to develop or contribute to general knowledge, including public health, medical, social, demographic and historical research. Nothing in this section shall prohibit the release of information or data that would not identify any person named in a vital record or report.

Summary:

This section, along with thirteen others, updates the laws governing the registration of births, deaths, and marriages and the disclosure of corresponding records to align with national best practices for the protection of personally identifiable data and confidential health information.

Section 63 - Catastrophic Illness in Children Relief Fund 1

SECTION 63. Section 5 of chapter 111K of the General Laws, as so appearing, is hereby amended by striking out, in line 24, the figure "5" and inserting in place thereof the following figure:- 10.

Summary:

This section, along with one other, provides the Department of Public Health with additional tools to administer the Catastrophic Illness in Children Relief Fund (CICRF) in years when the CICRF does not receive a transfer or receives a reduced transfer from the Commonwealth Care Trust Fund. This section also raises the cap on administrative expenses from 5% to 10%.

Section 64 - Catastrophic Illness in Children Relief Fund 2

SECTION 64. Said section 5 of said chapter 111K, as so appearing, is hereby further amended by inserting after the word "year", in line 25, the following words:- or 10 per cent of the carry forward balance for any fiscal year with reduced or no transfers into the fund.

Summary:

This section, along with one other, provides the Department of Public Health with additional tools to administer the Catastrophic Illness in Children Relief Fund (CICRF) in years when the CICRF does not receive a transfer or receives a reduced transfer from the Commonwealth Care Trust Fund.

Section 65 - Nursing Facility Assessment 1

SECTION 65. Subsection (a) of section 63 of chapter 118E of the General Laws, as so appearing, is hereby amended by adding after the definition of "assessment" the following definition:- "Licensee", any person holding a license to operate a nursing home. In the case of a licensee which is not a natural person, licensee shall also mean any shareholder owning 5 per cent or more, any officer and any director of any corporate licensee; any limited partner owning 5 per cent or more and any general partner of a partnership licensee; any trustee of any trust licensee; any sole proprietor of any

licensee which is a sole proprietorship; any mortgagee in possession and any executor or administrator of any licensee which is an estate.

Summary:

This section adds the definition of Licensee, as defined by the Department of Public Health in regulation, to the nursing facility assessment statute.

Section 66 - Nursing Facility Assessment 2

SECTION 66. Subsection (f) of said section 63 of said chapter 118E, as so appearing, is hereby amended by adding the following words:- , or impose a limitation on new admissions for any nursing home that fails to remit delinquent fees, as directed by the executive office. The secretary of the executive office may also enforce this section by offsetting payments from the office of Medicaid on the claims of the nursing home, those of a nursing home with a common licensee, or those of any successor in interest to the nursing home, in the amount of the delinquent fees owed, including any interest and penalties, and to transfer such funds into the General Fund; by imposing, after demand, a lien in an amount not to exceed the amount of the delinquent fees owed, including any interest and penalties, in favor of the commonwealth upon any and all property of the nursing home or its licensee; or by such other appropriate mechanism as the executive office may establish by regulation under subsection (g).

Summary:

This section allows the Department of Public Health to enforce compliance with the nursing facility assessment by imposing a freeze on new admissions to a facility rather than revocation of licensure. This section also allows the Executive Office of Health and Human Services to enforce compliance with the assessment by means similar to those available to enforce compliance with other provider assessments.

Section 67 - Sunday Hunting

SECTION 67. Section 57 of chapter 131 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- This section shall not prohibit the director, with the approval of the fisheries and wildlife board, from authorizing the hunting of deer by bow and arrow on any Sunday, and shall not render unlawful the possession or carrying of a bow and arrow for the purpose of hunting deer, as authorized by the director with the approval of the fisheries and wildlife board.

Summary:

This section authorizes the Director of Fish and Game, with the approval of the Fisheries and Wildlife Board, to allow the hunting of deer by bow and arrow on Sundays.

Section 68 - MBTA Board 1

SECTION 68. Chapter 161A of the General Laws, as so appearing, is hereby amended by striking out section 7 and inserting in place thereof the following section:-

Section 7. (a) The authority shall be governed and its corporate powers exercised by a board of directors, consisting of 7 members, including the secretary of transportation who shall serve ex officio. The governor shall appoint 5 additional members including at least 1 member with experience in safety,

1 member with experience in transportation operations, 1 member with experience in public or private finance and 1 member who is a rider as defined in section 1. 1 member shall be appointed by the advisory board established pursuant to section 7A. At least 2 members shall also be members of the board of directors of the Massachusetts Department of Transportation established pursuant to section 2 of chapter 6C.

(b) The term of each member, except for the secretary, shall be 4 years. 3 of the members, not including the secretary of transportation, shall serve for terms that are coterminous with the governor. A member shall be eligible for reappointment provided that a member shall not serve more than 2 terms. A member appointed to fill a vacancy in the board shall serve only for the unexpired term of the former member, but may be appointed to serve two full terms in addition to such part of a full term.

(c) Not more than 4 of the members shall be enrolled in the same political party. The governor shall designate 1 member to serve as chair and the board shall elect 1 member to serve as vice-chair.

(d) 4 members of the board shall constitute a quorum and the affirmative vote of a majority of members present at a duly called meeting, if a quorum is present, shall be necessary for any action taken by the board. Any action required or permitted to be taken at a meeting of members may be taken without a meeting if all of the members consent in writing to such action and such written consent is filed with the records of the minutes of the board. Such consent shall be treated for all purposes as a vote at a meeting. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the authority.

(e) The board shall be afforded all powers, responsibilities and obligations set forth pursuant to this chapter. The board may delegate any powers, responsibilities and obligations specifically afforded to it to the general manager unless otherwise prohibited by this section. The board shall adopt a written policy providing for the delegation of any of its powers and duties.

(f) The board shall establish subcommittees, which shall include at the minimum a subcommittee on (i) safety and (ii) audit and finance. Each member shall participate on 2 subcommittees of the board.

(g) The members of the board, with the exception of the secretary, shall serve without compensation, but each member may be reimbursed for actual and necessary travel and other expenses reasonably incurred by the member in the discharge of the member's official duties; provided, however, that reimbursement shall not exceed \$6,000 annually per member.

(h) Meetings of the board and its subcommittees shall be subject to sections 18 to 25, inclusive, of chapter 30A. Records of the board shall be subject to section 10 of chapter 66.

(i) The board shall meet at least 12 times per calendar year.

(j) Each member shall make full disclosure of financial interest, if any, in matters before the board by notifying the state ethics commission, in writing, and shall abstain from voting on any matter before the board in which the member has a financial interest, unless otherwise permissible under chapter 268A. Chapters 268A and 268B shall apply to ex-officio members. Said chapters 268A and 268B shall apply to all other members of the board, except that the board may purchase from, sell to, borrow from, loan to, contract with or otherwise deal with any person in which any member of the board is in any way interested or involved provided that: (i) such an interest or involvement is disclosed in advance to the members of the board and recorded in the minutes of the board; and (ii) no director having such an interest or involvement may participate in a decision of the board relating to such an interest or involvement. Employment by the commonwealth or service in any agency thereof shall not be deemed to be such an interest or involvement.

(k) Members shall not be liable to the commonwealth, to the authority, or to any other person as a result of their activities, whether ministerial or discretionary, as such members or officers except for willful

dishonesty or intentional violations of law. The board may purchase liability insurance for board members, officers and employees, and may indemnify such persons against the claims of others.

Summary:

This section, along with one other, establishes a new board of directors for the MBTA effective July 1, 2020 after the expiration of the MBTA Fiscal Management and Control Board.

Section 69 - MBTA Budget Date Change 1

SECTION 69. Section 20 of said chapter 161A, as so appearing, is hereby amended by striking out, in line 2, the word, "March", and inserting in place thereof the following word:- May.

Summary:

This section, along with one other, extends the date for the MBTA board to approve a preliminary itemized budget for the subsequent fiscal year from March 15th to May 15th and extends the date by which the MBTA must submit to the advisory board a final itemized budget from April 15th to June 15th in order to better align with the Commonwealth's budget process.

Section 70 - MBTA Budget Date Change 2

SECTION 70. Said section 20 of said chapter 161A, as so appearing, is hereby amended by striking out, in line 4, the word, "April" and inserting in place thereof the following word:- June.

Summary:

This section, along with one other, extends the date for the MBTA board to approve a preliminary itemized budget for the subsequent fiscal year from March 15th to May 15th and extends the date by which the MBTA must submit to the advisory board a final itemized budget from April 15th to June 15th in order to better align with the Commonwealth's budget process.

Section 71 - MBTA Capital Budget

SECTION 71. The third paragraph of said section 20 of said chapter 161A, as so appearing, is hereby amended by striking out clause (ii) in the third sentence and inserting in place thereof the following clause:- (ii) specify that no proceeds of commonwealth general obligation bonds shall be used to fund an employee's salary; and.

Summary:

This section makes clear that no proceeds of Commonwealth General Obligation bonds shall be used to fund an MBTA employee's salary.

Section 72 - RTA Operating Assistance

SECTION 72. Section 23 of chapter 161B of the General Laws, as so appearing, is hereby amended by striking the first and second paragraphs and inserting in place thereof the following 2 paragraphs:-

The commonwealth, acting by and through the executive office for administration and finance, shall provide funding to the authorities created pursuant to this chapter as determined by a formula that is based upon clearly established metrics and principles, that all the authorities have agreed to in writing, and that the department has approved.

The funding amounts to be distributed to the authorities will be determined upon final adoption of the state fiscal year appropriation. Such amount, not to be assessed in accordance with section 9 and section 9A shall be called operating assistance. Such operating assistance shall be provided by the commonwealth and shall be overseen by the department.

Summary:

This section replaces the current structure of contract assistance for Regional Transit Authorities (RTAs) with a system whereby the funding amount is based on clearly established metrics and principles agreed to between the RTAs and the Massachusetts Department of Transportation.

Section 73 - Gas Pipeline Safety 3

SECTION 73. Section 1J of chapter 164 of the General Laws, as so appearing, is hereby amended by striking out, in line 5, the figure "250,000" and inserting in place thereof the following figure:- 500,000.

Summary:

This section, along with six others, increases the safety of the Commonwealth's gas pipeline infrastructure by requiring gas companies to file plans to address aging or leaking natural gas infrastructure, requiring municipal water companies to comply with Dig Safe regulations, and increasing the penalties for violations of various safety regulations.

Section 74 - Gas Pipeline Safety 4

SECTION 74. Said section 1J of said chapter 164, as so appearing, is hereby further amended by striking out, in line 8, the figure "20,000,000" and inserting in place thereof the following figure:- 50,000,000.

Summary:

This section, along with six others, increases the safety of the Commonwealth's gas pipeline infrastructure by requiring gas companies to file plans to address aging or leaking natural gas infrastructure, requiring municipal water companies to comply with Dig Safe regulations, and increasing the penalties for violations of various safety regulations.

Section 75 - Gas Pipeline Safety 5

SECTION 75. Section 105A of said chapter 164, as so appearing, is hereby amended by striking out, in lines 21 to 23, inclusive, the words "as specified in 49 U.S.C. section 60122(a)(1) or any successor statute enacted into federal law for the same purposes as said section 60122(a)(1)" and inserting in place thereof the following words:- of not more than \$500,000 for each violation; provided, however, that the maximum civil penalty under this section for a related series of violations shall be \$10,000,000; and, provided further that the dollar limits in this sentence shall be doubled in the event that the department determines that the violator has engaged in one or more similar violations in the three years preceding the violation. A separate violation occurs for each day the violation continues.

Summary:

This section, along with six others, increases the safety of the Commonwealth's gas pipeline infrastructure by requiring gas companies to file plans to address aging or leaking natural gas infrastructure, requiring municipal water companies to comply with Dig Safe regulations, and increasing the penalties for violations of various safety regulations.

Section 76 - Gas Pipeline Safety 6

SECTION 76. Section 145 of said chapter 164, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) A gas company shall file with the department a plan to address aging or leaking natural gas infrastructure within the commonwealth and the leak rate on the gas company's natural gas infrastructure in the interest of public safety and reducing lost and unaccounted for natural gas through a reduction in natural gas system leaks. Each company's gas infrastructure plan shall include interim targets for the department's review. The department shall review these interim targets to ensure each gas company is meeting the appropriate pace to reduce the leak rate on and to replace the gas company's natural gas infrastructure in a safe and timely manner. The interim targets shall be for periods of not to exceed five years. The gas companies shall incorporate these interim targets into timelines for removing all leak-prone infrastructure filed pursuant to subsection(c) and may update them based on overall progress. The department may levy a penalty against any gas company which fails to meet its interim target in an amount up to and including the equivalent of 2.5 per cent of such gas company's transmission and distribution service revenues for the previous calendar year.

Summary:

This section, along with six others, increases the safety of the Commonwealth's gas pipeline infrastructure by requiring gas companies to file plans to address aging or leaking natural gas infrastructure, requiring municipal water companies to comply with Dig Safe regulations, and increasing the penalties for violations of various safety regulations.

Section 77 - Gas Pipeline Safety 7

SECTION 77. The second paragraph of subsection (c) of said section 145 of said chapter 164, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-

As part of each plan filed under this section, a gas company shall include a timeline for removing all leak-prone infrastructure on an accelerated basis specifying an annual replacement pace and program end date with a target end date of either (i) not more than 20 years from the filing of a gas company's initial plan, or (ii) a reasonable target end date considering the allowable recovery cap established pursuant to subsection (f).

Summary:

This section, along with six others, increases the safety of the Commonwealth's gas pipeline infrastructure by requiring gas companies to file plans to address aging or leaking natural gas infrastructure, requiring municipal water companies to comply with Dig Safe regulations, and increasing the penalties for violations of various safety regulations.

Section 78 - CPCS Hour Caps

SECTION 78. Section 11 of chapter 211D of the General Laws, as so appearing, is hereby amended by striking out subsections (c) and (d) and inserting in place thereof the following subsection:-

(c) Notwithstanding the billable hour limitation in subsection (b), the chief counsel of the committee may waive the annual cap on billable hours for private counsel appointed or assigned to indigent cases if the chief counsel finds that: (i) there is limited availability of qualified counsel in that practice area; (ii) there is limited availability of qualified counsel in a geographic area; or (iii) increasing the limit would improve efficiency and quality of service; provided, however, that counsel appointed or assigned to such cases within the private counsel division shall not be paid for any time billed in excess of 2,000 billable hours. It shall be the responsibility of private counsel to manage their billable hours.

Summary:

This section repeals the existing "intermediate" cap that precludes private counsel from accepting new cases once they have reached an intermediate limit of 1,350 hours. In addition, it expands the authority of the Chief Counsel of CPCS to waive the billable hours caps for overall billing for indigent cases. The overall hours cap after a waiver would be 2,000 hours instead of the current 1,800 hours.

Section 79 - CPCS Billing Change

SECTION 79. Section 12 of said chapter 211D, as so appearing, is hereby amended by striking out subsections (a) and (b) and inserting in place thereof the following 2 subsections:-

(a) The committee shall establish policies and procedures to provide fair compensation to private counsel and vendors, which shall include a remedy for an attorney aggrieved by the amount of payment. The committee shall also establish an audit and oversight department to monitor billing and private attorney and vendor compensation. All private attorney bills shall be processed for payment within 30 days of receipt by the chief counsel, excluding any bills held for review or audit. Bills shall be submitted to the committee within 30 days from conclusion of a case or within 30 days after the end of such fiscal year during which the legal services were provided whichever date is earlier. Bills submitted after such dates need not be processed for payment within 30 days. The amount of payment for bills received by the chief counsel more than 30 days but less than 60 days from conclusion of a case, or after the end of such fiscal year during which the legal services were provided, whichever date is earlier, shall be reduced by 10 per cent. All bills submitted after 60 days shall not be processed for payment; provided, however, that the chief counsel may authorize the payment of such bills, either in whole or in part, upon a determination that the delay was due to extraordinary circumstances beyond the control of the attorney.

(b) Bills shall be submitted to the committee for services provided under sections 27A to 27G, inclusive, of chapter 261 within 30 days of the last date of service or within 30 days after the end of such fiscal year during which the services were provided, whichever date is earlier. The amount of payment for invoices received by the chief counsel more than 30 days but less than 60 days from the last date of service, or after the end of such fiscal year during which services were provided, whichever date is earlier, shall be reduced by 10 per cent. All bills submitted after 60 days shall not be processed for payment; provided, however, that the chief counsel may authorize the payment of such bills either in whole or in part upon a determination that the delay was due to extraordinary circumstances beyond the control of the vendor.

Summary:

This section shortens the time period in which bills can be submitted by private bar advocates to CPCS for reimbursement after the end of a case so as to have the same time period apply for both end-of-case and end-of-fiscal year billing.

Section 80 - Court Obsolete or Useless Papers

SECTION 80. Subdivision (1) of section 27A of chapter 221 of the General Laws, as so appearing, is hereby amended by adding the following sentence:- The supreme judicial court may by rule or order make exceptions to the 10 year retention requirement set forth in this subdivision for papers filed in or relating to matters involving alleged violations of laws, rules or regulations regarding motor vehicle civil infractions, motor vehicle parking, littering, bicycles, pedestrians, municipal dog control or non-criminal dispositions of municipal ordinance or by-law violations, or other non-criminal regulatory offenses.

Summary:

This section allows the Supreme Judicial Court to issue an order or rule that would establish an exception for the 10-year record retention requirement for papers related to minor offenses such as parking tickets.

Section 81 - Electronic Publication of Mass Decisions 1

SECTION 81. Section 64A of said chapter 221, as so appearing, is hereby amended by inserting, in line 2, after the word "binding" the following words:- , or for the execution of the publication in electronic format.

Summary:

This section, along with two others, statutorily designates the electronic version as the official version of the Reports of Decisions of the Supreme Judicial Court and the Appeals Court.

Section 82 - Electronic Publication of Mass Decisions 2

SECTION 82. Said section 64A of said chapter 221, as so appearing, is hereby further amended by inserting, in line 6, after the word "binding" the following words:- or for publication in electronic format.

Summary:

This section, along with two others, statutorily designates the electronic version as the official version of the Reports of Decisions of the Supreme Judicial Court and the Appeals Court.

Section 83 - Electronic Publication of Mass Decisions 3

SECTION 83. Said section 64A of said chapter 221, as so appearing, is hereby further amended by inserting, in line 14, after the word "printing" the following words:- or publication in electronic format.

Summary:

This section, along with two others, statutorily designates the electronic version as the official version of the Reports of Decisions of the Supreme Judicial Court and the Appeals Court.

Section 84 - TNC Assessment Distribution 1

SECTION 84. The first sentence of subsection (b) of section 8 of chapter 187 of the acts of 2016 is hereby amended by striking out the figure "0.20" and inserting in place thereof the following figure:- 1.

Summary:

This section increases the TNC per-ride assessment to \$1.00, of which \$0.70 would be dedicated to the Commonwealth Transportation Fund and \$0.30 to municipalities.

Section 85 - TNC Assessment Distribution 2

SECTION 85. Said chapter 187 of the acts of 2016 is hereby further amended by striking out section 9 and inserting in place thereof the following section:-

Section 9. Section 8 is hereby amended by striking out subsections (c) and (d) and inserting in place thereof the following 2 subsections:-

(c) The division shall: (i) proportionately distribute 30 per cent of the amount collected to a city or town based on the number of rides from the previous calendar year that originated within that city or town to address the impact of transportation network services on municipal roads, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city or town including, but not limited to, the complete streets program established in section 1 of chapter 90I of the General Laws and other programs that support alternative modes of transportation and if the amount of the distribution to a city or town is \$25,000 or less, the chief executive officer as defined in section 7 of chapter 4 of the General Laws, may expend such funds for these purposes without further appropriation; and (ii) distribute 70 per cent of the amount collected to the Commonwealth Transportation Fund established in section 2ZZZ of chapter 29 of the General Laws.

(d) (i) By December 31 of each year in which a city or town receives a disbursement of more than \$25,000 from the Transportation Infrastructure Enhancement Trust Fund, that city or town shall submit a report to the director of the division that details the projects and the amount used or planned to be used for transportation-related projects as described in subsection (c).

(ii) By December 31 of the year in which a city or town receives a cumulative total of more than \$25,000 in disbursements from the Transportation Infrastructure Enhancement Trust Fund since its last report to director of the division, that city or town shall submit a report to the director of the division that details the projects and the amount used or planned to be used for transportation-related projects as described in subsection (c) for each disbursement from Transportation Infrastructure Enhancement Trust Fund since the city or town's last report to the director of the division.

(iii) For a city or town whose cumulative total disbursements from the Transportation Infrastructure Enhancement Trust Fund have not exceeded \$25,000 in the five years since its last report to the director of the division, that city or town shall submit a report to the director of the division by December 31 of the fifth year since its last report to the director of the division. That report shall detail the projects and the amount used or planned to be used for transportation-related projects as described in subsection (c) for each annual disbursement from Transportation Infrastructure Enhancement Trust Fund since the city or town's last report to the director of the division.

(iv) The division shall withhold future disbursements from the Transportation Infrastructure Enhancement Trust Fund from any city or town that does not comply with the reporting requirements of this subsection (d). The withheld funds shall be disbursed when the city or town complies with the requirements of this subsection (d).

(v) On an annual basis, the director shall compile the reports and post the projects and amounts of money used on the website of the division.

Summary:

This section ensures that, of the \$1.00 per-ride assessment, \$0.70 would be dedicated to the Commonwealth Transportation Fund and \$0.30 to municipalities. In addition, this section adjusts the requirements for municipalities that receive a per-ride assessment of less than \$25,000 based on the number of rides in that municipality, giving flexibility to those municipalities to spend such small sums without further appropriation.

Section 86 - TNC Assessment Distribution 3

SECTION 86. Section 17 of said chapter 187 of the acts of 2016 is hereby amended by striking out the words "January 1, 2022" and inserting in place thereof the following words:- July 1, 2020.

Summary:

This section ends the current TNC per-ride assessment distribution model on July 1, 2020, instead of January 1, 2022.

Section 87 - FY 2021 Stabilization Fund Deposit

SECTION 87. (a) For fiscal year 2021, to the extent funds are available, the comptroller may transfer \$250,100,000, or such larger amount as may be required, to the Commonwealth Stabilization Fund established in section 2H of chapter 29 of the General Laws, in the manner described in section 5G of said section 29.

(b) In addition, the following activities and events are expected to result in the amounts set forth below being deposited in the Commonwealth Stabilization Fund:

(1) \$21,400,000 from gaming revenues, as provided in clause (f) of paragraph (2) of section 59 of chapter 23K of the General Laws; and

(2) \$39,000,000 from other sources.

(c) The total deposit made as a result of the actions described in subsections (a) and (b) of this section is expected to be \$310,500,000.

Summary:

This section describes the anticipated effect of transfers to the Stabilization Fund under Section 5G of Chapter 29 of the General Laws as well as the anticipated impact of the transfers and events that are anticipated in this legislation.

Section 88 - FY20 Consolidated Net Surplus

SECTION 88. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2020 as follows: (i) transfer $\frac{1}{2}$ of the surplus, not to exceed \$10,000,000, to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws; and (ii) transfer $\frac{1}{2}$ of the surplus, not to exceed \$10,000,000, to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws.

Summary:

This section requires a transfer of up to \$10 million from any consolidated net surplus in fiscal year 2020 to the Community Preservation Trust Fund, and up to \$10 million to the Massachusetts Life Sciences Center, before the remaining funds are deposited into the Stabilization Fund.

Section 89 - Other Post-Employment Benefits Liability

SECTION 89. (a) Notwithstanding any general or special law to the contrary, the unexpended balances in items 0699-0015 and 0699-9100 of section 2 shall be deposited into the State Retiree Benefits Trust Fund established in section 24 of chapter 32A of the General Laws before the certification of the fiscal year 2021 consolidated net surplus under section 5C of chapter 29 of the General Laws. The amount deposited shall be an amount equal to 10 per cent of all payments received by the commonwealth in fiscal year 2021 under the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior Court, No. 95-7378; provided, however, that if in fiscal year 2021 the unexpended balances of said items 0699-0015 and 0699-9100 of said section 2 are less than 10 per cent of all payments received by the commonwealth in fiscal year 2021 under the master settlement agreement payments, an amount equal to the difference shall be transferred to the State Retiree Benefits Trust Fund from payments received by the commonwealth under the master settlement agreement.

(b) Notwithstanding any general or special law to the contrary, the payment percentage set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2021.

Summary:

This section authorizes the use of debt service reversions to pay for OPEB funding. If debt service reversions are insufficient to cover the required funding, tobacco settlement proceeds would be used to make up that deficiency.

Section 90 - Pension Cost of Living Adjustment

SECTION 90. Notwithstanding any general or special law to the contrary, the amounts transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be made available for the Commonwealth's Pension Liability Fund established in section 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits payable by the state employees' retirement system and the state teachers' retirement system, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the costs of increased survivor

benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to rules that shall be adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain cities and towns for pensions of retired teachers, including any other obligation that the commonwealth has assumed on behalf of a retirement system other than the state employees' retirement system or state teachers' retirement system, including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32. The payments under this section shall be made only pursuant to distribution of money from the Commonwealth's Pension Liability Fund and any distribution, and the payments for which distributions are required, shall be detailed in a written report filed quarterly by the secretary of administration and finance with the chairs of the senate and house committees on ways and means and the senate and house chairs of the joint committee on public service in advance of the distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. If the amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund established in subdivision (8) of said section 22 of said chapter 32 to reduce the unfunded pension liability of the commonwealth.

Summary:

This section explains how the Commonwealth is fulfilling its various obligations to the state retirement system, including the obligation to fund a 3% cost-of-living adjustment on the first \$13,000 of a retiree's annual retirement allowance.

Section 91 - Sick Leave Buy Back 2

SECTION 91. Notwithstanding any general or special law to the contrary, section 22 shall take effect for any employee of the commonwealth and any employee at public institutions of higher education listed in section 5 of chapter 15A of the General Laws who has accrued not more than 1,000 hours of unused sick leave credits, on the effective date of this act. Any such employee who has accrued more than 1,000 hours of unused sick leave credits as of the effective date of this act shall not accrue credits in excess of those credits, but may accrue credits to replenish any sick time that is used after the effective date of this act, up to the maximum of 1,000 hours set forth above.

Summary:

This section, along with three others, limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It also freezes the accrual of sick time for any employee who has already accrued more than 1,000 hours.

Section 92 - Sick Leave Buy Back 3

SECTION 92. Notwithstanding any general or special law to the contrary, the personnel administrator shall promulgate revised rules under the second paragraph of section 28 of chapter 7 of the General Laws to incorporate the changes enacted in subsection (e) of section 31A of chapter 29 of the General Laws and section 91 of this act, which revisions shall take effect as soon as practicable after the effective date of this act.

Summary:

This section, along with three others, limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It also freezes the accrual of sick time for any employee who has already accrued more than 1,000 hours.

Section 93 - Sick Leave Buy Back 4

SECTION 93. Notwithstanding any general or special law to the contrary, the department of higher education and the University of Massachusetts shall revise the necessary rules and policies in order to incorporate the changes enacted in subsection (f) of section 31A of chapter 29 of the General Laws and section 91 of this act, which revisions shall take effect as soon as practicable after the effective date of this act.

Summary:

This section, along with three others, limits the accrual of unused sick time to 1,000 hours for executive branch and public higher education employees. It also freezes the accrual of sick time for any employee who has already accrued more than 1,000 hours.

Section 94 - TNC Assessment Distribution 4

SECTION 94. Notwithstanding any general or special law to the contrary, the amounts of the transportation network company per ride assessment established under subsection (b) of section 8 of chapter 187 of the acts of 2016, that have been collected and transferred before July 1, 2020 to the Massachusetts Development Finance Agency established in section 2 of chapter 23G of the General Laws, shall remain available to provide financial assistance to small businesses operating in the taxicab, livery or hackney industries to encourage the adoption of new technologies and advanced service, safety and operational capabilities and support workforce development.

Summary:

This section provides that the portion of the TNC per-ride assessment collected and transferred to the Massachusetts Development Finance Agency prior to July 1, 2020 shall remain available to provide financial assistance to small businesses operating in the taxicab, livery, or hackney industries.

Section 95 - Charitable Deduction Report

SECTION 95. The department of revenue shall conduct a study on the reinstatement of the charitable deduction following the reduction of the Part B income tax rate to 5 per cent pursuant to chapter 186 of the acts of 2002. The department shall analyze available tax data including, but not limited to, federal data on the charitable deduction for Massachusetts taxpayers and comparable records from other states, as applicable, and shall evaluate and provide revenue estimates for the reinstatement of the charitable deduction and for alternative options including, but not limited to, reducing the charitable deduction percentage and capping the deductible amount per taxpayer. The department shall submit the results of the study by filing the same with the secretary of the executive office for administration and finance, the clerks of the house of representatives and senate, the joint committee on revenue and the house and senate committees on ways and means.

Summary:

This section directs the Department of Revenue to conduct a study on the reinstatement of the charitable deduction.

Section 96 - Major Roadways Transfer 2

SECTION 96. Notwithstanding the provisions of section 35 of chapter 92 of the General Laws, or any other general or special law to the contrary, the department of conservation and recreation shall transfer the care, custody and control of the following parkways to the Massachusetts Department of Transportation to be held for the same purposes: Storrow drive in the city of Boston, Morrissey boulevard in the city of Boston, Soldiers Field road in the city of Boston and Day boulevard in the city of Boston.

Summary:

This section, along with one other, transfers care and custody of certain major parkways, specifically Morrissey Boulevard, Storrow Drive, Soldiers Field Road, and Day Boulevard from the Department of Conservation and Recreation to the Massachusetts Department of Transportation.

Section 97 - Expanded Medicare Savings Program Transfer

SECTION 97. Notwithstanding any general or special law to the contrary, the secretary of administration and finance, in consultation with the secretary of health and human services, may transfer from the prescription advantage program in item 9110-1455 of section 2 and the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws in fiscal year 2021, the amount necessary to support the Medicare Savings or Medicare Buy-In programs established in section 25A of chapter 118E of the General Laws; provided, however, that the secretary of health and human services shall certify to the senate and house committees on ways and means, not less than 45 days in advance of the transfer, in writing, the amount to be transferred and an explanation of the amount of expected savings to those programs resulting from the transfer.

Summary:

This section authorizes the transfer of funds from the Prescription Advantage programs and the Health Safety Net Trust Fund in order to fund the non-federal share of the Medicare Savings Program.

Section 98 - Health Safety Net Administration

SECTION 98. Notwithstanding any general or special law to the contrary, payments from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws may be made either as safety net care payments under the commonwealth's waiver pursuant to section 1115 of the federal Social Security Act, 42 U.S.C. 1315, or as an adjustment to service rate payments under Title XIX and XXI of the Social Security Act or a combination of both. Other federally permissible funding mechanisms available for certain hospitals, as defined by regulations of the executive office of health and human services, may be used to reimburse up to \$70,000,000 of uncompensated care pursuant to sections 66 and 69 of said chapter 118E using sources distinct from the funding made available to the Health Safety Net Trust Fund.

Summary:

This section allows Health Safety Net payments to be made as 1115 waiver or state plan payments and authorizes up to \$70 million of uncompensated care to be paid from sources other than the Health Safety Net Trust Fund.

Section 99 - Initial Gross Payments to Qualifying Acute Care Hospitals

SECTION 99. Notwithstanding any general or special law to the contrary, not later than October 1, 2020 and without further appropriation, the comptroller shall transfer from the General Fund to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and community health centers required pursuant to this act, for the purposes of making initial gross payments to qualifying acute care hospitals for the hospital fiscal year beginning October 1, 2020. These payments shall be made to hospitals before, and in anticipation of, the payment by hospitals of their gross liability to the Health Safety Net Trust Fund. The comptroller shall transfer from the Health Safety Net Trust Fund to the General Fund, not later than June 30, 2021, the amount of the transfer authorized by this section and any allocation of that amount as certified by the director of the health safety net office.

Summary:

This section requires the Comptroller to transfer sufficient money from the General Fund to the Health Safety Net Trust Fund to make the required initial gross payment to qualifying hospitals. It requires the Health Safety Net Trust Fund to repay the General Fund before the end of fiscal year 2021.

Section 100 - Inspector General's Health Care Audits

SECTION 100. Notwithstanding any general or special law to the contrary, in hospital fiscal year 2021, the office of inspector general may expend a total of \$1,000,000 from the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws for costs associated with maintaining a health safety net audit unit within the office. The unit shall continue to oversee and examine the practices in hospitals including, but not limited to, the care of the uninsured and the resulting free charges. The unit shall also study and review the Medicaid program under said chapter 118E including, but not limited to, a review of the program's eligibility requirements, utilization, claims administration and compliance with federal mandates. The inspector general shall submit a report to the chairs of the senate and house committees on ways and means on the results of the audits and any other completed analyses not later than March 1, 2022.

Summary:

This section authorizes the Inspector General's Office to conduct audits of the Health Safety Net and the MassHealth program, at a cost of \$1 million for fiscal year 2021. As in past years, this cost will be borne by the Health Safety Net Trust Fund.

Section 101 - MassHealth Dental Coverage

SECTION 101. Notwithstanding section 53 of chapter 118E of the General Laws, for fiscal year 2021, the executive office of health and human services may determine, subject to required federal approvals, the extent to which to include within its covered services for adults the federally-optional dental services that were included in its state plan or demonstration program in effect on January 1, 2002; provided, however, that dental services for adults enrolled in MassHealth shall be covered at least to the extent they were covered as of June 30, 2020.

Summary:

This section authorizes MassHealth to continue providing the same level of dental benefits in fiscal year 2021 that it is offering in fiscal year 2020.

Section 102 - Nursing Facility Base Year

SECTION 102. Notwithstanding any general or special law to the contrary, nursing facility rates effective October 1, 2020 under section 13D of chapter 118E of the General Laws may be developed using the costs of calendar year 2014, or any subsequent year that the secretary of health and human services may select in the secretary's discretion, provided that such nursing facility rates on an aggregate basis, including any rate add-ons, shall be at least the amount such nursing facility rates would be if they were developed using the costs of calendar year 2017.

Summary:

This section establishes 2014, or any subsequent year the Secretary of Health and Human Services may choose, as the base year for nursing facility rates in fiscal year 2021, provided facility rates shall be determined on an aggregate basis including any rate add-ons.

Section 103 - Transfers Between Health Funds

SECTION 103. Notwithstanding any general or special law to the contrary, the executive office for administration and finance may transfer up to \$15,000,000 from the Commonwealth Care Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws.

Summary:

This section authorizes the Secretary of Administration and Finance to transfer up to \$15 million from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund.

Section 104 - FY21 RTA Funding Distribution

SECTION 104. Notwithstanding any special or general law to the contrary, for fiscal year 2021, \$90,500,000 of the amount transferred in item 1595-6370 of section 2E shall be considered operating assistance and distributed to regional transit authorities as determined by a formula that is based upon clearly established metrics and principles and that has been agreed to by each RTA and approved by the Massachusetts Department of Transportation, hereinafter referred to as the department. The operating assistance amount shall be spent to advance the goals and targets in the FY20 Bilateral Memorandum of Understanding between each regional transit authority and the department. The remaining \$3,500,000 of the amount under item 1595-6370 of section 2E shall be distributed as performance grants to regional transit authorities. The performance grants shall be distributed to regional transit authorities that best demonstrate compliance with or a commitment to the service decisions, quality of service and environmental sustainability recommendations from the report of the task force on regional transit authority performance and funding established pursuant to section 72 of chapter 154 of the acts of 2018. The department may require each regional transit authority to provide data on ridership, customer service and satisfaction, asset management and financial performance, including farebox recovery, and shall compile collected data into a report on the performance of regional transit authorities and each authority's progress toward meeting the performance metrics established in the memorandum of understanding.

Summary:

This section sets forth the fiscal year 2021 Regional Transit Authorities funding distribution.

Section 105 - MBTA Board 2

SECTION 105. Notwithstanding any general or special law to the contrary, in making initial appointments to the Massachusetts Bay Transportation Authority board of directors, established pursuant to section 7 of chapter 161A of the General Laws, the governor shall appoint the 3 members whose terms are not coterminous with the term of the governor to the following initial terms: 1 member shall be appointed for a term of 1 year, 1 member shall be appointed for a term of 2 years and 1 member shall be appointed for a term of 3 years.

Summary:

This section, along with one other, establishes a new board of directors for the MBTA effective July 1, 2020 after the expiration of the MBTA Fiscal Management and Control Board.

Section 106 - MassCAN FY21 Funding Transfer

SECTION 106. Notwithstanding the provisions of section 6I of chapter 40J of the General Laws and item 7007-1202 of section 2 of chapter 47 of the acts of 2017 and said item 7007-1202 of section 2 of chapter 154 of the acts of 2018, the balance of any funding previously appropriated to the Massachusetts Technology Park Corporation under said items shall be made available to the department of elementary and secondary education to effectuate the purposes set forth in item 7010-1202 of section 2 of this act.

Summary:

This section transfers available funds from the MassTech Collaborative to the Department of Elementary and Secondary Education to fund the Massachusetts Digital Literacy Now grant program in fiscal year 2021.

Section 107 - Major Roadways Effective Date

SECTION 107. Sections 5 and 96 shall take effect on August 1, 2020.

Summary:

This section provides that the transfer of Morrissey Boulevard, Storrow Drive, Soldiers Field Road, and Day Boulevard from the Department of Conservation and Recreation to the Massachusetts Department of Transportation will take effect on August 1, 2020.

Section 108 - Regulatory Modernization Effective Date

SECTION 108. Section 30 shall take effect on January 1, 2021.

Summary:

This section sets a January 1, 2021 effective date for the provisions that require online publication of the Massachusetts Register and the Code of Massachusetts Regulations, while authorizing hard copy publication of those documents.

Section 109 - Disability Employment Tax Credit Effective Date

SECTION 109. The credit authorized in sections 47 and 52 shall be available for qualified employees with a disability who are hired after July 1, 2020 and shall be available for the tax year beginning on January 1, 2022 and for subsequent tax years.

Summary:

This section, along with two others, establishes a tax credit for businesses that employ an individual with a disability for a minimum of eighteen consecutive months. This section is the effective date for the tax credit.

Section 110 - Sales Tax Modernization Effective Date

SECTION 110. Section 50 shall take effect on July 1, 2023.

Summary:

This section sets an effective date of July 1, 2023 for real-time sales tax collection.

Section 111 - Effective Date

SECTION 111. Except as otherwise specified, this act shall take effect on July 1, 2020.

Summary:

This section provides that the budget shall take effect on July 1, 2020.



The Governor's FY21 Budget Recommendation was produced by **Massachusetts Correctional Industries (MassCor)**, a division of the Massachusetts Department of Correction. Inmates within the department produce goods and provide services at competitive prices, available to all Massachusetts agencies, departments, cities, towns, municipalities, and the general public. MassCor offers its inmate workforce skilled, paid jobs, in factory settings. Revenues generated from sales are reinvested, allowing for expansion and improvement of operations, cost reductions, and savings for the taxpayer.

www.masscor.us
800-222-2211