

HOUSE No. 235

The Commonwealth of Massachusetts

PRESENTED BY:

Adam Scanlon

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to support MassMakers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Adam Scanlon</i>	<i>14th Bristol</i>	<i>1/11/2023</i>

HOUSE No. 235

By Representative Scanlon of North Attleborough, a petition (accompanied by bill, House, No. 235) of Adam Scanlon for legislation to establish a one-stop shop interactive web portal to be known as the MassMakers portal for prospective and established businesses in the Commonwealth. Community Development and Small Businesses.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to support MassMakers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. This Act may be known as the MassMakers Act. For purposes of this Act,
2 the following terms shall have the following meanings unless the context clearly requires
3 otherwise:

4 “HIRE MASS”, the entrepreneurial and business skills program established pursuant to
5 Section 7 of this Act, designed to provide skills to aspiring entrepreneurs and microbusinesses, as
6 defined in this Act, to start up, scale up, and become the next generation’s employers.

7 “Mass Main Streets”, the office of Massachusetts main streets established pursuant to
8 Section 5 of this Act, for the purpose of protecting, coordinating, promoting, and revitalizing
9 downtowns and commercial districts of the commonwealth’s cities and towns.

10 “MassMade business”, an enterprise which (i) has its principal place of business in the
11 commonwealth; (ii) is in good standing with the department of revenue; (iii) is registered with

12 Supply Mass/Buy Mass, as defined in this Act; and (iv) produces raw materials, including
13 agricultural items, in the commonwealth, or manufactures products or goods in the
14 commonwealth.

15 “MassMakers Portal”, the one-stop shop interactive web portal established pursuant to
16 Section 3 of this Act for prospective and established businesses in the commonwealth, to serve as
17 the single, unified entry point for business information and statutory and regulatory compliance.

18 “Massport Model”, the bidder selection model implemented by the port authority which,
19 in the port authority’s requests for proposals, requires bidders to incorporate diversity and
20 inclusion plans into their bids, such plans to be considered alongside traditional criteria when
21 evaluating bids and given a weight of 25%.

22 “Microbusiness”, an enterprise which has its principal place of business in the
23 commonwealth, is independently owned and operated, and (i) if a manufacturing firm, has 25 or
24 fewer employees, or (ii) if a service, construction or non-manufacturing firm, has 25 or fewer
25 employees and average annual gross receipts over the 3 previous years not exceeding
26 \$3,500,000, indexed for inflation.

27 “Minority business”, an enterprise which has its principal place of business in the
28 commonwealth, is independently owned and operated, and at least 51% of which is owned and
29 dominantly controlled by adult minority principals as defined in 425 CMR 2.02(1), or any
30 successor regulation thereto.

31 “Small business”, a business entity, including its affiliates, that: (i) is independently
32 owned and operated; (ii) has a principal place of business in the commonwealth; and (iii) would

33 be defined as a "small business" under applicable federal law, as established in the United States
34 Code and promulgated from time to time by the United States Small Business Administration.

35 "Supply Mass/Buy Mass", the program established pursuant to Section 4 of this Act for
36 the purpose of connecting local suppliers with local purchasers.

37 "Massachusetts-based business", an enterprise that: (i) has its principal place of business
38 in the commonwealth; (ii) is in good standing with the department of revenue; and (iii) has been
39 in business for at least 1 year."

40 SECTION 2. Section 57 of chapter 7 of the General Laws is hereby amended by adding
41 the following paragraphs:-

42 In order to fulfill the commitment embodied in the foregoing policy, it is not sufficient
43 that the state government see that all available services and programs are put to the best use. The
44 state government has an affirmative duty to advance diversity and equity in all of its own rules,
45 regulations and practices. It is therefore incorporated into the policy of the commonwealth that
46 all agencies of the commonwealth, when procuring supplies or services via requests for
47 proposals from private businesses, include diversity and inclusion plan requirements in all such
48 requests and consider those plans alongside traditional criteria when evaluating bids. The weight
49 given to diversity and inclusion plans when evaluating bids shall be determined by each agency
50 of the commonwealth in collaboration with the executive office of housing and economic
51 development, the executive office of labor and workforce development, the executive office for
52 administration and finance, the commission against discrimination, the supplier diversity office,
53 the vendor advisory team formed by the gaming commission, and the port authority. Agencies

54 may seek guidance from the Massport Model in determining the weight to be given to diversity
55 and inclusion plans when evaluating bids.

56 The secretary of each executive office is hereby authorized to promulgate regulations to
57 assure the timely and effective implementation of this section.

58 SECTION 2A. Section 22O of chapter 7 of the General Laws, as appearing in the 2020
59 Official Edition, is hereby amended by adding the following paragraph:-

60 When procuring goods or services through requests for proposals, state agencies shall
61 consider the bidder's principal place of business in addition to other criteria when evaluating
62 bids. The weight given to Massachusetts-based businesses when evaluating bids shall be
63 determined by each agency of the commonwealth in collaboration with the executive office of
64 housing and economic development, the executive office of labor and workforce development
65 and the executive office for administration and finance.

66 SECTION 3. Chapter 9 of the General Laws is hereby amended by inserting after section
67 31 the following section:-

68 Section 32: MassMakers Portal

69 Section 32. (a) There is hereby established a one-stop shop interactive web portal to be
70 known as the MassMakers Portal for prospective and established businesses in the
71 commonwealth. The state secretary, the executive office for administration and finance, the
72 executive offices of education, energy and environmental affairs, health and human services,
73 housing and economic development, labor and workforce development, public safety and
74 security, and technology services and security, and the department of revenue shall jointly

75 develop and implement the MassMakers Portal, which shall serve as a single, unified entry point
76 for prospective and established businesses to obtain local business information and execute all
77 statutory and regulatory compliance tasks required by the commonwealth in connection with the
78 creation, continuing operation, or upscaling of business.

79 (b) In order to develop and implement the MassMakers Portal, the agencies identified in
80 subsection (a) shall assemble a task force which shall consist of the state secretary, ex officio, or
81 a designee, the secretaries of administration and finance, education, energy and environmental
82 affairs, health and human services, housing and economic development, labor and workforce
83 development, public safety and security, and technology services and security, ex officio, or their
84 designees, the commissioner of revenue, ex officio, or a designee; 7 persons appointed by the
85 attorney general, 1 of whom shall be from each of the 7 regions of the commonwealth: the
86 western region, the central region, the northeast region, the Merrimack Valley, the metro west
87 region, the Greater Boston region, and the southeast region; and 7 persons appointed by the
88 governor, 1 of whom shall be from each of the 7 identified regions of the commonwealth. The
89 governor, attorney general, state treasurer, and co-chairs of the task force shall have the
90 discretion to appoint other members to the task force by majority vote. Persons appointed to the
91 task force shall be members or representatives of the business community, including
92 entrepreneurs, microbusiness owners, minority business owners and small business owners,
93 and/or have demonstrated interests and experience in state agency processes, business
94 regulations, web portal design and implementation, and/or other qualifications and experience
95 that the appointing authorities determine are necessary to fulfilling the mission of the task force.
96 Members shall be selected without regard to political affiliation, shall as fully as possible
97 represent a diverse and equitable array of stakeholders, and shall serve without compensation.

98 The state secretary, or a designee from among the members of the task force, and the secretary of
99 housing and economic development, or a designee from among the members of the task force,
100 shall serve as co-chairs.

101 (c) The task force shall perform a needs and cost assessment and may, subject to
102 appropriation and the laws and regulations pertaining to the employment of consultants, employ
103 such consultants as the task force deems necessary to assist in the execution of said assessment.
104 Said assessment shall be completed and the results thereof shall be presented to the governor and
105 the general court by March 1, 2022, to inform the budget of the next legislative annual session.

106 The assessment shall include, but not be limited to, the following:

107 (1) recommendations on the location, design, functionality and scope of services of the
108 MassMakers Portal, which at a minimum shall include:

109 (i) online account services through which businesses can monitor deadlines for
110 submission of forms, documents and payments, as well as compliance status and standing with
111 each state agency;

112 (ii) electronic applications for licenses and renewals thereof;

113 (iii) electronic payment options for fees and taxes incident to the creation, continuing
114 operation or upscaling of business;

115 (iv) compliance alerts in connection with new or revised state statutes, regulations and
116 procedures;

117 (v) toolkits and video tutorials on all aspects of starting a business in the commonwealth,
118 operating a business, upscaling a business, completing forms and complying with state statutory
119 and regulatory requirements in connection therewith;

120 (vi) Supply Mass/Buy Mass information, and coordination with Supply Mass/Buy Mass
121 online services;

122 (vii) Mass Main Streets information, and coordination with Mass Main Streets online
123 services;

124 (viii) HÛRE MASS information, and coordination with HÛRE MASS online services;
125 and

126 (ix) technical assistance resources;

127 (2) an estimate of the costs of full implementation of the MassMakers Portal, including,
128 but not limited to, those associated with technology, infrastructure, operations and maintenance,
129 sharing and coordination of agency data, and security;

130 (3) recommendations for and an estimate of the costs of establishing and maintaining a
131 help center staffed with persons trained to answer questions and assist with navigation of the
132 MassMakers Portal;

133 (4) recommendations on the time-line for designing, developing and testing the
134 MassMakers Portal, which at the latest shall have its first testing phase for the state secretary's
135 office to process new business registrations and associated fee payments by December 31, 2022,
136 and shall have its second testing phase to submit tax payments with the department of revenue by
137 December 31, 2023;

138 (5) recommendations as to the roles of the agencies identified in subsection (a) regarding
139 ongoing operational management of the MassMakers Portal;

140 (6) a comprehensive analysis of the processes of all state agencies with respect to the
141 creation, continued operation or upscaling of businesses located in the commonwealth, with a
142 goal of simplifying and streamlining regulatory tasks and forms required by said agencies and
143 strengthening the delivery of services provided by said agencies to entrepreneurs,
144 microbusinesses, small businesses, and other businesses in the commonwealth;

145 (7) identification of any state statutory, regulatory or procedural changes that need to be
146 made to effectuate the functionality of the MassMakers Portal;

147 (8) identification of existing entrepreneurial, microbusiness, small business, and other
148 business assets, resources, web content and functions provided by state agencies to coordinate
149 and incorporate such assets, resources, web content and functions into the MassMakers Portal;

150 (9) identification of potential impediments to functionality posed by federal law, if any,
151 and recommendations for work-arounds or solutions to such impediments;

152 (10) the impact of prioritizing microbusiness applications and account services; and

153 (11) recommendations on potential incentives to encourage municipalities or regional
154 planning authorities to create local portals for similar purposes or committed to similar mission
155 outcomes as the MassMakers Portal, with the option of linking to or being incorporated into the
156 MassMakers Portal.

157 (d) The task force may, subject to appropriation, appoint and may remove all such
158 employees as may be necessary to carry out the work of designing and implementing the

159 MassMakers Portal based on the results of the needs and cost assessment. Unless otherwise
160 provided by law, all such appointments and removals of employees shall be made under chapter
161 31.

162 (e) The state secretary shall hold as a separate fund and may expend such sums as may be
163 appropriated for the MassMakers Portal by the general court, and may accept gifts, donations,
164 grants or bequests or any federal funds for any of the purposes set forth in this section, which
165 shall be credited to the fund. All available money in the fund that is unexpended at the end of
166 each fiscal year shall not revert to the General Fund and shall be available for expenditure by the
167 task force in the subsequent fiscal year.

168 (f) The state secretary is hereby authorized to promulgate regulations to assure the timely
169 and effective implementation of this section.

170 SECTION 4. Chapter 23A of the General Laws is hereby amended by striking out section
171 10A and inserting the following section:-

172 Section 10A: Supply Mass/Buy Mass; MassMade

173 Section 10A. (a) In order for the commonwealth to execute on its responsibility of
174 facilitating expansion of the local economy, MOBD shall establish a program to be known as
175 Supply Mass/Buy Mass for the purpose of connecting local suppliers with local purchasers,
176 whether public or private, institutional, commercial or individual. In implementing said program,
177 MOBD shall:

178 (1) establish requirements for local suppliers to register as MassMade businesses with
179 Supply Mass/Buy Mass;

180 (2) design and implement a Supply Mass/Buy Mass interactive web portal through which
181 local suppliers can register as MassMade businesses and create MassMade business profiles with
182 industry-specific information;

183 (3) assemble a searchable database of MassMade businesses through the portal by
184 industry, raw materials produced or products or goods manufactured, and other identifying
185 characteristics, with specific search features independently tailored toward local institutional
186 purchasers, commercial purchasers, and individual purchasers;

187 (4) develop toolkits and training videos available through the portal to guide MassMade
188 businesses to better understand the needs and procurement processes of local institutional and
189 commercial purchasers;

190 (5) enable local institutional and commercial purchasers to issue requests for proposals
191 through the portal and MassMade businesses to respond to such requests through the portal;

192 (6) promote live networking events through the portal to connect MassMade businesses
193 with local institutional and commercial purchasers;

194 (7) determine those raw materials, products or goods needed by local institutional and
195 commercial purchasers currently purchased outside the commonwealth or from foreign
196 countries, especially raw materials, products or goods required for the first time; inquire whether
197 other local institutional or commercial purchasers are in need of such raw materials, products or
198 goods; assess whether any MassMade businesses are capable of producing or manufacturing the
199 needed raw materials, products or goods with additional capital or retooling;

200 (8) coordinate and connect the portal with the MassMakers Portal;

201 (9) identify other obstacles to conducting business in the commonwealth and advance
202 resources through the portal to address those obstacles to the extent possible;

203 (10) promote public-private partnerships;

204 (11) develop, evaluate and recommend policies, initiatives and incentives to prevent
205 consumer flight from local suppliers in the cities and towns of the Merrimack Valley and other
206 border municipalities to suppliers in New Hampshire or other tax advantaged states or from other
207 sources; and

208 (12) undertake any other activities necessary to implement the purposes of this section.

209 Dedicated effort shall be made to encourage diversity and advance equity based on race,
210 color, religious creed, national origin, sex, gender identity, sexual orientation, genetic
211 information, ancestry, disability, and language in implementing Supply Mass/Buy Mass.

212 (b) MOBD may consult with and seek input from interested stakeholders and shall work
213 with entities including MassMade businesses, regional economic development organizations,
214 microbusiness and small business associations, chambers of commerce, the supplier diversity
215 office, the Massachusetts marketing partnership and the office of consumer affairs and business
216 regulations in order to collect and provide business and product information related to
217 MassMade businesses. All Supply Mass/Buy Mass information shall be readily accessible and
218 free to the public.

219 (c) MOBD shall hold as a separate fund and may expend such sums as may be
220 appropriated for Supply Mass/Buy Mass by the general court, and may accept gifts, donations,
221 grants or bequests or any federal funds for any of the purposes set forth in this section, which

222 shall be credited to the fund. All available money in the fund that is unexpended at the end of
223 each fiscal year shall not revert to the General Fund and shall be available for expenditure by
224 MOBD for Supply Mass/Buy Mass in the subsequent fiscal year.

225 (d) MOBD is hereby authorized to promulgate regulations to assure the timely and
226 effective implementation of this section.

227 SECTION 5. Chapter 23A of the General Laws is hereby amended by inserting after
228 section 13 the following section:-

229 Section 13 ½: Mass Main Streets; executive director; function; employees; advisory
230 commission; industrial mill buildings; gifts and grants; trust fund

231 Section 13 ½. (a) There shall be within MOBD an office of Massachusetts main streets to
232 be known as Mass Main Streets, in this section referred to as MMS, which shall be under the
233 supervision and control of an executive director. The powers and duties given to the executive
234 director of MMS in this section and in any other general or special law shall be exercised and
235 discharged subject to the direction, control and supervision of MOBD.

236 (b)(1) The executive director of MMS shall be appointed by the governor, and serve at
237 the pleasure of the governor. The position of executive director of MMS shall be classified under
238 section 45 of chapter 30 and the executive director of MMS shall devote full time during
239 business hours to the duties of MMS.

240 (2) The executive director of MMS shall be the executive and administrative head of
241 MMS and shall be responsible for administering and enforcing the laws relative to MMS, any
242 administrative unit of MMS, and the policies, programs and initiatives enacted to fulfill the

243 mission of MMS pursuant to this section. Powers and duties given to an administrative unit of
244 MMS by a general or special law shall be exercised subject to the direction, control and
245 supervision of the executive director of MMS.

246 (c) MMS shall serve as the principal agency for protecting, coordinating, promoting and
247 revitalizing downtowns and commercial districts of the commonwealth's cities and towns,
248 advancing economic and community development within the context of historic preservation,
249 and advocating public-private partnerships to ensure continuing progress and enduring success,
250 by providing strategic, organizational, informational, marketing and technical assistance and
251 resources to the commonwealth's cities and towns and to public and private entities organized
252 for similar purposes or committed to similar mission outcomes. Dedicated effort shall be made to
253 encourage diversity and advance equity based on race, color, religious creed, national origin, sex,
254 gender identity, sexual orientation, genetic information, ancestry, disability, and language in any
255 recommendations, policies, programs and initiatives developed to fulfill the mission of MMS
256 pursuant to this section.

257 (d) The executive director of MMS may, subject to appropriation and with the approval
258 of MOBD, appoint and may, with like approval, remove all such employees as may be necessary
259 to carry out the work of MMS. Unless otherwise provided by law, all such appointments and
260 removals shall be made under chapter 31. The executive director may, subject to appropriation
261 and the laws and regulations pertaining to the employment of consultants, employ such
262 consultants as the executive director may deem necessary.

263 (e)(1) MMS shall establish an advisory commission to develop budget recommendations
264 and strategies for the development of policies, programs and initiatives to fulfill the mission of

265 MMS pursuant to this section, including, but not limited to, the design and implementation of an
266 MMS interactive web portal, coordination of such portal with the MassMakers Portal, and
267 qualification of MMS for Main Street America Certification in order to be eligible for programs,
268 tools and resources provided by Main Street America. The executive director of MMS shall
269 convene the advisory commission quarterly. The advisory commission shall annually report its
270 recommendations to MOBD not later than November 1. The advisory commission shall annually
271 file its recommendations with the clerks of the senate and house of representatives not later than
272 November 1. The membership of the commission shall annually elect a chairperson.

273 (2) The advisory commission shall have 32 members: 1 representative from the
274 Massachusetts cultural council; 1 representative from the Massachusetts historical commission; 1
275 representative from the community economic development assistance corporation; 1
276 representative from Boston Main Streets Foundation; the executive director or the executor
277 director's designee of each of the commonwealth's 14 regional planning agencies: Berkshire
278 Regional Planning Commission, Boston Region Metropolitan Planning Organization, Cape Cod
279 Commission, Central Massachusetts Regional Planning Commission, Franklin Regional Council
280 of Governments, Martha's Vineyard Commission, Merrimack Valley Planning Commission,
281 Metropolitan Area Planning Council, Montachusett Regional Planning Commission, Nantucket
282 Planning and Economic Development Commission, Northern Middlesex Council of
283 Governments, Old Colony Planning Council, Pioneer Valley Planning Commission, and
284 Southeastern Regional Planning and Economic Development District; and 14 persons appointed
285 by the governor, 2 of whom shall be from each of the 7 regions of the commonwealth: the
286 western region, the central region, the northeast region, the Merrimack Valley, the metro west
287 region, the Greater Boston region, and the southeast region. Commission members shall be

288 persons with demonstrated interests and experience in advancing the cultural, historical and/or
289 economic vitality of downtowns and commercial districts of the commonwealth's cities and
290 towns. All persons appointed to the commission shall be selected without regard to political
291 affiliation and solely on the basis of the qualifications and experience that the appointing
292 authorities determine are necessary to fulfilling the mission of the commission, and shall as fully
293 as possible represent a diverse and equitable array of stakeholders. Each member appointed by
294 the governor shall serve at the pleasure of the governor.

295 (3) The members of the commission shall receive no compensation for their services but
296 shall be reimbursed for any usual and customary expenses incurred in the performance of their
297 duties. This commission shall annually, not later than November 1, make a report to the
298 executive director and the secretary of housing and economic development, and may make such
299 special reports as the commission or the executive director of MMS may deem desirable.

300 (f)(1) MMS shall establish a subcommittee of the advisory commission to develop
301 strategies to stimulate the redevelopment, rehabilitation and revitalization of industrial mill
302 buildings and their environs in the commonwealth. Recommendations of the subcommittee shall
303 be incorporated into the annual report filed by the advisory commission with the clerks of the
304 senate and house of representatives pursuant to paragraph 1 of subsection (e).

305 (2) The subcommittee shall serve as a research body for issues critical to the
306 redevelopment, rehabilitation and revitalization of industrial mill buildings and their environs in
307 the commonwealth and shall: (i) create a database and study, review and report on the status of
308 industrial mill buildings and their environs in the commonwealth; (ii) assess market conditions
309 relative to the economic robusticity of each active industrial mill building in its current use; (iii)

310 identify measures to improve industrial mill building energy efficiency and prevent further
311 structural and environmental degradation; (iv) investigate potential short-term and long-term
312 uses or development solutions for vacant or underutilized industrial mill buildings; (v) review
313 and advise the general court and the executive branch on the impact of existing and proposed
314 state laws, policies and regulations on the potential redevelopment, rehabilitation or
315 revitalization of industrial mill buildings and their environs, including, but not limited to, tax
316 incentives and renewable energy initiatives; (vi) explore innovative permitting processes, zoning
317 regulations and building codes to encourage the redevelopment, rehabilitation or revitalization of
318 industrial mill buildings and their environs; (vii) advance legislative and policy solutions to
319 effectuate the foregoing; (viii) advocate public-private partnership opportunities; and (ix) take
320 such other actions as deemed necessary in furtherance of its purposes.

321 (3) The subcommittee shall consist of those members of the advisory commission
322 representing jurisdictions containing industrial mill buildings, and 1 industrial mill building
323 owner from each region of the 7 regions identified in paragraph (2) of subsection (e) which
324 contains an industrial mill building appointed by the governor. Subcommittee members shall be
325 persons with demonstrated interests and experience in the redevelopment, rehabilitation and/or
326 revitalization of industrial mill buildings and their environs in the commonwealth. All persons
327 appointed to the subcommittee shall be selected without regard to political affiliation and solely
328 on the basis of the qualifications and experience that the appointing authorities determine are
329 necessary to fulfilling the mission of the subcommittee, and shall as fully as possible represent a
330 diverse and equitable array of stakeholders. Each member appointed by the governor shall serve
331 at the pleasure of the governor. The members of the subcommittee shall receive no compensation

332 for their services but shall be reimbursed for any usual and customary expenses incurred in the
333 performance of their duties.

334 (g) MMS may accept and solicit funds, including any gifts, donations, grants or bequests
335 or any federal funds for any of the purposes set forth in this section, which shall be credited to
336 the Mass Main Streets Trust Fund established pursuant to subsection (h).

337 (h)(1) There shall be a Mass Main Streets Trust Fund which shall be administered by
338 MOBD as custodian for MMS and held by MOBD separate and apart from its other funds. There
339 shall be credited to the fund such sums received pursuant to subsection (g) and such sums as may
340 be appropriated for MMS by the general court.

341 (2) All available money in the fund that is unexpended at the end of each fiscal year shall
342 not revert to the General Fund and shall be available for expenditure by MMS in the subsequent
343 fiscal year.

344 (3) MMS shall submit an annual report to MOBD, the clerks of the senate and house of
345 representatives and the joint committee on community development and small businesses not
346 later than December 31 on the cost-effectiveness of the fund. The report shall be made available
347 on the MMS website. The report shall include: (i) expenditures made by MMS from money out
348 of the fund to promote the revitalization of downtowns and commercial districts of the
349 commonwealth's cities and towns and to otherwise fulfill the mission of MMS pursuant to this
350 section; and (ii) expenditures made by MMS for administrative costs.

351 SECTION 6. Chapter 23A of the General Laws is hereby amended by inserting after
352 section 66 the following section:-

353 Section 66A: Microbusiness and minority business strategy commission; members;
354 powers and duties; meetings; annual report

355 Section 66A. (a) There shall be a microbusiness and minority business strategy
356 commission within, but not subject to the supervision or control of, the executive office of
357 housing and economic development. The mission of the commission shall be to enhance the
358 economic vitality of the commonwealth's microbusinesses and minority businesses, recognizing
359 the fundamental role that microbusinesses and minority businesses play in the economy and the
360 contributions made by microbusinesses and minority businesses to the general welfare of the
361 commonwealth.

362 (b) The commission shall consist of the following 18 members: the secretary of housing
363 and economic development, ex officio, or a designee; the secretary of administration and finance,
364 ex officio, or a designee; the chair of the commission against discrimination, ex officio, or a
365 designee; the director of the supplier diversity office, ex officio, or a designee, and 14 persons
366 appointed by the governor, 2 of whom shall be from each of the 7 regions of the commonwealth:
367 the western region, the central region, the northeast region, the Merrimack Valley, the metro
368 west region, the Greater Boston region, and the southeast region. Of those 14 appointees, at least
369 3 shall be microbusiness owners or representatives of microbusiness owners in underserved
370 communities or communities with a high percentage of low-income households, at least 3 shall
371 be minority business owners or representatives of minority business owners in underserved
372 communities or communities with a high percentage of low-income households, and at least 3
373 shall be founders or organizers of platforms, pop-up markets, or other vendor collaboratives
374 serving microbusinesses organized for similar purposes or committed to similar mission
375 outcomes as, for example, CI Works, WeWork, and Top Knots CoWorking, and/or minority

376 businesses organized for similar purposes or committed to similar mission outcomes for
377 advancing equity based on race, color, religious creed, national origin, sex, gender identity,
378 sexual orientation, genetic information, ancestry, disability, or language as, for example,
379 BLK+GRN, the e-commerce platform We Buy Black, and the Black-Owned Market.
380 Commission members shall be persons with demonstrated interests and experience in advancing
381 the interests of microbusinesses and/or minority businesses, and their owners. All persons
382 appointed to the commission shall be selected without regard to political affiliation and solely on
383 the basis of the qualifications and experience that the appointing authorities determine are
384 necessary to fulfilling the mission of the commission, and shall as fully as possible represent a
385 diverse and equitable array of stakeholders.

386 (c) Members of the commission may serve a maximum of 3 consecutive 3-year terms. A
387 vacancy occurring on the commission shall be filled within 90 days by the original appointing
388 authority. A person appointed to fill a vacancy shall serve initially only for the balance of the
389 unexpired term. The commission shall annually elect from among its members a chair, a vice
390 chair, and any other officers it considers necessary. The members of the commission shall
391 receive no compensation for their services but shall be reimbursed for any usual and customary
392 expenses incurred in the performance of their duties. Members shall be considered special state
393 employees for the purposes of chapter 268A. Each member of the commission shall be a resident
394 of the commonwealth.

395 (d) The commission shall serve as a research body for issues critical to the welfare and
396 vitality of the commonwealth's microbusinesses and minority businesses and shall: (i) study,
397 review and report on the status of microbusinesses and minority businesses in the
398 commonwealth; (ii) advise the general court and the executive branch of the impact of existing

399 and proposed state laws, policies and regulations on the commonwealth's microbusinesses and
400 minority businesses; (iii) advance legislative and policy solutions that address the needs of the
401 commonwealth's microbusinesses and minority businesses; (iv) advocate to ensure that the
402 commonwealth's microbusinesses and minority businesses receive a fair share of state
403 investment; (v) work with lending institutions, insurance companies, and other private businesses
404 in the commonwealth to encourage formation of seed money and microcredit opportunities for
405 facilitating the starting up and upscaling of microbusinesses and minority businesses in their
406 efforts to obtain loan money and operating capital from private and public lenders; (vi) promote
407 collaboration among the commonwealth's microbusinesses and minority businesses to improve
408 efficiency in delivery of services and other cost efficiencies; and (vii) develop and support access
409 to state resources for the commonwealth's microbusinesses and minority businesses. The
410 executive office shall provide the commission with adequate office space and any research,
411 analysis or other staff support that the commission reasonably requires.

412 (e) The commission shall meet on a quarterly basis at the discretion of the chair. Meeting
413 locations shall rotate between the 7 regions of the commonwealth identified in subsection (b).
414 Meetings shall be open to the public pursuant to sections 18 to 25, inclusive, of chapter 30A.

415 (f) The commission may accept and solicit funds, including any gifts, donations, grants or
416 bequests or any federal funds for any of the purposes of this section. The funds shall be deposited
417 in a separate account with the state treasurer, shall be received by the state treasurer on behalf of
418 the commonwealth and shall be expended by the commission under the law.

419 (g) The commission shall annually, not later than June 2, report the results of its findings
420 and activities of the preceding year and its recommendations to the governor and to the clerks of

421 the senate and the house of representatives who shall forward the same to the joint committee on
422 economic development and emerging technologies.

423 (h) Notwithstanding any general or special law, regulation, policy or procedure to the
424 contrary, microbusinesses shall be exempt from the annual report fees imposed by the state
425 secretary's office, and minority businesses that qualify as microbusinesses shall be exempt from
426 the diversity certification and third-party certification application fees imposed by the supplier
427 diversity office. The state secretary is hereby authorized to promulgate regulations to assure the
428 timely and effective implementation of this subsection.

429 SECTION 7. Chapter 23A of the General Laws is hereby amended by inserting after
430 section 68 the following section:-

431 Section 69: HÛRE MASS

432 Section 69. (a) MOBD shall establish an entrepreneurial and business skills program to
433 be known as HÛRE MASS, designed to provide entrepreneurial and business skills to residents
434 of the commonwealth who are in the process of acquiring or who possess valuable saleable trade
435 skills, including, but not limited to, hairstylists and barbers, manicurists, aestheticians, massage
436 therapists, electricians, plumbers, and gas fitters, but who lack the knowledge to start or expand
437 their own businesses, in order to raise them to the level where they can start their own
438 businesses, become microbusinesses and eventually scale up to become small businesses and the
439 next generation's employers. Dedicated effort shall be made to encourage diversity and advance
440 equity based on race, color, religious creed, national origin, sex, gender identity, sexual
441 orientation, genetic information, ancestry, disability, and language in the program developed

442 pursuant to the authority conferred in this section, and any successor policies, programs and
443 initiatives related to said program.

444 (b) MOBD shall consult with and engage relevant stakeholders in the commonwealth,
445 including, but not limited to, students, educators and administrators of vocational and technical
446 schools, community colleges, public colleges and universities, and private colleges and
447 universities, participants and administrators of other trade, certification and apprenticeship
448 programs, microbusiness and small business associations and owners, minority business
449 associations and owners, and trade and labor associations, to assist in the development and
450 periodic review of the program and its implementation, including, but not limited to:

451 (1) determining the criteria and processes for participation in HÛRE MASS, whether as a
452 student or educator, to maximize the number and diversity of people served;

453 (2) identifying entrepreneurial and microbusiness development needs and existing
454 resources and services;

455 (3) addressing obstacles for aspiring entrepreneurs and upscaling microbusiness owners
456 in utilizing existing resources and services and exploring methods to simplify, streamline and
457 strengthen the delivery of such resources and services;

458 (4) establishing curricula for HÛRE MASS, with special attention paid to the needs of
459 aspiring entrepreneurs and microbusiness owners for off-hour and accelerated programming,
460 including variants for entrepreneurial and business skills weekend “bootcamps”, to maximize the
461 skills gained and quality of outcomes achieved;

462 (5) engaging voluntary uncompensated and, subject to appropriation, compensated
463 educators and administrators to implement HÛRE MASS;

464 (6) cultivating and promoting public-private partnerships to ensure an enduring HÛRE
465 MASS program;

466 (7) generating toolkits and training videos to be made available through the MassMakers
467 Portal; and

468 (8) developing budget recommendations.

469 MOBD shall hold its first public outreach not more than 60 days after the effective date
470 of this act and shall, to the extent possible, ensure fair representation and input from a diverse
471 and equitable array of stakeholders. MOBD may assemble a task force to effectuate the
472 foregoing, whose members shall serve without compensation.

473 (c) MOBD shall hold as a separate fund and may expend such sums as may be
474 appropriated for HÛRE MASS by the general court, and may accept gifts, donations, grants or
475 bequests or any federal funds for any of the purposes set forth in this section, which shall be
476 credited to the fund. All available money in the fund that is unexpended at the end of each fiscal
477 year shall not revert to the General Fund and shall be available for expenditure by MOBD for
478 HÛRE MASS in the subsequent fiscal year.

479 (d) MOBD shall annually, on or before December 31, file a report with the clerks of the
480 house of representatives and the senate, the house and senate committees on ways and means, the
481 joint committee on economic development and emerging technologies, the joint committee on

482 community development and small businesses, the joint committee on labor and workforce
483 development, and the joint committee on education.

484 (e) MOBD is hereby authorized to promulgate regulations to assure the timely and
485 effective implementation of this section.

486 SECTION 8. Chapter 30A of the General Laws is hereby amended by striking out section
487 5A and inserting in place thereof the following section:-

488 Section 5A: Review of rules and regulations regarding economic impact on
489 microbusinesses and small businesses

490 Section 5A. Existing rules and regulations shall be reviewed by each agency
491 contemporaneously with the development of the written comprehensive economic development
492 policy for the commonwealth and the strategic plan for implementing the policy during the first
493 year of each new gubernatorial administration required pursuant to subsection (l) of section 16G
494 of chapter 6A, which review shall be completed no later than June 30 of that year in order to
495 inform said economic development policy, or 5 years from the date last reviewed, whichever
496 occurs first, to ensure that those rules and regulations minimize economic impact on
497 microbusinesses and small businesses in a manner consistent with the stated objectives of
498 applicable statutes.

499 In reviewing a rule or regulation to minimize economic impact of the rule or regulation
500 on microbusinesses and small businesses, the agency shall file a business impact statement which
501 considers the following factors and any impact differentials between microbusinesses and small
502 businesses that are not microbusinesses:

- 503 (1) the continuing need for the rule or regulation;
- 504 (2) the nature of complaints or comments received concerning the rule or regulation from
505 the public;
- 506 (3) the complexity of the rule or regulation;
- 507 (4) the extent to which the rule or regulation overlaps, duplicates or conflicts with other
508 federal, state and local governmental rules and regulations;
- 509 (5) the length of time since the rule or regulation has been enacted, changed, amended or
510 modified; and
- 511 (6) the degree to which technology, economic conditions or other factors have changed in
512 the subject areas affected by the rule or regulation.

513 SECTION 9. Section 6 of chapter 30B of the General Laws is hereby amended by
514 striking out subsection (b) and inserting the following subsection:-

515 (b) The chief procurement officer shall solicit proposals through a request for proposals.

516 The request for proposals shall include:

517 (1) the time and date for receipt of proposals, the address of the office to which the
518 proposals are to be delivered, the maximum time for proposal acceptance by the governmental
519 body;

520 (2) the purchase description and all evaluation criteria that will be utilized pursuant to
521 paragraph (e);

522 (3) a requirement for a diversity and inclusion plan which shall be considered alongside
523 traditional criteria when evaluating bids; and

524 (4) all contractual terms and conditions applicable to the procurement provided that the
525 contract may incorporate by reference a plan submitted by the selected offeror for providing the
526 required supplies or services.

527 The request for proposals may incorporate documents by reference; provided, however,
528 that the request for proposals specifies where prospective offerors may obtain the documents.
529 The request for proposals shall provide for the separate submission of price, and shall indicate
530 when and how the offerors shall submit the price. The chief procurement officer shall make
531 copies of the request for proposals available to all persons on an equal basis.

532 SECTION 10. This Act shall take effect on January 1, 2023.

533 SECTION 11. Sections 3 and 9 shall only apply to requests for proposals proffered on or
534 after the effective date of this Act.