

HOUSE No. 3802

The Commonwealth of Massachusetts

PRESENTED BY:

Salvatore F. DiMasi

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 passage of the accompanying bill:

An Act making certain technical changes to the law relative to the life sciences industry in the commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Salvatore F. DiMasi	3rd Suffolk
Daniel E. Bosley	1st Berkshire

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT MAKING CERTAIN TECHNICAL CHANGES TO THE LAW RELATIVE TO THE LIFE SCIENCES INDUSTRY IN THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the immediate investment in and expansion of the life sciences in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Paragraph (a) of section 56 of chapter 23A is hereby amended by inserting after the
2 words “Massachusetts Workforce Investment Board” the following words:- the Massachusetts Life
3 Sciences Center,;

4 SECTION 2. Section 2 of chapter 23I of the General Laws, as appearing in section 3 of chapter 130
5 of the acts of 2008, is hereby amended by striking out the definition of “Vocational technical school” and
6 replacing it with the following definition:-

7 “Vocational technical school”, educational institutions providing vocational-technical education
8 established pursuant to sections 14 and 15 of chapter 71, chapter 74 or any vocational-technical school
9 that meets the programmatic requirements established by the department of education.

10 SECTION 3. Subsection (b) of section 3 of said chapter 23I, as appearing in section 4 of said
11 chapter 130, is hereby amended by striking out the word “his”, the fourth time it appears, and inserting in
12 place thereof the word:- the.

13 SECTION 4. Paragraph (f) of section 6 of said chapter 23I, as appearing in paragraph (f) of
14 subsection 6 of section 13 of said chapter 130 is hereby amended by striking out the words “may develop
15 a proposal creating” and inserting in place thereof the following words: - may, subject to the approval of
16 the board, create.

17 SECTION 5. Paragraph (c) of section 7 of said chapter 23I, as appearing in paragraph (c) of
18 subsection 7 of said section 13 of said chapter 130 is hereby amended by striking out the words

19 “unsuccessful; and (4) said qualified equity investment conforms” and inserting in place thereof the
20 following words: - unsuccessful. Said qualified equity investment shall conform.

21 SECTION 6. Paragraph (d) of said section 7 of said chapter 23I, as appearing in paragraph (d) of
22 said subsection 7 of said section 13 of said chapter 130 is hereby amended by striking out the words “may
23 develop a proposal relative to the creation of” and inserting in place thereof the following words: - may,
24 subject to the approval of the board, create.

25 SECTION 7. Paragraph (c) of section 8 of said chapter 23I, as appearing in paragraph (c) of
26 subsection 8 of said section 13 of said chapter 130 is hereby amended by striking out the word “shall” the
27 fourth time it appears.

28 SECTION 8. Paragraph (d) of said section 8 of said chapter 23I, as appearing in paragraph (d) of
29 said subsection 8 of said section 13 of said chapter 130 is hereby amended by striking out the words “may
30 develop a proposal creating” and inserting in place thereof the following words: - may, subject to the
31 approval of the board, create.

32 SECTION 9. Paragraph (d) of section 9 of said chapter 23I, as appearing in paragraph (d) of
33 subsection 9 of said section 13 of said chapter 130 is hereby amended by striking out the words “may
34 develop a proposal relative to the creation of” and inserting in place thereof the following words: - may,
35 subject to the approval of the board, create.

36 SECTION 10. Paragraph (d) of section 10 of said chapter 23I, as appearing in paragraph (d) of
37 subsection 10 of said section 13 of said chapter 130 is hereby amended by striking out the words “may
38 develop a proposal relative to the creation of” and inserting in place thereof the following words: - may,
39 subject to the approval of the board, create.

40 SECTION 11. Paragraph (b) of section 11 of said chapter 23I, as appearing in subsection 11 of
41 section 13 of said chapter 130 is hereby amended in clause (vi) by striking out the clause in its entirety
42 and inserting in place thereof the following clause:-

43 (vi) providing recommendations, at the request of the center, on proposals received by the center.

44 SECTION 12. Section 12 of said chapter 23I, as appearing in subsection 12 of said section 13 of said
45 chapter 130, is hereby amended by inserting after the word “member”, the first time it appears, the word
46 “statewide”.

47 SECTION 13. Said section 12 of said chapter 23I, as appearing in subsection 12 of said section 13
48 of said chapter 130, is hereby further amended by striking out, in the second paragraph, the words “5
49 members for a term of 3 years” and inserting in place thereof the following words:- and 5 members to
50 serve for a term of 3 years.

51 SECTION 14. Said section 12 of said chapter 23I, as appearing in said subsection 13 of said section
52 13 of said chapter 130, is hereby further amended in said second paragraph by striking out the words
53 “executive director” and inserting in place thereof the following word:- president

54 SECTION 15. Said section 13 of chapter 23I, as appearing in said subsection 13 of said section 13 of
55 said chapter 130, is hereby amended by striking out the words “executive director” and inserting in place
56 thereof the word:- president.

57 SECTION 16. Paragraph (m) (1) of section 17 of said chapter 23I, as appearing in clause (a) of
58 subsection 17 of said section 13 of said chapter 130 is hereby amended by inserting before the word
59 “Internal” the word:- the.

60 SECTION 17. Paragraph (1) of section 17 of said chapter 23I, as appearing in clause (b) of said
61 paragraph (1) of said subsection 17 of said section 13 of said chapter 130 is hereby further amended by
62 striking out the number “2” and inserting in place thereof the number:- 1.

63 SECTION 18. Paragraph (e) of section 38U of chapter 63 of the General Laws, as appearing in
64 section 30 of said chapter 130, is hereby amended by striking out the word “subsection (c)” and inserting
65 in place thereof the following:- subsection (d).

66 SECTION 19. Paragraph (f) of said section 38U of said chapter 63, as appearing in said section 30
67 of said chapter 130 , is hereby amended by striking out the word “paragraph” and inserting in place
68 thereof the following word:- subsection.

69 SECTION 20. Paragraph (g) of section 38W of said chapter 63, as appearing in said section 30 of
70 said chapter 130, is hereby amended by striking out, in paragraph (g), the words “subsection (f)” and
71 inserting in place thereof the following:- subsection (e).

72 SECTION 21. Section 42B of said chapter 63, as amended by section 85 of chapter 173 of the acts of
73 2008, is further amended by adding the following:-

74 (d) To the extent authorized pursuant to the life sciences tax incentive program established by section
75 5 of chapter 23I, a certified life sciences company may be deemed a research and development
76 corporation for purposes of exemptions under chapters 64H and 64I.

77 SECTION 22. Said section 42B of said chapter 63, as so appearing, is further amended by striking
78 out subsection (d) added by section 14.

79 SECTION 23. Section 1 of chapter 130 of the acts of 2008 is hereby amended by striking out, in line
80 2, the words “section 2” and inserting in place thereof the following:- section 2A.

81 SECTION 24. Section 2B of said chapter 130, as so appearing, is hereby amended by striking out the
82 number “37” and inserting in place thereof the following number:- 36.

83 SECTION 25. Section 14 of said chapter 130, as so appearing, is hereby amended by striking out, in
84 the first sentence, the number “14” and inserting in place thereof the following number:- 13.

85 SECTION 26. Section 26 of said chapter 130, as so appearing, is hereby repealed.

86 SECTION 27. Section 27 of said chapter 130, as so appearing, is hereby repealed.

87 SECTION 28. Section 40 of said chapter 130, as so appearing, is hereby amended by striking out the
88 words "March 31, 2009" and inserting in place thereof the following:- August 31, 2010.

89 SECTION 29. Section 41 of said chapter 130, as so appearing, is hereby amended by striking out the
90 words "March 31, 2009" and inserting in place thereof the following:- June 30, 2009.

91 SECTION 30. Section 42 of said chapter 130, as so appearing, is hereby amended by striking out the
92 words "March 31, 2009" and inserting in place thereof the following:- October 31, 2009.

93 SECTION 31. Section 43 of said chapter 130, as so appearing, is hereby amended by striking out the
94 words "June 30, 2009" and inserting in place thereof the following:- February 28, 2010.

95 SECTION 32. Section 52 of said chapter 130, as so appearing, is hereby further amended by striking
96 out the number "14" and inserting in place thereof the following number:- 13.

97 SECTION 33. Section 54 of said chapter 130, as so appearing, is hereby amended by inserting before
98 the number "18" the following number:-14.

99 SECTION 34. Said section 54 of said chapter 130, as so appearing, is further amended by striking
100 out the numbers "27" and "33".

101 SECTION 35. Section 14 shall take effect on January 1, 2009.

102 SECTION 36. Section 15 shall take effect on December 31, 2018.