

# HOUSE . . . . . No. 3973

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## The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2485) of the House Bill making appropriations for the fiscal year 2021 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3871), reports recommending passage of the accompanying bill (House, No. 3973) [Total Appropriation: \$261,572,158.00]. July 16, 2021.

Aaron Michlewitz	Michael J. Rodrigues
Ann-Margaret Ferrante	Cindy F. Friedman
Todd M. Smola	Patrick M. O'Connor

**HOUSE . . . . . No. 3973**

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Second General Court  
(2021-2022)**

An Act making appropriations for fiscal year 2021 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are forthwith to make supplemental appropriations for fiscal year 2021 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, 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. To provide for supplementing certain items in the general appropriation act  
2 and other appropriation acts for fiscal year 2021, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund unless specifically designated otherwise in this act or in  
4 those appropriation acts, for the several purposes and subject to the conditions specified in this  
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public  
6 funds for the fiscal year ending June 30, 2021. These sums shall be in addition to any amounts  
7 previously appropriated and made available for the purposes of those items. These sums shall be  
8 made available until June 30, 2022, except as otherwise stated.

9           SECTION 2.

10 OFFICE OF THE ATTORNEY GENERAL

11 *Office of the Attorney General*

12 0810-0000.....\$93,785

13 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

14 Division of Capital Asset Management and Maintenance

15 1102-3199.....\$1,075,653

16 *Human Resources Division*

17 1750-0100.....\$1,000,000

18 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

19 *Department of Fish and Game*

20 2330-0100.....\$371,107

21 *Department of Conservation and Recreation*

22 2810-0100.....\$1,000,000

23 EXECUTIVE OFFICE OF EDUCATION

24 *Department of Early Education and Care*

25 3000-7040.....\$264,373

26 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

27 *Office of the Secretary*

28 1595-1068.....\$31,937,236

29 *Soldiers' Home in Massachusetts*

30 4180-0100.....\$3,170,447

31 *Soldiers' Home in Holyoke*

32 4190-0100.....\$2,221,107

33 *Department of Transitional Assistance*

34 4403-2000.....\$27,853,223

35 *Department of Public Health*

36 4510-0100.....\$132,522

37 4516-1000.....\$1,491,441

38 4590-0913.....\$1,000,000

39 4590-0915.....\$7,259,080

40 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

41 *Department of State Police*

42 8100-0012.....\$1,300,000

43 8100-1001.....\$11,032,617

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*Military Division*

8700-0001.....\$13,034,845

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Department of Elder Affairs*

9110-0600.....\$7,774,619

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2021. These sums shall be made available until June 30, 2022, except as otherwise stated.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Reserves*

1599-1210 For a reserve for the start-up costs of the Massachusetts peace officer standards and training commission established in section 2 of chapter 6E of the General Laws; provided, that funds may be transferred to other items to reimburse costs incurred by those items in state fiscal year 2021 and state fiscal year 2022 on behalf of the commission; provided further, that not less than \$1,000,000 shall be expended for stipends for the 9 commissioners of the Massachusetts peace officers standards and training commission; and provided further, that not

64 less than \$200,000 shall be expended for the maintenance costs of the officer certification  
65 database.....\$5,000,000

66           1599-1211     For a reserve to meet the expenses associated with the implementation of  
67 chapter 253 of the acts of 2020; provided, that the secretary of administration and finance may  
68 transfer funds from this item to state agencies as defined in section 1 of chapter 29 of the General  
69 Laws; provided further, that not less than \$2,262,100 shall be expended for bridge academies for  
70 reserve officers and special state police officers previously not subject to the same training  
71 requirements as the general law enforcement population; provided further, that not less than  
72 \$3,208,000 shall be expended for new or expanded police training obligations of the municipal  
73 police training committee in accordance with section 116 of chapter 6 of the General Laws,  
74 including de-escalation training, use of force training and school resource officer training;  
75 provided further, that not less than \$1,597,160 shall be expended on the first diverse class of  
76 state police cadets for the program established in section 10A of chapter 22C of the General  
77 Laws; provided further, that not less than \$150,000 each shall be expended on: (i) the  
78 commission on the status of African Americans established by section 72 of chapter 3 of the  
79 General Laws; (ii) the commission of the status of Latinos and Latinas established by section 73  
80 of said chapter 3; (iii) the commission on the status of persons with disabilities established by  
81 section 74 of said chapter 3; and (iv) the commission on the social status of Black men and boys  
82 established by section 75 of said chapter 3; provided further, that not less than \$200,000 shall be  
83 expended on the shared administrative costs of said commissions; and provided further, that not  
84 less than \$50,000 each shall be expended on: (a) the model school resource officer memorandum  
85 of understanding review commission established in section 37P of chapter 71 of the General  
86 Laws; (b) the commission on correction officers and juvenile detention officers training

87 established in section 103 of chapter 253 of the acts of 2020; and (c) the law enforcement body  
88 camera task force established in section 104 of said chapter 253.....\$12,500,000

89 *Supplier Diversity Office*

90 1780-0100 For the operation and administration of the supplier diversity office;  
91 provided, that the office shall provide training and other services to businesses owned by women,  
92 minorities, veterans, service-disabled veterans, individuals with disabilities and individuals who  
93 are lesbian, gay, bisexual and transgender, certified by the office that allow those businesses to  
94 better compete for state contracts and ensure that equitable practices and policies in the public  
95 marketplace are maintained; provided further, that the office shall administer an electronic  
96 business certification application that shall be accessible to business applicants through the  
97 internet; provided further, that the office shall ensure the integrity and security of personal and  
98 financial information transmitted by electronic application; and provided further, that the office  
99 shall, using all existing available resources, provide certification services to all supplier diversity  
100 office qualified applicants, within or outside of the commonwealth, as applicable \$1,000,000

101 EXECUTIVE OFFICE OF EDUCATION

102 *Department of Early Education and Care*

103 3000-1021 For efforts to support and stabilize the early education and care workforce  
104 and address varied operational costs at state child care programs supervised by the department of  
105 early education and care, especially those related to the 2019 novel coronavirus pandemic and  
106 the costs associated with reopening and rebuilding capacity during the period of pandemic  
107 recovery; provided, that not less than \$91,060,103 shall be used to fund: (i) stabilization grants to  
108 providers based on a consistent, equitable formula to sustain operational capacity despite

109 fluctuations in enrollment; (ii) system-level workforce investments to encourage stability in the  
110 workforce and to maintain provider capacity during the 2019 novel coronavirus pandemic; (iii)  
111 investments in technology infrastructure to support innovation and flexibility in the field of early  
112 education and care providers; and (iv) departmental technical assistance related to the  
113 administration and distribution of funding; provided further, that the calculation used to  
114 determine the distribution of the stabilization grants in clause (i) shall prioritize equity and early  
115 education programs with higher percentages of state subsidized enrollment by using a consistent,  
116 equitable calculation that provides a base amount to every eligible provider, while adding  
117 supplemental funds as needed to address equity concerns; provided further, that not less than  
118 \$40,000,000 shall be made available as grants to providers serving subsidized children,  
119 calculated using an equal amount per subsidized child served by each provider, including  
120 children receiving both Head Start and subsidy; provided further, that eligible expenditures for  
121 said grants shall include, but not be limited to: (a) 2 years of bonus pay to retain and attract early  
122 educators, (b) additional 1-time bonus pay to retain credentialed educators who have obtained  
123 associates or bachelor's degrees; (c) expenditures that build on and work in conjunction with  
124 existing state funded early education and care workforce programs, including but not limited to,  
125 scholarship and degree pathway options and loan forgiveness opportunities; (d) small scale  
126 facility improvements; and (e) other 1-time educator benefit enhancements, including but not  
127 limited to, contributions to retirement accounts, child care assistance for early educators, and  
128 temporary additional assistance with health care co-pays; provided further, that the first  
129 distributions from this item shall be made not later than October 15, 2021; provided further, that  
130 not less than 45 days prior to the disbursement of funds from this item, the department shall  
131 submit a spending plan to the joint committee on education and the house and senate committees



132 on ways and means that shall include, but not be limited to: (1) a description of the formula  
133 through which funding will be allocated to providers; (2) an analysis of the incorporation of  
134 equity into the formula, including the projected distribution of funding to state subsidized and  
135 non-state subsidized childcare programs; (3) any system-wide programmatic updates the  
136 department feels will be necessary to monitor expenditures from this item; (4) a summary of the  
137 initiatives providers have funded or plan to fund with their grants as reported on their initial  
138 application; and (5) all additional information necessary for future budget and policy-making,  
139 including detailed financial information relative to non-state subsidized childcare programs who  
140 have and are expected to receive federal funding through fiscal year 2022; provided further, that  
141 the commissioner shall provide quarterly detailed updates on the distribution and related  
142 expenditures to the joint committee on education and the house and senate committees on ways  
143 and means until the funds are fully expended; provided further, that all funding distributed  
144 through this item shall be in accordance with the terms of the child care and development block  
145 grant appropriation in the federal coronavirus response and relief supplemental appropriations  
146 act, Public Law 116-260, and any state plans filed under that act; provided further, that the  
147 department shall provide technical assistance to providers to assist them in planning expenditures  
148 so as to avoid any so called “funding cliffs” in future fiscal years; and provided further, that any  
149 unexpended funds in this item shall not revert to the General Fund but shall be made available  
150 for this item until September 30, 2023 .....\$131,060,103

151 SECTION 2B. To provide for supplementing certain intragovernmental chargeback  
152 authorizations in the general appropriation act and other appropriation acts for fiscal year 2021,  
153 to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for  
154 an alteration of purpose for current intragovernmental chargeback authorizations and to meet

155 certain requirements of law, the sum set forth in this section is hereby authorized from the  
156 Intragovernmental Service Fund for the several purposes specified in this section or in the  
157 appropriation acts and subject to the provisions of law regulating the disbursement of public  
158 funds for the fiscal year ending June 30, 2021. This sum shall be in addition to any amounts  
159 previously authorized and made available for the purposes of this item.

160 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

161 *Office of the Secretary*

162 4000-1701.....\$20,000,000

163 SECTION 2C.I. For the purpose of making available in fiscal year 2022 balances of  
164 appropriations that otherwise would revert on June 30, 2021, the unexpended balances of the  
165 appropriations listed below, not to exceed the amount specified below for each item, are hereby  
166 re-appropriated for the purposes of and subject to the conditions stated for the corresponding  
167 item in section 2 of chapter 227 of the acts of 2020. However, for items that do not appear in  
168 section 2 of the general appropriation act, the amounts in this section are re-appropriated for the  
169 purposes of and subject to the conditions stated for the corresponding item in section 2 or section  
170 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the  
171 fund or funds designated for the corresponding item in said section 2 of said chapter 227;  
172 provided, however, that for items that do not appear in said section 2 of said chapter 227, the  
173 amounts in this section are re-appropriated from the fund or funds designated for the  
174 corresponding item in section 2 to 2E, inclusive, of this act or in prior appropriation acts. The  
175 sums reappropriated in this section shall be in addition to any amounts available for said  
176 purposes.

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OFFICE OF THE STATE AUDITOR

*Office of the State Auditor*

0710-0000.....	\$390,000
0710-0100.....	\$11,400
0710-0200.....	\$198,600
0710-0225.....	\$195,000
0710-0300.....	\$150,000

SECTION 3. Chapter 6 of the General Laws is hereby amended by inserting after section 172N the following section:-

Section 172O. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

“Care”, the provision of care, treatment, education, training, instruction, supervision or recreation to children; provided, that care shall include adoption and foster care.

“Covered individual”, an individual who has, seeks to have or may have access to a child or children, served by a qualified entity, as an adoptive or foster parent or prospective adoptive or foster parent.

“Identification document”, a document made or issued by or under the authority of the United States government, a state, political subdivision of a state, a sponsoring entity of an event designated as a special event of national significance, a foreign government, political subdivision

196 of a foreign government, an international governmental or an international quasi-governmental  
197 organization which, when completed with information concerning a particular individual, is of a  
198 type intended or commonly accepted for the purpose of identification of individuals.

199 “Qualified entity”, a business or organization, whether public, private, for-profit, not-for-  
200 profit or voluntary, that provides care or care placement services, including a business or  
201 organization that licenses or certifies others to provide care or care placement services; provided,  
202 that qualified entity shall include adoption agencies, foster care agencies, entities providing  
203 adoption or foster care services, entities providing adoption or foster care placement services and  
204 providers under contract with the department of children and families.

205 (b) A qualified entity shall require that all covered individuals are fingerprinted for the  
206 purposes of obtaining a state and national fingerprint-based criminal background check of the  
207 state and Federal Bureau of Investigation criminal history databases, as authorized by 34 U.S.C.  
208 section 40102(a).

209 (c) A qualified entity may obtain a state and national fingerprint-based criminal  
210 background check of the state and Federal Bureau of Investigation criminal history databases, as  
211 authorized by 34 U.S.C. section 40102(a), for the purpose of determining whether a covered  
212 individual has been convicted of a crime that bears upon the covered individual’s fitness to have  
213 responsibility for the safety and well-being of children. Any qualified entity that contracts with  
214 the department of children and families and any qualified entity that is licensed by the  
215 department of early education and care shall also receive all conviction data, arrest data, sealed  
216 record data and juvenile arrest or conviction data.

217 (d) A qualified entity that seeks to obtain said state and national fingerprint-based  
218 criminal background check under this section shall first submit a request to the department of  
219 criminal justice information services to be designated a qualified entity and execute a user  
220 agreement. Qualified entities shall be subject to the regulations of the department of criminal  
221 justice information services with respect to access to said state and national fingerprint-based  
222 criminal background check information.

223 (e) Requests for state and national fingerprint-based criminal background checks pursuant  
224 to this section shall be submitted in accordance with the policies and procedures established by  
225 the executive office of public safety and security, the department of criminal justice information  
226 services and the department of state police.

227 (f) A qualified entity is authorized to require a covered individual to be fingerprinted. No  
228 qualified entity shall request a background check pursuant to this section unless the covered  
229 individual first provides a set of fingerprints.

230 (g) Prior to submitting a state and national fingerprint-based criminal background check a  
231 covered individual shall complete and sign a statement authorizing consent to such a background  
232 check and notifying the covered individual that the qualified entity may request such a  
233 background check. The statement shall include the following additional information: (i) the  
234 name, address and date of birth as appearing on a valid identification document of the covered  
235 individual; (ii) a statement that the covered individual has not been convicted of a crime and, if  
236 the covered individual has been convicted of a crime, a description of the crime and the  
237 particulars of the conviction; (iii) notification of the rights of the covered individual to obtain a  
238 copy of the background check and the process by which the covered individual may appeal the

239 results of the background check to challenge the accuracy or completeness of the information  
240 contained in the background report; and (iv) notification that prior to the completion of the  
241 background check the qualified entity may choose to deny the covered individual access to  
242 children.

243 (h) Fingerprints shall be submitted to the identification section of the department of state  
244 police for a state criminal history check and forwarded to the Federal Bureau of Investigation for  
245 a national criminal history check, according to the policies and procedures established by the  
246 identification section of the department of state police and by the department of criminal justice  
247 information services. The department of state police and the Federal Bureau of Investigation may  
248 search criminal justice databases including all latent fingerprint submissions. Fingerprint  
249 submissions may be retained by the Federal Bureau of Investigation, the state identification  
250 section of the department of state police and the department of criminal justice information  
251 services to assist qualified entities authorized under this section to ensure the continued  
252 suitability of covered individuals to provide care for children. The department of criminal justice  
253 information services may disseminate the results of the state and national criminal background  
254 checks to the qualified entity and authorized staff of the qualified entity.

255 (i) A qualified entity may receive all available criminal offender record information and  
256 the results of checks of state and national criminal history information databases under 34 U.S.C.  
257 section 40102. The department of children and families, any qualified entity that contracts with  
258 the department of children and families and any qualified entity that is licensed by the  
259 department of early education and care shall also receive all conviction data, arrest data, sealed  
260 record data and juvenile arrest or conviction data. Upon receipt of the results of the state and  
261 national criminal background checks, the qualified entity shall treat the information according to

262 sections 167 to 178, inclusive, and the regulations promulgated thereunder regarding criminal  
263 offender record information. Information obtained by the qualified entity under this section shall  
264 be used only for determining the suitability of the covered individual's fitness to have  
265 responsibility for the safety and well-being of children and shall not be used or disseminated for  
266 any other purpose. Qualified entities shall also provide covered individuals with information  
267 regarding how to obtain a copy of the criminal history record information and the process by  
268 which the covered individual may appeal to challenge the accuracy or completeness of the  
269 information contained in the criminal history record information.

270 (j) An authorized qualified entity submitting background checks pursuant to this section  
271 shall also submit a sex offender registry information check to the sex offender registry board for  
272 covered individuals.

273 (k) Notwithstanding subsections 9 and 9 1/2 of section 4 of chapter 151B, if the qualified  
274 entity receives criminal history record information from the state or national fingerprint-based  
275 criminal background checks that includes no disposition or is otherwise incomplete, the qualified  
276 entity may request that a covered individual provide additional information regarding the results  
277 of the criminal background checks to assist the qualified entity in determining suitability.

278 (l) Upon receipt of the results of a state and national criminal background check for a  
279 covered individual, the authorized entity shall review the results and determine the suitability of  
280 the covered individual.

281 (m) There shall be a fee charged for fingerprint-based background checks under this  
282 section, established by the secretary of administration and finance in consultation with the  
283 secretary of public safety and security, to offset the costs of operating and administering a

284 fingerprint-based criminal background check system. The secretary of administration and finance  
285 in consultation with the secretary of public safety and security, may increase the fee accordingly  
286 if the Federal Bureau of Investigation increases the fee for its fingerprint background check  
287 service. Any fees collected from fingerprinting activity under this section shall be deposited into  
288 the Fingerprint-Based Background Check Trust Fund established under section 2HHHH of  
289 chapter 29.

290 (n) Nothing in this section shall be construed to prohibit the department of children and  
291 families from requesting or conducting state or national criminal background checks on covered  
292 individuals or from disseminating the results of such criminal background checks to qualified  
293 entities where authorized by federal and state law as applicable.

294 SECTION 4. Chapter 15D of the General Laws is hereby amended by striking out  
295 sections 7 and 8 and inserting in place thereof the following 2 sections:-

296 Section 7. (a) The department shall issue and may renew a license to any person other  
297 than a department, agency or institution of the commonwealth or any political subdivision  
298 thereof, who meets applicable standards and requirements to establish and maintain or to assist in  
299 the establishment and maintenance of a school-aged child care program, a child care center, a  
300 family child care home, a placement agency, a large family child care home, or family foster care  
301 which is not supervised and approved by a placement agency, residential program or temporary  
302 shelter facility.

303 (i) As part of the department's licensing and background record check process, the  
304 department, prior to issuing any license, shall: (1) obtain from the sex offender registry board all  
305 available sex offender registry information, including all registration forms and documents



306 maintained by the sex offender registry board considered necessary by the department to  
307 investigate background record checks or licensing violations, associated with the address of the  
308 program, center, facility or home; and (2) conduct fingerprint-based checks of the state and  
309 national criminal history databases, as authorized by Public Law 92-544. The fingerprint-based  
310 checks shall be conducted on any current holder of or applicant for a family child care assistant  
311 certificate or any current holder of or applicant seeking a license for: family child care; small  
312 group and school age child care; large group and school age child care; a residential program; or  
313 a placement agency. The fingerprint-based checks shall also be required for any household  
314 member, age 15 or older, or any person, age 15 or older, regularly on the premises of applicants  
315 for family child care licensure, as well as in-home non-relative caregivers. Authorized  
316 department staff may receive all criminal offender record information and the results of checks  
317 of state and national criminal history databases pursuant to Public Law 92-544. When the  
318 department obtains the results of checks of state and national criminal history databases, it shall  
319 treat the information according to sections 167 to 178, inclusive, of chapter 6 and the regulations  
320 thereunder regarding criminal offender record information. Additionally, the department shall  
321 obtain all available criminal offender record information through the department of criminal  
322 justice information services consistent with clause (13) of subsection (a) of section 172 of  
323 chapter 6 and section 172F of said chapter 6, and all supported findings and pending  
324 investigations of abuse or neglect available through the department of children and families  
325 consistent with sections 51B, 51E, and 51F of chapter 119. The department may require  
326 additional checks as required by state or federal law.

327 (ii) As part of the department's licensing and background record check process, the  
328 department shall conduct fingerprint-based checks of the state and national criminal history

329 databases, as authorized by Public Law 92-544, to determine the suitability of all current and  
330 prospective candidates for employment or internships, whether or not those candidates have  
331 unsupervised access to children, and all volunteers with unsupervised access to children in  
332 department-licensed programs, unless specifically exempt by department regulations or policies.  
333 The department shall outline in its regulations or policies the circumstances under which  
334 candidates within department-licensed programs shall complete a background record check  
335 through the department regardless of the candidate's unsupervised access to children. The  
336 fingerprint-based checks shall also be required to determine the suitability of an individual who  
337 provides transportation services on behalf of a department-licensed or approved program.  
338 Authorized department staff may receive criminal offender record information and the results of  
339 checks of state and national criminal history databases pursuant to Public Law 92-544. When the  
340 department obtains the results of checks of state and national criminal history databases, it shall  
341 treat the information according to sections 167 to 178, inclusive, of chapter 6 and the regulations  
342 thereunder regarding criminal offender record information.

343 (b) The department shall issue approval to a department, agency, or institution of the  
344 commonwealth or any political subdivision thereof which it determines meets the applicable  
345 standards and requirements to establish and maintain a child care center, family child care home  
346 or large family child care home, placement agency, group care facility or temporary shelter  
347 facility.

348 As part of the department's approval process, the department or an agency authorized by  
349 the department, prior to issuing an approval, shall: (i) obtain from the sex offender registry board  
350 all available sex offender registry information, including all registration forms and documents  
351 maintained by the sex offender registry board considered necessary by the department to

352 investigate background record checks or licensing violations, associated with the address of the  
353 center, home or facility; and (ii) conduct fingerprint-based checks of the state and national  
354 criminal history databases, pursuant to Public Law 92-544, that are required under this  
355 subsection.

356         The fingerprint-based checks of the state and national criminal history databases shall be  
357 conducted, pursuant to Public Law 92-544, to determine the suitability of all current or  
358 prospective candidates for employment and internships, whether or not those candidates have  
359 unsupervised access to children, and all candidates for volunteer positions with unsupervised  
360 access to children in department-approved programs, unless specifically exempt by department  
361 regulations or policies. The fingerprint-based checks shall also be required to determine the  
362 suitability of an individual who provides transportation services on behalf of a department-  
363 approved program. Authorized department staff may receive criminal offender record  
364 information and the results of checks of state and national criminal history information databases  
365 pursuant to Public Law 92-544. When the department obtains the results of checks of state and  
366 national criminal information databases, it shall treat the information according to sections 167 to  
367 178, inclusive, of chapter 6 and the regulations thereunder regarding criminal offender record  
368 information.

369         The fingerprint-based checks of the state and national criminal history databases shall be  
370 conducted, pursuant to Public Law 92-544, to determine the suitability of all current or  
371 prospective candidates for employment and internships, whether or not those candidates have  
372 unsupervised access to children, and all candidates for volunteer positions with unsupervised  
373 access to children in programs run by public school districts where families of children enrolled  
374 in such programs receive funding from the department, unless specifically exempt by department

375 regulations or policies. The fingerprint-based checks shall also be required to determine the  
376 suitability of an individual who provides transportation services on behalf of a department-  
377 approved program. Authorized department staff may receive all criminal offender record  
378 information and the results of checks of state and national criminal history information databases  
379 pursuant to Public Law 92-544. When the department obtains the results of checks of state and  
380 national criminal information databases, it shall treat the information according to sections 167 to  
381 178, inclusive, of chapter 6 and the regulations thereunder regarding criminal offender record  
382 information.

383 (c) With respect to department-licensed and approved child care programs and any other  
384 program subject to 42 U.S.C. section 9858, additional background record checks shall be  
385 required by the department's regulations or policies consistent with federal and state law.

386 (d) The department may issue a provisional license for or may provisionally approve a  
387 school-aged child care program, a child care center, family child care home or large family child  
388 care home, family foster care which is not supervised and approved by a placement agency,  
389 placement agency, group care facility or temporary shelter facility, which has not previously  
390 operated, or is operating, but is temporarily unable to meet applicable standards and  
391 requirements. A provisional license or approval shall be issued for a period of not more than 6  
392 months, and a person shall not operate under a provisional license, provisional approval, or  
393 renewal thereof for more than 12 consecutive months.

394 (e) Nothing in this section shall be construed to create a private right of action if a  
395 provider has acted in accordance with this section.

396           Section 8. (a) The board shall adopt regulations relative to the requirements for licensure  
397 and approval of school-aged child care programs, child care centers, family child care homes or  
398 large family child care homes and family foster care which are not supervised and approved by a  
399 placement agency, placement agencies, group care facilities or temporary shelter facilities. These  
400 regulations shall be appropriate for the protection of the health, well-being and development of  
401 children and shall include, but need not be limited to, provisions relative to: (1) admission  
402 policies and procedures; (2) safe transport of children; (3) physical plant and equipment; (4) the  
403 number and qualifications of staff; (5) the nature of programs of care or treatment; (6) behavior  
404 management and child guidance policies and procedure; (7) health care and nutrition; (8) rights  
405 and responsibilities of parents, children and staff; (9) record keeping and other procedures  
406 relevant to evaluation including, but not limited to, reports by placement agencies detailing the  
407 number and nature, as defined jointly by the University of Massachusetts center for adoption  
408 research and policy in the city of Worcester and the department of children and families, of  
409 adoptions processed during each calendar quarter to be filed with the center annually on or  
410 before January 30; (10) organization, financing and administration; and (11) the imposition of  
411 civil fines and other sanctions. The board shall consult with the board of elementary and  
412 secondary education, the executive office of public safety and security and the executive office  
413 of health and human services before adopting these rules and regulations. The board shall submit  
414 any rules and regulations, or revisions to them, to the joint committee on education for review  
415 and comment at least 60 days before adoption.

416           (b) The regulations may establish classifications for department-licensure, approval or  
417 funding that are necessary to achieve the purposes of this section, but the standards and  
418 requirements for approval of a child care center, family child care home or large family child

419 care home, placement agency, group care facility, or temporary shelter operated by a department,  
420 agency or institution of the commonwealth or any political subdivision thereof shall be the same  
421 as or higher than those applicable to the licensure of comparable facilities or services. The  
422 regulations shall establish reasonable license fees and appropriate terms for all licenses granted  
423 under this section. No license or approval shall be transferable.

424 (c) The regulations, as they relate to standards and requirements for licensure and  
425 approval of large family child care homes, shall include, but not be limited to, appropriate  
426 standards for: 1 or more approved assistants as provided in this chapter; additional floor space;  
427 staff-to-child ratios for multiple age and size groupings; limitations on the number of infants in  
428 care at 1 time; the hours of school-aged care; the number and age of school-aged children cared  
429 for; a prerequisite that a provider have at least 3 years of experience in licensed family child care  
430 and have completed at least 5 hours of specialized training before licensure as a large family  
431 child care provider and at least 10 hours of training each subsequent year. In formulating the  
432 regulations pertinent to family child care homes, large family child care homes and family foster  
433 care, the department shall give special attention to fire and safety precautions.

434 (d) The timing, scope and nature of the department's background record check process  
435 shall be established by the board in its regulations or policies, consistent with federal and state  
436 law. Nothing in this section shall prevent the department from completing the background record  
437 check process in a shorter amount of time than that required by federal or state law. The  
438 regulations shall provide that: a person providing child care or support services or with  
439 unsupervised access to children in a program or facility licensed, approved or funded by the  
440 department and household members, age 15 or older, or persons regularly on the premises, age  
441 15 or older, of family child care and large family child care homes shall be subject to a

442 background record check not less than every 3 years in accordance with regulations established  
443 by the department; provided, however, that a candidate for employment in a department-  
444 licensed, approved or funded program who is subject to a fingerprint-based check of the state and  
445 national criminal history databases for the same employer that is approved pursuant to chapters  
446 19B or 71B shall submit to a fingerprint-based check under regulations established by the  
447 department; provided further, that a person who is considered suitable by the department shall  
448 not be subject to more than 1 fingerprint-based check every 3 years to maintain employment with  
449 the same employer that is department-licensed, approved or funded pursuant to this chapter and  
450 is subject to said chapters 19B or 71B, and shall not be subject to duplicative fingerprint-based  
451 checks for the same employer when fingerprinted for the department first unless an exception  
452 described in the regulations or policies of the department applies or an increased frequency is  
453 required by state or federal law; and provided further, that the department shall only determine  
454 whether an applicant is suitable for affiliation with a department-licensed, approved or funded  
455 program.

456           The board shall adopt regulations establishing that the following individuals shall be  
457 subject to a sex offender registry information check pursuant to sections 178I and 178J of  
458 chapter 6: (1) each person defined as an applicant of a department-licensed, approved or funded  
459 program; (2) individuals who are providing child care or support services with unsupervised  
460 access to children in a program or facility licensed, approved or funded by the department when  
461 mandated by department regulations or policies consistent with federal and state law; (3)  
462 household members, age 15 or older, or persons regularly on the premises, age 15 or older, of  
463 family child care and large family child care homes; (4) department-funded caregivers or  
464 candidates for employment, internships or volunteer positions within programs in receipt of

465 federal funding pursuant to 42 U.S.C. section 9858, consistent with department regulations or  
466 policies; and (5) an individual who provides transportation services on behalf of a department-  
467 licensed, funded or approved program. The regulations shall establish the conditions upon which  
468 the department may deny an application for a license, a license renewal or approval, employment  
469 or department funding. The board shall adopt regulations establishing an address search of the  
470 sex offender registry for the purposes of licensing and license renewal or approval of school-  
471 aged child care programs, child care centers, family child care homes, placement agencies or  
472 large family child care homes, family foster care that is not supervised and approved by a  
473 placement agency, group care facilities or temporary shelter facilities, including the conditions  
474 under which the department may deny an application for a license, license renewal, approval or  
475 funding based upon the information obtained from the address search of the sex offender  
476 registry.

477 (e) Any rule or regulation involving medical treatment shall include appropriate  
478 exemptions for children whose parents object to such treatment on the ground that it conflicts  
479 with the tenets and practice of a recognized church or religious denomination of which the parent  
480 or child is an adherent or member. The regulations shall require that each child care program  
481 licensed or approved by the department shall obtain from a parent or guardian of a child in care  
482 under the age of 6 years, but not less than 2 years of age, a statement, signed by a physician or an  
483 employee of a health care agency, that the child has been screened for lead poisoning. This  
484 statement shall be obtained upon the child's enrollment if the child is 2 years of age or older or at  
485 the time the child reaches 2 years of age.

486 (f) The regulations shall require that any person who operates a school age child care  
487 program, as defined in section 2 of chapter 132B, or a child care center shall comply with the



488 requirements regarding pesticide applications as set forth in sections 6C to 6I, inclusive of said  
489 chapter 132B.

490 (g) Fines authorized by this section shall range from \$50 to \$1,000. In no case shall a fine  
491 imposed on a family child care home, large family child care home or child care center exceed a  
492 maximum fine of \$250 per violation.

493 (h) The department shall provide consultation to assist applicants in meeting its  
494 requirements for licensure or approval, and in meeting other applicable state and local  
495 requirements relative to fire, safety, and zoning codes.

496 (i) The board shall conduct a comprehensive review of rules and regulations established  
497 under this section at least once every 5 years.

498 (j) Fingerprints, as referenced in subsections (a) and (b) of section 7 and subsection (d),  
499 shall be submitted to the identification section of the department of state police for a state  
500 criminal history check and forwarded to the Federal Bureau of Investigation for a national  
501 criminal history check, according to the policies and procedures established by the identification  
502 section of the department of state police and by the department of criminal justice information  
503 services. Fingerprint submissions may be retained by the Federal Bureau of Investigation, the  
504 identification section of the department of state police and the department of criminal justice  
505 information services to assist the department of early education and care in the department's  
506 review of suitability for initial or continued licensure, certification, approval or funding. The  
507 department of criminal justice information services may disseminate the results of a state and  
508 national criminal history check to the department of early education and care to determine the  
509 suitability of: (i) a current holder of or applicant for a family child care, small group and school

510 age, large group and school age and residential and placement license or family child care  
511 assistant certificate; (ii) current and prospective candidates for employment and for internships  
512 and volunteer positions where there is unsupervised access to children in a department-licensed,  
513 approved or funded program consistent with department regulations or policies and with federal  
514 and state law; (iii) household members, age 15 or older, or all persons, age 15 or older, regularly  
515 on the premises, of current family child care providers and applicants for family child care  
516 licensure; (iv) department-funded caregivers or candidates within programs in receipt of federal  
517 funding pursuant to 42 U.S.C. section 9858, consistent with department regulations or policies;  
518 and (v) an individual who is a current or prospective provider of transportation services on behalf  
519 of, whether or not they have unsupervised access to children in, a department-licensed, approved  
520 or funded program, consistent with department regulations or policies. If the department receives  
521 information from a background record check that does not include a final disposition or is  
522 otherwise incomplete, the department may request that a candidate, either new or renewing,  
523 provide additional information to assist the department in determining the suitability of the  
524 individual for licensure, certification, approval, funding or employment.

525         The board of early education and care shall, in a manner provided by law and under this  
526 chapter, promulgate regulations necessary to carry out this subsection. The regulations shall  
527 address the circumstances under which a licensed, approved or funded program may hire an  
528 individual in provisional status consistent with this section, the department's regulations or  
529 policies and the federal requirements of 42 U.S.C. section 9858f.

530         For the purposes of this subsection, the term “provisional status” shall mean the standing  
531 of a candidate for employment, an internship or a volunteer position with a department-licensed,  
532 approved or funded program, or a candidate who has access to children in those programs, who

533 the department preliminarily approves to have supervised access to children after obtaining the  
534 results of a state and national fingerprint-based criminal history check and required sex offender  
535 checks consistent with federal and state law and the department's regulations or policies. A  
536 candidate may be hired by the employer in provisional status if the employer determines that  
537 hiring the candidate is necessary and authorized by department regulations or policies and is  
538 consistent with federal law. Candidates in provisional status shall adhere to the requirements in  
539 department regulations and policies. If a program or transportation provider seeks to hire a  
540 candidate in provisional status, the department may request that the candidate provide additional  
541 information regarding the individual's history of criminal convictions, if any, to assist the  
542 department in determining the individual's suitability for provisional status; provided, however,  
543 that access to children shall not occur prior to the program or transportation provider obtaining  
544 the results of a fingerprint-based state and national criminal check and all sex offender registry  
545 information checks pursuant to sections 178I and 178J of chapter 6 and consistent with federal  
546 and state law and department regulations and policies.

547 The department of criminal justice information services shall disseminate the results of  
548 the criminal background check to the department. The department of criminal justice information  
549 services shall only disseminate information under this section that would otherwise be available  
550 to requesting entities pursuant to sections 167 to 178, inclusive, of said chapter 6 and the  
551 regulations thereto regarding criminal offender record information.

552 (k) The board shall adopt regulations establishing the conclusiveness of information  
553 obtained by the department in an address search of the sex offender registry for purposes of  
554 licensing, license renewal or approval of school-aged child care programs, child care centers,  
555 family child care homes, placement agencies or large family child care homes, family foster care

556 that is not supervised and approved by a placement agency, group care facilities or temporary  
557 shelter facilities, including the conditions in which the address search of the sex offender registry  
558 shall be sufficient cause for the department to deny an application for a license, license renewal  
559 or approval.

560 (l) All persons required to submit fingerprints pursuant to this chapter, including, but not  
561 limited to: (i) a current holder of or applicant for a family child care, small group and school age,  
562 large group and school age and residential and placement license, or family child care assistant  
563 certificate; (ii) current and prospective candidates for employment, internships and volunteer  
564 positions in department-licensed, approved or funded programs, consistent with department  
565 regulations or policies; (iii) household members, age 15 or older, or persons, age 15 or older,  
566 regularly on the premises of current family child care providers and applicants for family child  
567 care licensure; (iv) department-funded caregivers or candidates within programs in receipt of  
568 federal funding pursuant to 42 U.S.C. section 9858, consistent with department regulations or  
569 policies; and (v) a current or prospective candidate who provides transportation services on  
570 behalf of, or who has unsupervised access to children in, a department-licensed, approved or  
571 funded program, consistent with department regulations or policies, shall pay a fee, to be  
572 established by the secretary of administration and finance, in consultation with the secretary of  
573 public safety and security and the commissioner, to offset the costs of operating and  
574 administering a fingerprint-based criminal background check system; provided, however, that the  
575 fee shall not exceed the fingerprint background check service fee charged by the Federal Bureau  
576 of Investigations. The department-licensed, approved or funded programs may reimburse  
577 candidates for employment, internships or volunteer positions, for all or a portion of the fee on  
578 the grounds of financial hardship. Fees collected from fingerprinting activity pursuant to this

579 chapter shall be deposited into the Fingerprint-Based Background Check Trust Fund, established  
580 by section 2HHHH of chapter 29.

581 (m) The department’s review process into a person’s presumptive and discretionary  
582 disqualifications shall include an opportunity for the person to address department personnel, if  
583 requested by the person, about any disqualifications. Upon receipt of such a request, it shall be  
584 within the discretion of the department to conduct a telephone interview, in-person interview or  
585 to accept a written statement by the person to make a final suitability determination.

586 (n) Nothing in this section shall be construed to create a private right of action if a  
587 provider has acted in accordance with this section.

588 SECTION 5. Subsection (a) of section 69 of chapter 23A of the General Laws, as added  
589 by section 9 of chapter 358 of the acts of 2020, is hereby amended by striking out the last  
590 sentence and inserting in place thereof the following sentence:-

591 For the purposes of this section, the term “micro business” shall mean a business: (i) with  
592 no more than 5 employees; (ii) located in a census tract as reported in the most recently  
593 completed decennial census published by the United States Census Bureau that has a median  
594 household income not greater than 80 per cent of the statewide median household income; and  
595 (iii) with no more than \$250,000 in annual revenue.

596 SECTION 6. Section 2HHHH of chapter 29 of the General Laws, as appearing in the  
597 2018 Official Edition, is hereby amended by inserting, in line 4, after the word “in” the following  
598 words:- section 172O of chapter 6,.

599 SECTION 7. Said section 2HHHH of said chapter 29, as so appearing, is hereby further  
600 amended by inserting, in line 14, after the word “in” the following words:- section 172O of  
601 chapter 6,.

602 SECTION 8. Subsection (b) of section 2WWWW of said chapter 29, as so appearing, is  
603 hereby amended by inserting after the word “regulations”, in line 19, the following words:- ;  
604 provided, that money in the fund may also be expended for payments to such hospitals necessary  
605 to reconcile prior-year assessment amounts due to timing discrepancies in the calculation of the  
606 ratio described in subsection (b) of section 67 of chapter 118E.

607 SECTION 9. Section 100 of chapter 32 of the General Laws, as so appearing, is hereby  
608 amended by inserting after the word “death”, in line 13, the following words:- , or if a police  
609 officer while at the scene of an emergency in the performance of the police officer’s duties is  
610 killed or sustains injuries which result in the police officer’s death.

611 SECTION 10. Subsection (c) of section 3A of chapter 40A of the General Laws, as added  
612 by section 18 of chapter 358 of the acts of 2020, is hereby amended by inserting after the word  
613 “department”, the first time it appears, the following words:- of housing and community  
614 development.

615 SECTION 11. The fifth paragraph of section 5 of said chapter 40A, as amended by  
616 section 19 of said chapter 358, is hereby amended by striking out clause (4) and inserting in  
617 place thereof the following clause:-

618 (4) the adoption of a smart growth zoning district or starter home zoning district in  
619 accordance with section 3 of chapter 40R.

620 SECTION 12. Said section 5 of said chapter 40A, as so amended, is hereby further  
621 amended by inserting after the fifth paragraph the following 2 paragraphs:-

622 Any amendment that requires a simple majority vote shall not be combined with an  
623 amendment that requires a two-thirds majority vote.

624 If, in a city or town with a council of fewer than 25 members, there is filed with the clerk  
625 prior to final action by the council a written protest against a zoning change under this section,  
626 stating the reasons duly signed by owners of 50 per cent or more of the area of the land proposed  
627 to be included in such change or of the area of the land immediately adjacent extending 300 feet  
628 therefrom, no change of any such ordinance shall be adopted except by a two-thirds vote of all  
629 members.

630 SECTION 13. Section 4G of chapter 40J of the General Laws, as appearing in the 2018  
631 Official Edition, is hereby amended by adding the following 2 subsections:-

632 (c) Notwithstanding the requirements of subsections (a) and (b), the fund may be used to  
633 support technology and innovation ecosystems through grants or loans for facilities that foster  
634 innovation, demonstration, research and product development in emerging technologies and  
635 systems of strategic importance to the commonwealth including, but not limited to, artificial  
636 intelligence, robotics, quantum computing, advanced manufacturing, cyber security, financial  
637 technology, blockchain and marine technologies. Grants may be made to public entities, public  
638 or private universities or private business entities; provided, however, that a private university or  
639 business entity shall not be eligible for assistance from the fund unless the corporation has made  
640 a finding that a grant to such university or entity will result in a significant public benefit and the  
641 private benefit is incidental to a legitimate public purpose. Capital assets acquired with grant

642 funds may be privately-owned or leased to a private entity if necessary to achieve the public  
643 purpose of the grant.

644 (d) Annually, not later than October 1, the corporation shall file a report with clerks of the  
645 senate and house of representatives, the joint committee on higher education, the joint committee  
646 on economic development and emerging technologies and the senate and house committees on  
647 ways and means detailing the grants and loans issued under this section.

648 SECTION 14. Chapter 40X of the General Laws, as inserted by section 56 of chapter 358  
649 of the acts of 2020, is hereby amended by striking out section 8 and inserting in place thereof the  
650 following section:-

651 Section 8. (a) The municipal governing body of a lead jurisdiction shall notify the  
652 commissioner of its approval of a tourism destination marketing district, the rate at which the  
653 special assessment is to be imposed and the effective date of the special assessment. Such  
654 notification shall be received by the commissioner within 48 hours of the formal approval of the  
655 tourism destination marketing district by the local municipal governing body of the lead  
656 jurisdiction. The special assessment shall take effect on the first day of the first calendar quarter  
657 following 30 days after approval by the municipal governing body of a lead jurisdiction of the  
658 tourism destination marketing district; provided, that the assessment shall not take effect for a  
659 calendar quarter if the commissioner has not first been notified of the adoption of the assessment  
660 at least 28 days before the start of such calendar quarter.

661 (b) The management entity of a tourism destination marketing district shall, with respect  
662 to every lodging business operating in the tourism destination marketing district, report to the  
663 commissioner the lodging business's name, address, zip code, federal employment identification



664 number and any other information the commissioner may require for the purposes of the  
665 administration and collection of the special assessment within 30 days after approval by the  
666 municipal governing body of a lead jurisdiction of the tourism destination marketing district. The  
667 management entity must report this information to the commissioner with respect to any lodging  
668 businesses added to the tourism destination marketing district within 30 days of such addition.

669 (c) Assessed lodging businesses shall pay the tourism destination marketing district  
670 special assessment to and file a return with the commissioner at the same time and in the same  
671 manner provided for filing the return required by paragraph (g) of section 16 of chapter 62C.  
672 Such special assessment shall be treated as tax for administration and collection purposes and  
673 shall be subject to said chapter 62C. All sums received by the commissioner under this chapter  
674 shall, at least quarterly, be distributed, credited and paid by the state treasurer upon certification  
675 of the commissioner, to each management entity in proportion to the amount of such sums  
676 received from the respective tourism destination marketing districts.

677 The special assessments collected shall be used solely to fund supplemental services  
678 identified and approved in the tourism destination marketing district plan for the tourism  
679 destination marketing district.

680 (d) An annual audit, certified by a certified public accountant, of the revenues generated,  
681 the grants, donations and gifts received and the expenses incurred by the tourism destination  
682 marketing district shall be made within 120 days of the close of the fiscal year, and shall be  
683 placed on file with the commissioner. Such accounting shall be a public record.

684 (e) The commissioner may promulgate regulations and issue other guidance for the  
685 assessing, reporting, collecting, remitting and enforcement of the special assessment under this  
686 section.

687 SECTION 15. Section 9 of said chapter 40X, as inserted by said section 56 of said  
688 chapter 358, is hereby amended by adding the following subsection:-

689 (e) The municipal governing body of a lead jurisdiction shall notify the commissioner of  
690 the approval of any amendment to a tourism destination marketing district plan within 48 hours  
691 of the formal approval of such amendment. Any change in assessment rate shall take effect in the  
692 manner provided in subsection (a) of section 8.

693 SECTION 16. Said chapter 40X, as inserted by said section 56 of said chapter 358, is  
694 hereby further amended by striking out section 11 and inserting in place thereof the following  
695 section:-

696 Section 11. (a) The validity of an assessment levied pursuant to this chapter shall not be  
697 contested in any action or proceeding unless the action or proceeding is commenced within 30  
698 days after the formal approval of the tourism destination marketing district by the local  
699 municipal governing body of the lead jurisdiction. Any appeal from a final judgment in an action  
700 or proceeding shall be perfected within 30 days after entry of judgment.

701 (b) Notwithstanding subsection (a), chapter 62C shall apply to disputes regarding the  
702 proper amount of assessment due from a lodging business pursuant to this chapter.

703 SECTION 17. Subsection (a) of section 7 of chapter 93L of the General Laws, as  
704 appearing in section 65 of said chapter 358, is hereby amended by striking out the fifth paragraph  
705 and inserting in place thereof the following paragraph:-

706 All records of investigations by the commissioner, records of the office of the student  
707 loan ombudsman established under section 35 of chapter 12 and reports of examinations by the  
708 commissioner, including workpapers, information derived from the reports that cannot be  
709 obtained from other sources and responses to the reports, and any copies thereof in the  
710 possession of a student loan servicer under the supervision of the commissioner, shall be  
711 confidential and privileged communications; provided, however, that nothing in this subsection  
712 shall interfere with the work of the office of the student loan ombudsman established under said  
713 section 35 of said chapter 12; and provided further, that the records of the student loan  
714 ombudsman may be made public only if the attorney general determines that such disclosure is  
715 in the public interest.

716 SECTION 18. Section 3 of chapter 161A of the General Laws, as appearing in the 2018  
717 Official Edition, is hereby amended by striking out, in lines 2 and 3, the words “board of  
718 directors of the Massachusetts Department of Transportation established in chapter 6C” and  
719 inserting in place thereof the following words:- Massachusetts Bay Transportation Authority  
720 board of directors established in section 7.

721 SECTION 19. Said chapter 161A is hereby further amended by striking out section 7, as  
722 so appearing, and inserting in place thereof the following section:-

723 Section 7. (a) The authority shall be governed and its corporate powers exercised by a  
724 board of directors. The board shall consist of: the secretary, who shall serve ex officio; 1 person

725 to be appointed by the advisory board who shall have municipal government experience in the  
726 service area constituting the authority and experience in transportation operations, transportation  
727 planning, housing policy, urban planning or public or private finance; and 5 persons to be  
728 appointed by the governor, 1 of whom shall have experience in safety, 1 of whom shall have  
729 experience in transportation operations, 1 of whom shall have experience in public or private  
730 finance, 1 of whom shall be a rider as defined in section 1 and a resident of an environmental  
731 justice population as defined in section 62 of chapter 30 and 1 of whom shall be selected from a  
732 list of 3 persons recommended by the president of the Massachusetts State Labor Council, AFL-  
733 CIO.

734         The member appointed by the advisory board with municipal government experience in  
735 the service area constituting the authority shall represent 1 of the following service areas: (i) the  
736 14 cities and towns; (ii) the 51 cities and towns; or (iii) the other served communities; provided,  
737 however, that of the members appointed by the governor, not less than 1 shall reside or work in a  
738 different service area than the member appointed by the advisory board. A vacancy from a  
739 member appointed by the advisory board with municipal government experience in the service  
740 area constituting the authority who has served for 2 full terms shall be filled with a member with  
741 municipal government experience from a different service area of the authority than the  
742 departing member.

743         Not less than 2 of the appointed members shall also be members of the board of directors  
744 of the Massachusetts Department of Transportation established under section 2 of chapter 6C.

745 In making selections to the board of directors, the appointing authority shall strive to  
746 ensure a board whose diversity and inclusion are reflective of the population served by the  
747 authority.

748 (b) The term of each member, except for the secretary, shall be 4 years; provided,  
749 however, that 3 of the members appointed by the governor, not including the secretary, shall  
750 serve for terms that are coterminous with the governor. A member shall be eligible for  
751 reappointment; provided, however, that a member shall not serve more than 2 terms. A member  
752 appointed to fill a vacancy in the board shall serve only for the unexpired portion of the term of  
753 the former member but may be appointed to serve 2 full terms thereafter.

754 (c) Not more than 4 members shall be enrolled in the same political party. The governor  
755 shall designate 1 member to serve as chair and the board shall elect 1 member to serve as vice-  
756 chair; provided, however, that the secretary shall not serve as chair or vice-chair.

757 (d) Four members of the board shall constitute a quorum and the affirmative vote of a  
758 majority of members present at a duly called meeting, if a quorum is present, shall be necessary  
759 for any action taken by the board. Any action required or permitted to be taken at a meeting of  
760 the board may be taken without a meeting if all of the members consent in writing to such action  
761 and such written consent is filed with the records of the minutes of the board. Such consent shall  
762 be treated for all purposes as a vote at a meeting.

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

767 (f) The board shall establish subcommittees, which shall include at a minimum a  
768 subcommittee on: (i) safety, health and environment; (ii) planning and workforce development;  
769 and (iii) audit and finance. Each member shall participate on 2 subcommittees of the board. Each  
770 subcommittee shall have 3 board members. The appointee of the governor who has experience in  
771 safety shall chair the subcommittee on safety, health and environment. The appointee of the  
772 governor who has experience in public or private finance shall chair the subcommittee on audit  
773 and finance.

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

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

780 (i) The board shall meet at least 1 time per month and not less than 12 times per calendar  
781 year.

782 (j) Each member shall make full disclosure of their financial interest, if any, in matters  
783 before the board by notifying the state ethics commission, in writing, and shall abstain from  
784 voting on any matter before the board in which the member has a financial interest, unless  
785 otherwise permissible under chapter 268A. Chapters 268A and 268B shall apply to the secretary  
786 in the secretary's capacity as an ex officio member. Said chapters 268A and 268B shall apply to  
787 all other members of the board, except that the board may purchase from, sell to, borrow from,  
788 loan to, contract with or otherwise deal with any person with which any member of the board has

789 an interest or involvement; provided, however, that: (i) such interest or involvement is disclosed  
790 in advance to the members of the board and recorded in the minutes of the board; and (ii) no  
791 member having such interest or involvement may participate in a decision of the board relating  
792 to such interest or involvement. Employment by the commonwealth or service in any agency  
793 thereof shall not be deemed to be such an interest or involvement.

794 (k) Members shall not be liable to the commonwealth, the authority or any other person  
795 as a result of their activities related to their duties as members of the board, whether ministerial  
796 or discretionary, except for willful dishonesty or intentional violations of law. The board may  
797 purchase liability insurance for members, officers and employees of the board and may  
798 indemnify such persons against the claims of others.

799 SECTION 20. Chapter 175 of the General Laws is hereby amended by inserting after  
800 section 47NN, inserted by section 47 of chapter 260 of the acts of 2020, the following 2  
801 sections:-

802 Section 47OO. (a) For the purposes of this section, “long-term antibiotic therapy” and  
803 “Lyme disease” shall have the meaning ascribed to them in section 12DD of chapter 112.

804 (b) A policy, contract, agreement, plan or certificate of insurance issued, delivered or  
805 renewed within the commonwealth that provides medical expense coverage shall provide  
806 coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be  
807 medically necessary and ordered by a licensed physician after making a thorough evaluation of  
808 the patient’s symptoms, diagnostic test results or response to treatment. An experimental drug  
809 shall be covered as a long-term antibiotic therapy if it is approved for an indication by the United  
810 States Food and Drug Administration; provided, however, that a drug, including an experimental

811 drug, shall be covered for an off-label use in the treatment of Lyme disease if the drug has been  
812 approved by the United States Food and Drug Administration.

813           Section 47PP. A policy, contract, agreement, plan or certificate of insurance issued,  
814 delivered or renewed within the commonwealth that provides coverage for prescription eye drops  
815 shall provide coverage for refills of prescription eye drops in accordance with the Medicare Part  
816 D guidelines on early refills of topical ophthalmic products when: (i) the prescribing health care  
817 practitioner indicates on the original prescription that additional quantities of the prescription eye  
818 drops are needed; (ii) the refill requested by the insured does not exceed the number of additional  
819 quantities indicated on the original prescription by the prescribing health care practitioner; and  
820 (iii) the prescription eye drops prescribed by the health care practitioner are a covered benefit  
821 under the policy or contract of the insured.

822           SECTION 21. Section 47OO of said chapter 175 is hereby repealed.

823           SECTION 22. Chapter 176A of the General Laws is hereby amended by inserting after  
824 section 8OO, inserted by section 48 of said chapter 260, the following 2 sections:-

825           Section 8PP. (a) For the purposes of this section, “long-term antibiotic therapy” and  
826 “Lyme disease” shall have the meaning ascribed to them in section 12DD of chapter 112.

827           (b) A contract between a subscriber and the corporation under an individual or group  
828 hospital service plan that is delivered, issued or renewed within the commonwealth shall provide  
829 coverage for long-term antibiotic therapy for a patient with Lyme disease when determined to be  
830 medically necessary and ordered by a licensed physician after making a thorough evaluation of  
831 the patient’s symptoms, diagnostic test results or response to treatment. An experimental drug  
832 shall be covered as a long-term antibiotic therapy if it is approved for an indication by the United



833 States Food and Drug Administration; provided, however, that a drug, including an experimental  
834 drug, shall be covered for an off-label use in the treatment of Lyme disease if the drug has been  
835 approved by the United States Food and Drug Administration.

836 Section 8QQ. A contract between a subscriber and the corporation under an individual or  
837 group hospital service plan which is delivered, issued or renewed within the commonwealth that  
838 provides coverage for prescription eye drops shall provide coverage for refills of prescription eye  
839 drops in accordance with the Medicare Part D guidelines on early refills of topical ophthalmic  
840 products when: (i) the prescribing health care practitioner indicates on the original prescription  
841 that additional quantities of the prescription eye drops are needed; (ii) the refill requested by the  
842 insured does not exceed the number of additional quantities indicated on the original prescription  
843 by the prescribing health care practitioner; and (iii) the prescription eye drops prescribed by the  
844 health care practitioner are a covered benefit under the policy or contract of the insured.

845 SECTION 23. Section 8PP of said chapter 176A is hereby repealed.

846 SECTION 24. Chapter 176B of the General Laws is hereby amended by inserting after  
847 section 400, inserted by section 50 of said chapter 260, the following 2 sections:-

848 Section 4PP. (a) For the purposes of this section, “long-term antibiotic therapy” and  
849 “Lyme disease” shall have the meaning ascribed to them in section 12DD of chapter 112.

850 (b) A subscription certificate under an individual or group medical service agreement  
851 delivered, issued or renewed within the commonwealth shall provide coverage for long-term  
852 antibiotic therapy for a patient with Lyme disease when determined to be medically necessary  
853 and ordered by a licensed physician after making a thorough evaluation of the patient’s  
854 symptoms, diagnostic test results or response to treatment. An experimental drug shall be

855 covered as a long-term antibiotic therapy if it is approved for an indication by the United States  
856 Food and Drug Administration; provided, however, that a drug, including an experimental drug,  
857 shall be covered for an off-label use in the treatment of Lyme disease if the drug has been  
858 approved by the United States Food and Drug Administration.

859 Section 4QQ. A subscription certificate under an individual or group medical service  
860 agreement delivered, issued or renewed within the commonwealth that provides coverage for  
861 prescription eye drops shall provide coverage for refills of prescription eye drops in accordance  
862 with the Medicare Part D guidelines on early refills of topical ophthalmic products when: (i) the  
863 prescribing health care practitioner indicates on the original prescription that additional  
864 quantities of the prescription eye drops are needed; (ii) the refill requested by the insured does  
865 not exceed the number of additional quantities indicated on the original prescription by the  
866 prescribing health care practitioner; and (iii) the prescription eye drops prescribed by the health  
867 care practitioner are a covered benefit under the policy or contract of the insured.

868 SECTION 25. Section 4PP of said chapter 176B is hereby repealed.

869 SECTION 26. Chapter 176G of the General Laws is hereby amended by inserting after  
870 section 4GG, inserted by section 52 of said chapter 260, the following 2 sections:-

871 Section 4HH. (a) For the purposes of this section, “Long-term antibiotic therapy” and  
872 “Lyme disease” shall have the meaning ascribed to them in section 12DD of chapter 112.

873 (b) An individual or group health maintenance contract shall provide coverage for long-  
874 term antibiotic therapy for a patient with Lyme disease when determined to be medically  
875 necessary and ordered by a licensed physician after making a thorough evaluation of the patient’s  
876 symptoms, diagnostic test results or response to treatment. An experimental drug shall be

877 covered as a long-term antibiotic therapy if it is approved for an indication by the United States  
878 Food and Drug Administration; provided, however, that a drug, including an experimental drug,  
879 shall be covered for an off-label use in the treatment of Lyme disease if the drug has been  
880 approved by the United States Food and Drug Administration.

881           Section 4II. An individual or group health maintenance contract that provides coverage  
882 for prescription eye drops shall provide coverage for refills of prescription eye drops in  
883 accordance with the Medicare Part D guidelines on early refills of topical ophthalmic products  
884 when: (i) the prescribing health care practitioner indicates on the original prescription that  
885 additional quantities of the prescription eye drops are needed; (ii) the refill requested by the  
886 insured does not exceed the number of additional quantities indicated on the original prescription  
887 by the prescribing health care practitioner; and (iii) the prescription eye drops prescribed by the  
888 health care practitioner are a covered benefit under the policy or contract of the insured.

889           SECTION 27. Section 4HH of said chapter 176G is hereby repealed.

890           SECTION 28. Chapter 46 of the acts of 2015 is hereby amended by striking out sections  
891 199 to 208, inclusive.

892           SECTION 29. Section 102 of chapter 41 of the acts of 2019 is hereby amended by  
893 striking out the words “July 1, 2021” and inserting in place thereof the following words:- April 1,  
894 2022.

895           SECTION 30. Item 7008-1117 of section 2A of chapter 142 of the acts of 2019 is hereby  
896 further amended by striking out the figure “2021”, inserted by section 31 of chapter 201 of the  
897 acts of 2020, and inserting in place thereof the following figure:- 2022.

898 SECTION 31. Said item 7008-1117 of said section 2A of said chapter 142, as most  
899 recently amended by said section 31 of said chapter 201, is hereby further amended by striking  
900 out the figure “2021”, the second time it appears, and inserting in place thereof the following  
901 figure:- 2022.

902 SECTION 32. Item 1599-1232 of section 2A of chapter 124 of the acts of 2020, as  
903 amended by section 72 of chapter 227 of the acts of 2020, is hereby further amended by inserting  
904 after the words “at the discretion of the director of the Barnstable county department of health  
905 and environment” the following words:- ; provided further, that such funds shall be made  
906 available through June 30, 2022.

907 SECTION 33. Said item 1599-1232 of said section 2A of said chapter 124, as so  
908 amended, is hereby further amended by inserting after the word “Falmouth” the following  
909 words:- ; provided further, that such funds shall be made available through June 30, 2022.

910 SECTION 34. The first paragraph of section 98 of said chapter 124 is hereby amended by  
911 striking out the second sentence and inserting in place thereof the following sentence:- The fund  
912 shall consist of revenues received by the commonwealth from the federal government pursuant  
913 to section 5001(a) of the federal Coronavirus Aid, Relief, and Economic Security Act,  
914 hereinafter referred to as the CARES Act, and any reimbursements for expenses charged to the  
915 fund.

916 SECTION 35. Chapter 156 of the acts of 2020, as amended by section 44 of chapter 201  
917 of the acts of 2020, is hereby further amended by striking out the words “the lifting of the state of  
918 emergency concerning the novel coronavirus disease outbreak declared by the governor on

919 March 10, 2020 or for 210 days from July 31, 2020, whichever is sooner” and inserting in place  
920 thereof the following words:- January 1, 2022.

921 SECTION 36. Item 1410-0010 of section 2 of chapter 227 of the acts of 2020 is hereby  
922 amended by interesting after the word “Norton” the following words:- ; and provided further,  
923 that such funds shall be made available through June 30, 2022.

924 SECTION 37. Item 2810-0100 of said section 2 of said chapter 227 is hereby amended  
925 by interesting after the words “Devir Park Revitalization Project” the following words:- ;  
926 provided further, that such funds shall be made available through June 30, 2022.

927 SECTION 38. Item 3000-1045 of said section 2 of said chapter 227 is hereby amended  
928 by inserting after the word “disrupted” the following words:- ; provided further, that not less than  
929 \$60,000,000 shall be made available for direct grants to providers, which shall be calculated  
930 using an equal amount per subsidized child; provided further, that the department of early  
931 education and care shall take all steps necessary to expedite the grant application and distribution  
932 process.

933 SECTION 39. Item 4403-2000 said section 2 of said chapter 227 is hereby amended by  
934 inserting after the words “of September 2020” the following words:- ; provided further, that a  
935 non-recurring COVID-19 relief payment for costs associated with the pandemic shall be  
936 provided to each child and pregnant recipient who received a benefit under this program in the  
937 month directly preceding the month of the issuance of said non-recurring COVID-19 relief  
938 payment; provided further, that the amount of said COVID-19 relief payment shall be  
939 determined based on the number of eligible recipients; provided further, that the total cost of  
940 payments shall not exceed \$27,853,223; provided further, that any unspent balance of up to

941 \$27,853,223 in this item as of June 30 of the current fiscal year shall be re-authorized for  
942 expenditure in the next fiscal year using the same eligibility criteria.

943 SECTION 40. Item 4512-2023 of said section 2 of said chapter 227 is hereby amended  
944 by inserting after the words “food insecure and housing insecure residents of the county of  
945 Barnstable” the following words:- ; provided further, that such funds shall be made available  
946 through June 30, 2022.

947 SECTION 41. Item 4513-1121 of said section 2 of said chapter 227 is hereby amended  
948 by adding the following words:- ; and provided further, that such funds shall be made available  
949 through June 30, 2022.

950 SECTION 42. Item 5911-1003 of said section 2 of said chapter 227 is hereby amended  
951 by inserting after the words “Congress, Inc.” the following words:- ; provided further, that the  
952 commissioner of developmental services may transfer funds between items 5920-2025, 5920-  
953 2000 and 5911-2000; provided further, that the commissioner shall notify the house and senate  
954 committees on ways and means 15 days in advance of any such transfer.

955 SECTION 43. Item 7007-1641 of said section 2 of said chapter 227 is hereby amended  
956 by striking out the words “Smaller Business Association of New England, Inc, for the” and  
957 inserting in place thereof the following words:- Massachusetts Technology Park Corporation  
958 established by chapter 40J of the General Laws for a.

959 SECTION 44. Said item 7007-1641 of said section 2 of said chapter 227 is hereby further  
960 amended by striking out the words “president of the Smaller Business Association of New  
961 England, Inc,,” and inserting in place thereof the following word:- grantee.

962 SECTION 45. Item 7008-1116 of said section 2 of said chapter 227 is hereby amended  
963 by inserting after the words “Salem common in the city of Salem” the following words:- ;  
964 provided further, that such funds shall be made available through June 30, 2022.

965 SECTION 46. Said item 7008-1116 of said section 2 of said chapter 227 is hereby further  
966 amended by interesting after the words “Future Leaders Program” the following words:- ;  
967 provided further, that such funds shall be made available through June 30, 2022.

968 SECTION 47. Item 8324-0000 of said section 2 of said chapter 227 is hereby amended  
969 by interesting after the words “General Laws”, the second time they appear, the following  
970 words:- ; provided further, that notwithstanding any general or special law to the contrary, such  
971 funds may be expended to pay stipends in excess of \$3,000 to the members of hazardous  
972 materials mitigation emergency response teams in fiscal year 2021; provided further, that such  
973 funds shall be made available through June 30, 2022.

974 SECTION 48. Item 1595-1068 of section 2E of said chapter 227 is hereby amended by  
975 striking out the figure “\$437,750,000” and inserting in place thereof the following figure:-  
976 \$465,350,000.

977 SECTION 49. Said item 1595-1068 of said section 2E of said chapter 227 is hereby  
978 further amended by striking out the figure “\$505,250,000” and inserting in place thereof the  
979 following figure:- \$537,190,000.

980 SECTION 50. Item 1595-1070 of said section 2E of said chapter 227 is hereby amended  
981 by striking out the words “or 2020” and inserting in place thereof the following words:- , 2020 or  
982 2021.

983 SECTION 51. Subsection (a) of chapter 255 of the acts of 2020, as amended by section 4  
984 of chapter 5 of the acts of 2021, is hereby further amended by striking out the words “annual or  
985 special municipal or state primary or election held on or before June 30, 2021” and inserting in  
986 place thereof the following words:- regular or special municipal or state preliminary, primary or  
987 general election held on or before December 15, 2021.

988 SECTION 52. Subsection (b) of said chapter 255, as amended by section 5 of said  
989 chapter 5, is hereby further amended by striking out the words “annual or special municipal or  
990 state primary or election held on or before June 30, 2021” and inserting in place thereof the  
991 following words:- regular or special municipal or state preliminary, primary or general election  
992 held on or before December 15, 2021.

993 SECTION 53. Subsection (c) of said chapter 255, as amended by section 6 of said  
994 chapter 5, is hereby further amended by striking out the words “annual or special municipal or  
995 state primary or election held on or before June 30, 2021” and inserting in place thereof the  
996 following words:- regular or special municipal or state preliminary, primary or general election  
997 held on or before December 15, 2021.

998 SECTION 54. Subsection (l) of said chapter 255, as amended by section 7 of said chapter  
999 5, is hereby further amended by striking out the words “annual or special municipal election held  
1000 on or before June 30, 2021” and inserting in place thereof the following words:- regular or  
1001 special municipal preliminary, primary or general election held on or before December 15, 2021.

1002 SECTION 55. Said chapter 255, as most recently amended by section 8 of said chapter 5,  
1003 is hereby further amended by adding the following subsection:-



1004 (n) Notwithstanding any general or special law to the contrary, the select board, board of  
1005 selectmen, town council or city council may, after a public hearing and by recorded and public  
1006 vote not less than 45 days prior to the date of the election, opt-out of the provisions of subsection  
1007 (c) or (d) for any annual or special municipal preliminary or municipal election held on or before  
1008 December 15, 2021; provided, however, that any qualified voter, as defined in section 1 of  
1009 chapter 51 of the General Laws, shall be allowed to cast a ballot by mail as set forth in  
1010 subsection (c) and (d) for city or town election held at the same time as any special state primary  
1011 or election.

1012 SECTION 56. Subsection (f) of section 20 of chapter 9 of the acts of 2021, as amended  
1013 by section 4 of chapter 16 of the acts of 2021, is hereby further amended by striking out the  
1014 words “section 21A” and inserting in place thereof the following words:- section 21.

1015 SECTION 57. Section 20 of chapter 20 of the acts of 2021 is hereby amended by striking  
1016 out subsection (b) and inserting in place thereof the following subsection:-

1017 (b) Notwithstanding section 20 of chapter 30A of the General Laws or any general or  
1018 special law to the contrary, a public body, as defined in section 18 of said chapter 30A, shall not  
1019 be required to conduct its meetings in a public place that is open and physically accessible to the  
1020 public; provided, however, that if the public body does not conduct the meeting in a public place  
1021 that is open and physically accessible to the public, the public body shall ensure public access to  
1022 the deliberations of the public body for interested members of the public through adequate,  
1023 alternative means of public access. Where active, real-time participation by members of the  
1024 public is a specific requirement of a general or special law, regulation or a local ordinance or by-  
1025 law, pursuant to which the proceeding is conducted, any adequate, alternative means of public

1026 access shall provide for such participation and shall be sufficient to meet such participation  
1027 requirement.

1028           A municipal public body that for reasons of economic hardship and despite best efforts is  
1029 unable to provide adequate, alternative means of public access that will enable the public to  
1030 follow the proceedings of the municipal public body as those activities are occurring in real time  
1031 may instead post on its municipal website a full and complete transcript, recording or other  
1032 comprehensive record of the proceedings as soon as practicable upon conclusion of the  
1033 proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a  
1034 general or special law, regulation or a local ordinance or by-law that requires allowance for  
1035 active participation by members of the public.

1036           A public body shall offer its selected adequate, alternative means of public access to its  
1037 proceedings without subscription, toll or similar charge to the public.

1038           SECTION 58. Notwithstanding section 1Q of chapter 69 of the General Laws or any  
1039 other general or special law to the contrary, due to the 2019 novel coronavirus pandemic, also  
1040 known as COVID-19, the commissioner of elementary and secondary education may establish an  
1041 alternative means of demonstrating English language proficiency for the state seal of biliteracy  
1042 for students in the class of 2020 or 2021, which may include, but is not limited to, earning the  
1043 modified competency determination in English language arts.

1044           SECTION 59. Notwithstanding section 89 of chapter 71 of the General Laws or any other  
1045 general or special law to the contrary, due to the COVID-19 pandemic, the list of districts in the  
1046 lowest 10 per cent of all statewide student performance scores released in fiscal year 2020 shall  
1047 be maintained as that list for fiscal years 2021, 2022 and 2023.

1048 SECTION 60. Notwithstanding any general or special law to the contrary, for fiscal year  
1049 2021, the secretary of health and human services, with the written approval of the secretary of  
1050 administration and finance, may authorize transfers of surplus among items 4000-0320, 4000-  
1051 0430, 4000-0500, 4000-0601, 4000-0641, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-  
1052 0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 and 4000-1425.

1053 SECTION 61. Notwithstanding any general or special law to the contrary, any  
1054 unexpended balances, not exceeding a total of \$40,000,000, in items 4000-0700 and 4000-1425  
1055 of section 2 of chapter 227 of the acts of 2020 shall not revert to the General Fund until  
1056 September 1, 2021 and may be expended by the executive office of health and human services to  
1057 pay for services enumerated in said items 4000-0700 and 4000-1425 provided during fiscal year  
1058 2021.

1059 SECTION 62. Notwithstanding any general or special law to the contrary, the secretary  
1060 of health and human services shall, not later than September 3, 2021, provide to the comptroller  
1061 information on the amount of the federal financial participation revenues claimed and received  
1062 by the commonwealth for eligible expenditures made from the MassHealth Delivery System  
1063 Reform Trust Fund established in section 2SSSS of chapter 29 of the General Laws for fiscal  
1064 year 2021 that are attributable to the increase to the federal medical assistance percentage  
1065 authorized by section 6008 of the federal Families First Coronavirus Response Act, Public Law  
1066 116-127. The comptroller shall credit said amount to the General Fund and not the MassHealth  
1067 Delivery System Reform Trust Fund in fiscal year 2021.

1068 SECTION 63. Notwithstanding any general or special law to the contrary, the  
1069 commissioner of capital asset management and maintenance may take any and all interests in all

1070 the paper streets on the property: (i) described in the deed from the Trustees of the Soldiers'  
1071 Home in Massachusetts dated December 27, 1934 recorded at the Suffolk county registry of  
1072 deeds in book 5503, page 430; and (ii) identified in plans recorded at the Suffolk county registry  
1073 of deeds in book 1174, page 16 and book 1168, page end, and may also take any other interests  
1074 or rights necessary to clear title to the property by eminent domain pursuant to chapter 79 of the  
1075 General Laws, as deemed necessary by the commissioner of capital asset management and  
1076 maintenance to carry out this act.

1077 SECTION 64. Notwithstanding any general or special law to the contrary, in making  
1078 initial appointments to the Massachusetts Bay Transportation Authority board of directors  
1079 established under section 7 of chapter 161A of the General Laws, the governor shall appoint the  
1080 governor's 2 members whose terms are not coterminous with the term of the governor to the  
1081 following initial terms: 1 member shall be appointed for a term of 1 year and 1 member shall be  
1082 appointed for a term of 3 years.

1083 SECTION 65. The special commission established pursuant to chapter 3 of the resolves  
1084 of 2018 is hereby revived and continued to December 31, 2021. The special commission shall  
1085 file its report with the clerks of the house of representatives and the senate, the joint committee  
1086 on the environment, natural resources and agriculture and the joint committee on tourism, arts  
1087 and cultural development not later than December 31, 2021.

1088 SECTION 66. The special commission on ocean acidification established pursuant to  
1089 section 97 of chapter 209 of the acts of 2018 and revived and continued pursuant to section 45 of  
1090 chapter 201 of the acts of 2020 is hereby revived and continued to December 31, 2021. The  
1091 special commission shall file its report, together with drafts of legislation necessary to carry out

1092 its recommendations, with the clerks of the senate and house of representatives and the joint  
1093 committee on environment, natural resources and agriculture not later than December 31, 2021.

1094 SECTION 67. The task force established pursuant to section 2 of chapter 93 of the acts of  
1095 2020, as amended by section 90 of chapter 124 of the acts of 2020, is hereby revived and  
1096 continued to December 31, 2021. The task force shall file its recommendations with the clerks of  
1097 the senate and house of representatives and the house and senate committees on ways and means  
1098 not later than December 31, 2021.

1099 SECTION 68. Section 9 shall take effect as of June 3, 2021.

1100 SECTION 69. Sections 20, 22, 24 and 26 shall take effect as of July 1, 2021.

1101 SECTION 70. Sections 21, 23, 25 and 27 shall take effect on July 1, 2022.

1102 SECTION 71. Subsection (b) of section 20 of chapter 20 of the acts of 2021, as inserted  
1103 by section 57, shall take effect as of June 15, 2021.