

SENATE No. 2246

The Commonwealth of Massachusetts

PRESENTED BY:

Edward J. Kennedy

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

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

An Act to rebuild the Commonwealth’s cultural future.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/25/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/25/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/26/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/26/2021</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/26/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/26/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>3/2/2021</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/2/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>3/2/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>3/3/2021</i>
<i>Jacob R. Oliveira</i>	<i>7th Hampden</i>	<i>3/3/2021</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>3/3/2021</i>
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	<i>3/4/2021</i>
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>3/5/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/5/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>3/8/2021</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>3/8/2021</i>

<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>3/8/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/8/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>3/8/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>3/8/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>3/8/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>3/9/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/9/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/9/2021</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>	<i>3/9/2021</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>3/9/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>3/11/2021</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>3/12/2021</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>3/12/2021</i>
<i>Erika Uyterhoeven</i>	<i>27th Middlesex</i>	<i>3/13/2021</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>	<i>3/14/2021</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>3/15/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>3/15/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>3/15/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/16/2021</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>3/16/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/18/2021</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>3/18/2021</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>3/19/2021</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>3/19/2021</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/24/2021</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>3/24/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>3/25/2021</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>3/26/2021</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Bristol and Plymouth</i>	<i>3/29/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>3/31/2021</i>
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	<i>4/2/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>4/6/2021</i>
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>4/9/2021</i>

SENATE No. 2246

By Mr. Kennedy, a petition (accompanied by bill, Senate, No. 2246) of Edward J. Kennedy, Colleen M. Garry, David Allen Robertson, Tricia Farley-Bouvier and other members of the General Court for legislation to rebuild the Commonwealth’s cultural future. Tourism, Arts and Cultural Development.

The Commonwealth of Massachusetts

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

An Act to rebuild the Commonwealth’s cultural future.

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. There shall be established and set up on the books of the commonwealth a
2 separate fund, to be known as the Massachusetts Cultural Economy COVID-19 Recovery Fund,
3 to be administered by the Massachusetts cultural council for the purposes of assisting cultural
4 organizations recover from 2019 novel coronavirus pandemic.

5 As a means of providing available assets for the fund, a percentage but no less than
6 \$200,000,000 of eligible funds received by the commonwealth as part of State and Local aid
7 from Federal COVID-19 recovery funds received after January 1, 2021 shall be paid over to and
8 become part of the fund.

9 In addition to the funds referenced above, the fund shall also include (i) income derived
10 from the investment of any amounts credited to the fund; and (ii) all other monies credited to or
11 transferred to the fund from any other fund or source. The comptroller may certify amounts for

12 payment in anticipation of expected receipts; provided, however, that no expenditure shall be
13 made from the fund that shall cause the fund to be deficient at the close of a fiscal year. Amounts
14 credited to the fund shall be available for expenditure, without further appropriation, by the
15 Massachusetts cultural council, and any money remaining in the fund shall not revert to the
16 general fund and may be used in subsequent fiscal years for investments including, but not
17 limited to the reopening and recovery of the arts and cultural sector. Massachusetts cultural
18 council shall be entitled to draw upon the fund for necessary reasonable administrative and
19 operational expenses at a rate of no more than seven percent of said fund.

20 The purpose of the fund shall be financial assistance in the form of grants to nonprofit
21 and for-profit cultural organizations that promote excellence, access and diversity in the arts,
22 humanities, and interpretive sciences, creative workers, and artists within the commonwealth that
23 have experienced significant economic hardship and financial loss due to the 2019 novel
24 coronavirus outbreak, also known as COVID-19, or the declaration of emergency and any
25 subsequent orders pursuant to said declaration.

26 Use of the grant funds may include (i): Employee payroll and benefit costs, mortgage
27 interest, rent, utilities and interest on other debt obligations. (ii): costs associated with
28 programmatic adaptation due to the 2019 novel coronavirus outbreak, also known as COVID-19.
29 (iii): technology and infrastructure costs for safe reopening.

30 SECTION 2. Massachusetts cultural council shall be responsible for administering the
31 grant program for the above purpose. The distribution of grants from the fund shall consider
32 racial diversity and equity, geographic diversity, and programmatic diversity within the cultural

33 sector. Grant awards shall prioritize economic need of recipients due to the pandemic as well as
34 recipient's economic impact in terms of job creation and tourism spending prior to the pandemic.

35 SECTION 3. Massachusetts cultural council shall submit an annual report to the secretary
36 of administration and finance, the house and senate committees on ways and means, and the joint
37 committee on tourism, arts and cultural development no later than December 31 detailing the
38 expenditure of the funds, including the amount of assistance provided to qualified organizations
39 and a list of grant recipients. Said report shall also include the unexpended balance of the fund.

40 This report shall be considered a public record.