



The Commonwealth of Massachusetts

MASSACHUSETTS SENATE

COMMITTEE ON WAYS AND MEANS

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MEMORANDUM

TO: Members of the Senate Committee on Ways and Means
FROM: Chair Michael J. Rodrigues
DATE: November 3, 2021
SUBJECT: Poll

Attached is a summary of the bill presently before the Senate Committee on Ways and Means. Committee members will be polled today from 12:00 pm to 1:00 pm on the question of reporting the bill favorably.

Please be advised that under Senate Rule 12, all recorded votes of the Senate Committee on Ways and Means will be posted on the website of the General Court immediately following the conclusion of the poll.

Do not hesitate to contact Aaron Carty in my office if you have any questions. Thank you for your participation.

HOUSE 4234: **AN ACT RELATIVE TO IMMEDIATE COVID-19 RECOVERY NEEDS**

(summary reflects text as redrafted)

SPONSORS: House Committee on Ways and Means

LEGISLATIVE HISTORY: 10/25/21 Reported from the Committee on House Ways and Means; referred to the Committee on House Steering, Policy and Scheduling; Committee reported that the matter be placed in the Orders of the Day for the next sitting; Ordered to a third reading

11/02/21 Read third and passed to be engrossed

11/03/21 Read and referred to the Committee on Senate Ways and Means

- PROPOSED LEGISLATION:**
- Appropriates \$3.668B in federal American Rescue Plan Act funds and state surplus funds, including:
 - \$500M for premium pay bonuses for essential frontline workers who worked during the height of the pandemic.
 - \$500M for the Unemployment Insurance Trust Fund.
 - \$400M for a mental and behavioral health reserve, including more than \$100M for a loan repayment assistance program across the continuum of care.
 - \$250.9M for local and regional boards of public health.
 - \$200M for acute hospitals serving communities disproportionately impacted by the pandemic.
 - \$55M for human service workforce initiatives, including recruitment, retention, and loan forgiveness programs.
 - \$50M for nursing facilities supports, including capital grants to improve quality of patient care and workforce initiatives.
 - \$150M for permanent supportive housing with a focus on chronically homeless populations.
 - \$150M for public housing authority capital improvements.
 - \$125M for the CommonWealth Builder Program to support for-sale, below market housing production for first-time homebuyers.
 - \$125M for workforce rental housing production.
 - \$50M for homeownership assistance supports, including down payment assistance.

- \$75M for a transfer to the Workforce Competitiveness Trust Fund.
- \$100M for capital improvements at vocational schools and public schools offering career and technical education training.
- \$75M for broadband accessibility and affordability initiatives.
- \$75M for cultural and tourism grants through the Massachusetts Cultural Council.
- \$50M for small business relief grants to minority-owned businesses.
- \$30M for the endowment incentive program to bring public and private investments to public institutions of higher education.
- \$30M for regional workforce training initiatives coordinated through community colleges.
- \$25M to expand and enhance career technical institutes.
- \$15M to expand and diversify the Commonwealth's cybersecurity sector.
- \$8M for agricultural, commercial fishing and cranberry sector supports.
- \$175M for water and sewer infrastructure investments.
- \$125M for environmental infrastructure programs, including the Municipal Vulnerability Preparedness (MVP) Program.
- \$100M for marine port development with a focus on offshore wind development.
- \$20M for tree planting with a focus on underserved communities.
- \$15M for state parks and open spaces.
- \$10M for retrofitting affordable housing units for clean and sustainable energy initiatives.
- \$5M for geothermal technology pilot programs.
- \$39.4M for Chapter 257 rates.
- \$12M to support the resettlement of evacuees from Afghanistan.
- \$500K for a municipal police diversity scholarship program.

- \$300K for the Commission on Poverty established in the FY 2022 GAA.
 - \$213K for low-income tax clinics to promote regional equity.
- Makes statutory changes to complete the transfer of the Massachusetts Technology Transfer Center from the University of Massachusetts to MassVentures.
- Aligns the fingerprint background check fee for the Department of Early Education and Care with the actual processing costs for the administration of the fingerprint background check.
- Clarifies that the Commonwealth shall not be held liable as a responsible party for response actions taken or arranged by the Department of Environmental Protection under the Massachusetts Oil and Hazardous Material Release Prevention and Response Act.
- Designates the State Fire Marshal as co-administrator of the Technical Rescue Services Fund and requires the Department of Fire Services to assist the technical rescue council in the administration of the fund.
- Authorizes the Treasurer to charge annual costs related to the administration of the deferred compensation program to the assets of the deferred compensation program.
- Eliminates the requirements that civil service employees must be evaluated twice each year and allows evaluations to be done in an electronic format.
- Amends the 2016 Municipal Modernization legislation to make technical clarifications and correct references.
- Clarifies that a non-resident taxpayer may only claim a fraction of the child and dependent tax credits based on the number of days the taxpayer resided in the Commonwealth.

- Clarifies that the refundable portion of the child and dependent tax credit is calculated without interest.
- Permits Department of Fire Services vehicles and vehicles owned or operated by its employees to display a flashing, rotating or oscillating red light when in emergency use.
- Eliminates the requirement that all lobster traps set in the waters of the town of Gosnold in Dukes County must be set as single traps.
- Authorizes the Department of Conservation and Recreation to promulgate regulations regarding the manner in which owners of land devoted to forest purposes must send notice under the Forrest Cutting Practices Act.
- Expands the types of entities eligible for the Municipal Vulnerability Preparedness program to include counties, districts, Indian Tribes and other entities that are not municipalities.
- Removes the requirement that the entire membership of certain municipal governing bodies vote on whether to approve the use of Municipal Vulnerability Preparedness grant funds on non-public lands.
- Replaces the Chief Justice of the Supreme Judicial Court with the civil rights and social justice section of the Massachusetts Bar Association as the entity responsible for appointing a former judge to the correctional use of force commission.
- Extends the law enforcement officer cadet program commission until December 31, 2022.
- Clarifies language that governs the long-term management of the Lampson Brook Farm property in Belchertown.
- Replaces the House Chair of the journalism commission with a member of the House of Representatives appointed by the Speaker of the House.

- Establishes a Home and Community-Based Services Federal Investment Fund.
- Extends the autobody labor rate commission until June 1, 2022.
- Establishes a COVID-19 Essential Employee Premium Pay Fund.
- Establishes a premium pay advisory panel to make recommendations on the eligibility for, and issuance of, direct financial support to private and public essential workers.
- Requires the Executive Office for Administration and Finance, in consultation with the premium pay advisory panel, to establish a COVID-19 Essential Employee Premium Pay Program.
- Extends the special commission on equity and access to telecommunications services to March 31, 2022.
- Establishes a Behavioral Health Trust Fund and a behavioral health advisory commission to make recommendations on the disbursement of money in the fund.
- Establishes an independent federal funds equity and accountability review panel to develop a public database and website to track the spending of federal funds in communities disproportionately impacted by COVID-19.
- Requires every state authority and state agency that issues a request for proposals using funds under the American Rescue Plan Act, in consultation with the Supplier Diversity Office and the equity and accountability review panel, to promulgate rules or regulations to ensure the fair participation of diverse businesses.
- Excludes federal Paycheck Protection Program loans, Economic Injury Disaster Loan advances, Shuttered Venue

Operators grants, Restaurant Revitalization Fund grants and certain Massachusetts Growth Capital Corporation grants from taxable income.

- Provides the Secretary of Administration and Finance with flexibility to fund items in this act using either federal or surplus funds to ensure compliance with federal law.
- Requires the transfer of \$500,000,000 from either the COVID-19 Response Fund or the Transitional Escrow Fund to the COVID-19 Essential Premium Pay Fund.
- Requires the Comptroller to transfer from the Transitional Escrow Fund up to \$10,000,000 to the Massachusetts Life Sciences Investment Fund and up to \$10,000,000 to the Massachusetts Community Preservation Trust Fund.
- Requires the Comptroller to transfer \$500,000,000 to the Unemployment Compensation Fund.
- Revives a special commission to study and make recommendations concerning the long-term fiscal health of rural school districts and sets a new reporting deadline for March 31, 2022.
- Requires the publication of the childhood vision and eye health commission report that was due on February 1, 2018.
- Authorizes the Secretary of Administration and Finance to transfer certain federal funds to relevant agencies, incur expenditures for charges related to administration costs and ensure that the Commonwealth meets the efficient administration and statewide accountability requirements in the American Rescue Plan Act.
- Requires the Secretary of Administration and Finance to ensure expenditures using federal funds comply with federal law and maximize federal revenue available to the Commonwealth.

- Requires the Secretary of Administration and Finance, in consultation with the Office of the Comptroller, to report on expenditures using federal funds.
- Requires the Secretary of Administration and Finance to submit the calculation of the Commonwealth's reduction in revenue to the Senate and House Committees on Ways and Means.

ESTIMATED

FISCAL

IMPACT:

This legislation has an estimated fiscal impact of \$3,668,413,000.

(AHC)