

HOUSE No. 5014

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
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KARYN POLITO
LIEUTENANT GOVERNOR

September 30, 2020

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2020 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

Amid the COVID-19 pandemic, tax revenue collections in Fiscal Year 2020 (FY20) fell short of budgeted estimates by approximately \$693 million. Sales taxes constituted more than half of this shortfall (\$436 million, or 6%, below benchmarks), primarily reflecting lower economic activity during the pandemic and, to a lesser extent, the deferral of tax obligations for smaller businesses. Non-withheld income taxes were also below benchmarks, as were other categories such as taxes on motor fuels. Overall, however, the shortfall was less severe than some had feared. With businesses and employees adapting wherever possible to remote work, and buoyed by unemployment insurance, income tax withholdings ended the year on benchmark.

Outside of taxes, the budget picture was a complicated mix of puts and takes. Certain non-tax revenue, such as gaming revenue, fell short of budgeted forecasts. Spending in many areas of the budget slowed down, as COVID-19 prevented budgeted activity. Spending directly related to the COVID-19 response spiked in the spring, generally supported by federal aid. The Commonwealth has been able to use federal funds for the payroll of public health and public safety employees after the federal government determined that, as a group, these employees’

duties were substantially redirected to COVID-related measures. A temporarily higher federal reimbursement rate for MassHealth also helped mitigate the budget impacts of a difficult spring.

I am pleased to report that we do not need to draw funds from the Stabilization Fund to close FY20. The Stabilization Fund has grown more than threefold from the \$1.1 billion projected year-end balance for Fiscal Year 2015 as of the beginning of this Administration to \$3.5 billion today thanks to a disciplined approach to budgeting. This landmark balance is a testament to many years of concerted effort in partnership with the Legislature.

In this bill, I am recommending that certain capital gains taxes collected during FY20 remain in the General Fund and not be added to the Stabilization Fund balance, in order to have a sufficient balance to support appropriations extended into FY21. A supplemental appropriations bill enacted in July modified the usual approach to closing this fiscal year. Specifically, it allows the General Fund not to carry a balance to back appropriations extended into Fiscal Year 2021 (FY21), based on a reasonable expectation that, in FY21, the spending would be supported by federal revenue. While there was logic to this approach, it is not standard and would require formal disclosure to investors of a negative undesignated balance for years to come. The proposed changes will allow us to close FY20 more cleanly while also reducing the impact of FY21 tax shortfalls.

This bill proposes \$424 million in supplemental appropriations, at a net state cost of \$197 million. Almost all these costs authorize payments made by MassHealth. (The only other item is a debt service ceiling that needs to be increased as an accounting adjustment.) MassHealth costs in FY20 exceeded budgeted expectations by \$422 million gross, \$197 million net (exclusive of short-term enhanced Federal Financial Participation), as the direct costs of the COVID-19 pandemic exceeded the short-term savings associated with deferred non-urgent care. MassHealth operates jointly under federal and state authority, so the appropriations here are required to reconcile state spending authorization with payments previously made under federal superseding authority.

I further recommend continuing \$108 million in existing FY20 authorizations into FY21. Over half of this amount, \$63 million at the Group Insurance Commission, would use an FY20 surplus to cover the future costs of public employee and retiree health care deferred due to COVID-19. This and other “PAC” recommendations generally account for delays in incurring costs that were anticipated in the development of the FY20 budget, but now appear likely to occur in FY21.

Further, I am recommending several policy changes. These include a clarification to the Paid Family Medical Leave Act (“PFMLA”) relative to the employer responsibilities of the Commonwealth to personal care attendants and family child care providers. The bill also includes a section to allow extended emergency appointments when civil service hiring cannot be completed due to the inability to offer medical exams or physical aptitude tests. Other

sections allow the University of Massachusetts to access a short-term line of credit for operating costs and authorize the Department of Environmental Protection (“DEP”) to issue electronic notices of non-compliance. Currently, DEP is only authorized to issue written notices that do not reflect the transformation of DEP operations to more modern electronic formats.

An additional change would establish an end date of December 1, 2020 for a provision signed into law earlier this year that allowed municipalities to delay public hearings for applications for permits or approvals for construction projects. The original law had the desired effect and provided needed flexibility to municipalities when it was necessary earlier this year.

Drawing from legislation that I have previously filed, I am re-filing sections that would allow the Massachusetts Bay Transportation Authority (“MBTA”) limited use of capital funds for employee costs. This section has been engrossed by both branches of the Legislature this session and I am respectfully requesting that it be included in this supplemental budget due to its critical importance for the MBTA’s operating budget.

Further, I am including a section that would only allow transportation network companies (“TNCs”) to implement surge pricing during a state of emergency upon the approval of the TNC Division of the Department of Public Utilities (“DPU”).

I am also filing a section that would permit the repurposing of appropriated funds relative to the Merrimack Valley gas explosion expenses to allow for preparation and responses to natural disasters and events.

I also take this opportunity to ask that you act on a number of previously filed matters that remain pending before the Legislature, including:

- a new trust fund for the Massachusetts Emergency Management Agency (“MEMA”), funded through natural reversions, that would bolster MEMA’s ability to respond swiftly to natural disasters;
- a section to allow the Sexual Assault Nurse Examiner program at DPH to be self-sustaining by charging fees for the services it provides;
- additional authority for DPH to license and regulate long-term care facilities, including the authority to restrict or suspend a license for cause rather than only when an imminent risk of harm exists;
- a proposal that would allow the Department of Conservation and Recreation (“DCR”) to enter into leases for the installation of solar and energy structures on certain parcels under the control of DCR; and
- amendments to the Massachusetts hemp statute to align with federal law.

Sufficient revenues are estimated to be available to finance the appropriations and other measures proposed in this legislation. I urge you to enact this legislation promptly.

I note in closing that FY20 tax collections, notably the 2020 tax filing season, partly reflected economic activity before the impact of COVID-19. In FY21, that buffer is gone, the need for public services continues unabated, and the extent of federal support remains uncertain. I appreciate our working relationship with the Legislature as we face these challenges together.

Respectfully submitted,

Charles D. Baker,
Governor

HOUSE No. 5014

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act making appropriations for the fiscal year 2020 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 2020 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 2020, 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, 2020. 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, 2020, except as otherwise stated.

9 SECTION 2.

10 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Office of the Secretary

4000-0700 MassHealth Fee for Service Payments.....\$422,000,000

SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2020, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for an alteration of purpose for current intragovernmental chargeback authorizations, and to meet certain requirements of law, the sum set forth in this section is hereby authorized from the Intragovernmental Service Fund for the several purposes specified in this section or in the appropriation acts, and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2020. This sum shall be in addition to any amounts previously authorized and made available for the purposes of this item.

OFFICE OF THE TREASURER AND RECEIVER GENERAL

0699-0005 Revenue Anticipation Notes Premium Debt Service RR.....\$1,726,500

SECTION 2C.I. For the purpose of making available in fiscal year 2021 balances of appropriations which otherwise would revert on June 30, 2020, the unexpended balances of the appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of chapter 41 of the acts of 2019. However, for items that do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of said chapter 41; provided,

however, that for items which do not appear in section 2 of said chapter 41, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 through 2E of this act or in prior appropriation acts. The sums reappropriated in this section shall be in addition to any amounts available for said purposes.

JUDICIARY

Board of Bar Examiners

0321-0100	Board of Bar Examiners.....	\$40,000
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DISTRICT ATTORNEYS

Northwestern District Attorney

0340-0600	Northwestern District Attorney.....	\$540,000
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OFFICE OF THE STATE AUDITOR

0710-0000	Office of the State Auditor Administration.....	\$285,000
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0710-0200	Bureau of Special Investigations.....	\$280,000
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0710-0225	Medicaid Audit Unit.....	\$120,000
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0710-0300	Enhanced Bureau of Special Investigation.....	\$90,000
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MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

0940-0100	Massachusetts Commission Against Discrimination.....	\$150,000
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BOARD OF LIBRARY COMMISSIONERS

51 7000-9101 Board of Library Commissioners.....\$80,000

52 OFFICE OF THE CHILD ADVOCATE

53 0930-0100 Office of the Child Advocate.....\$250,000

54 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

55 *Reserves*

56 1599-0054 Hinton Lab Response Reserve.....\$750,000

57 1599-2018 Merrimack Valley Explosion Reserve.....\$4,723,866

58 *Group Insurance Commission*

59 1108-5200 Group Insurance Premium and Plan Costs.....\$62,632,041

60 *Health Policy Commission*

61 1450-1200 Health Policy Commission.....\$300,000

62 *Human Resources Division*

63 1750-0928 Civil Service and Physical Abilities Exam Space.....\$408,767

64 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

65 *Office of the Secretary*

66 2000-1012 Environmental Industry Grants.....\$43,550

67 2000-1013 Dams and Culverts.....\$300,000

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Department of Fish and Game

2330-0300 Saltwater Sportfish Licensing\$100,000

Department of Agricultural Resources

2511-0100 Agricultural Resources Administration.....\$300,000

2511-0103 Cannabis and Hemp Agricultural Oversight.....\$1,400,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Elder Affairs

9110-1637 Home Care Aide Training Grant Program.....\$711,947

9110-9002 Grants to Councils On Aging.....\$250,000

Department of Public Health

4510-0810 Sexual Assault Nurse Examiner (SANE) and PediatricSANE Program

.....\$720,000

4590-1503 Pediatric Palliative Care.....\$45,000

Massachusetts Rehabilitation Commission

4120-2000 Vocational Rehabilitation for People with Disabilities.....\$378,000

4120-4000 Independent Living Assistance.....\$66,800

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

86	7004-9031	Accessible Affordable Housing Grants.....	\$2,698,841
87		<i>Massachusetts Marketing Partnership</i>	
88	7008-1024	Massachusetts Restaurant Commission.....	\$1,900,000
89		EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT	
90	7002-1080	Learn to Earn.....	\$108,000
91	7003-0151	Registered Apprenticeship Expansion.....	\$201,145
92	7003-0607	Employment Program for Young Adults with Disabilities.....	\$68,000
93		EXECUTIVE OFFICE OF EDUCATION	
94		<i>Department of Early Education and Care</i>	
95	3000-1000	Department of Early Education and Care.....	\$323,000
96	3000-1020	Quality Improvement.....	\$112,000
97		<i>Department of Elementary and Secondary Education</i>	
98	7061-0012	Special Education Circuit Breaker Reimbursement.....	\$11,910,774
99		EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY	
100		<i>Office of the Secretary</i>	
101	8000-0600	Executive Office of Public Safety.....	\$588,000
102		<i>Department of Criminal Justice Information Services</i>	

103 8000-0110 Criminal Justice Information Services.....\$551,955

104 *Department of State Police*

105 8100-1014 SAEK Testing.....\$6,641,043

106 *Department of Fire Services*

107 8324-0000 Department of Fire Services Administration.....\$772,440

108 *Military Division*

109 8700-0001 Military Division.....\$200,000

110 8700-1150 National Guard Tuition and Fee Waivers.....\$4,206,817

111 8700-1160 Welcome Home Bonus Life Insurance Premium Reimbursement

112 \$1,102,677

113 SECTION 2C.II. For the purpose of making available in fiscal year 2021 balances of
114 retained revenue and intragovernmental chargeback authorizations which otherwise would revert
115 on June 30, 2020, the unexpended balances of the authorizations listed below, not to exceed the
116 amount specified below for each item, are hereby re-authorized for the purposes of and subject to
117 the conditions stated for the corresponding item in section 2 or 2B of chapter 41 of the acts of
118 2019. However, for items which do not appear in section 2 or 2B of said chapter 41, the amounts
119 in this section are re-authorized for the purposes of and subject to the conditions stated for the
120 corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. Amounts in
121 this section are re-authorized from the fund or funds designated for the corresponding item in
122 section 2 or 2B of the general appropriation act; however, for items which do not appear in

section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized from the fund or funds designated for the corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-authorized in this section shall be in addition to any amounts available for those purposes.

OFFICE OF THE COMPTROLLER

1000-0601 Chargeback for HRCMS Functionality.....\$325,772

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Human Resources Division

1750-0102 Civil Service and Physical Abilities Exam Fee RR \$325,411

SECTION 3. Section 16 of chapter 21A of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting, in lines 14 and 18, after the word “written,” in each instance, the following words:- or electronic.

SECTION 4. Said section 16 of said chapter 21A, as so appearing, is hereby further amended by striking out, in line 56, the words “a written,” and inserting in place thereof the following words:- or by electronic means a.

SECTION 5. Section 31 of chapter 31 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

Upon a federal or governor declared state of emergency or a declaration by the governor that an emergency exists which is detrimental to the public health, the personnel administrator may, upon written request of an appointing authority, consent to an additional extension of

emergency appointments without limit on duration. The personnel administrator shall revoke any emergency appointment granted under this paragraph when the underlying circumstances resolve. No emergency appointment of more than 30 working days, or renewal of an emergency appointment, shall be made without the consent of the administrator.

SECTION 6. Section 2 of chapter 75 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the words “the major” and inserting in place thereof the following words:- (a) the major.

SECTION 7. Said section 2 of said chapter 75, as so appearing, is hereby further amended by adding the following subsection:-

(b) (1) The university, acting through the trustees, may borrow money to be applied to working capital expenses in furtherance of the purposes of the university or to refinance such borrowing, and such borrowing may include without limitation the ability to pledge or assign or create security interests in funds or revenues of the university to pay or secure such working capital borrowings; provided, that all outstanding amounts borrowed on any line of credit entered into by the university pursuant to this subsection shall be repaid no later than 365 days from the date of closing of said line of credit.

(2) The university may initiate any borrowing authorized pursuant to this subsection only upon a request made by authority of the trustees and upon written approval from the secretary of administration and finance.

(3) The senior vice president and treasurer for the university, in consultation with the executive director of the University of Massachusetts Building Authority, established pursuant to chapter 773 of the acts of 1960 as amended, shall report annually not later than January 15th to

the house and senate committees on ways and means; the house and senate committees on bonding, capital expenditures and state assets; and the chairs of the joint committee on higher education on the total amount borrowed from any line of credit during the prior year and the dates of repayment authorized pursuant to this subsection as well as any working capital as described in the first sentence of section 3 of said chapter 773 and authorized pursuant to paragraph (e) of section 4 of said chapter 773.

SECTION 8. Section 2 of chapter 159A½ of the General Laws, as so appearing, is hereby amended by striking out subsection (e) and inserting in place thereof the following new subsection:-

(e) A transportation network company and driver shall not, unless approved to do so by the division, raise base fares, impose additional charges or otherwise increase the price that a rider is charged for transportation network services, including by imposing surge pricing or other formulas based on increased demand, during a federal or a governor-declared state of emergency.

SECTION 9. Section 20 of chapter 161A of the General Laws as so appearing, is hereby amended by striking out, in line 26, the words “bond funds” and inserting in place thereof the following words:- proceeds of commonwealth general obligation bonds.

SECTION 10. Section 1 of chapter 175M of the General Laws, as amended by section 17 of chapter 5 of the acts of 2019, is hereby further amended by striking out the definition of “Covered individual” and inserting in place thereof the following definition:-

“Covered individual”, either: (i) an employee who meets the financial eligibility requirements of subsection (a) of section 24 of chapter 151A; provided, however, that all such

employment shall have been with an employer in the commonwealth; (ii) a personal care attendant, as defined in section 70 of chapter 118E, whose wages from working as a personal care attendant meet the financial eligibility requirements of subsection (a) of section 24 of chapter 151A; (iii) a family child care provider, as defined in subsection (a) of section 17 of chapter 15D, whose payments from working as a family child care provider meet the financial eligibility requirements of subsection (a) of section 24 of chapter 151A; (iv) a self-employed individual: (A) who has elected coverage under subsection (j) of section 2; and (B) whose reported earnings to the department of revenue from self-employment meet the financial eligibility requirements of said subsection (a) of said section 24 of said chapter 151A as if the individual were an employee; (v) a covered contract worker: (A) for whom at least 1 employer or covered business entity is required to remit contributions to the Family and Employment Security Trust Fund pursuant to section 6; and (B) whose payments from such employer or covered business entity satisfy the financial eligibility requirements of said subsection (a) of said section 24 of said chapter 151A as if the covered contract worker were an employee; or (vi) a former employee who has: (A) met the financial eligibility requirements of said subsection (a) of said section 24 of said chapter 151A at the time of the former employee's separation from employment; provided, however, that all such employment shall have been with an employer in the commonwealth; and (B) been separated from employment for not more than 26 weeks at the start of the former employee's family or medical leave.

SECTION 11. Said section 1 of said chapter 175M is hereby further amended by striking out the definitions for "Employee" and "Employer" and inserting in place thereof the following two definitions:-

209 “Employee”, shall have the same meaning as provided in clause (h) of section 1 of
210 chapter 151A; provided, however, that notwithstanding said clause (h) or any other special or
211 general law to the contrary and solely for the purposes of section 6 and the notice provisions of
212 subsections (a) and (b) of section 4 of this chapter, “employee” shall include (i) a personal care
213 attendant, as defined in section 70 of chapter 118E; and (ii) a family child care provider, as
214 defined in subsection (a) of section 17 of chapter 15D.

215 “Employer”, shall have the same meaning as provided in subsection (i) of section 1 of
216 chapter 151A; provided, however, that an individual employer shall be determined by the
217 Federal Employer Identification Number; provided further, that notwithstanding any general or
218 special law to the contrary, the PCA quality home care workforce council established in section
219 71 of chapter 118E shall be the employer of personal care attendants, as defined in section 70 of
220 said chapter 118E, solely for the purposes of section 6 of this chapter and consumers, as defined
221 in section 70 of said chapter 118E, shall be considered the employers of personal care attendants
222 solely for the purposes of the notice requirements of subsections (a) and (b) of section 4 and
223 subsection (d) of section 8 of this chapter; provided further that, notwithstanding any general or
224 special law to the contrary, the department of early education and care shall be the employer of
225 family child care providers, as defined in subsection (a) of section 17 of chapter 15D, solely for
226 the purposes of section 6 and the notice provisions of subsections (a) and (b) of section 4 and
227 subsection (d) of section 8 of this chapter; and provided further, that any employer not subject to
228 this chapter may become a covered employer under this chapter by notifying the department of
229 family and medical leave and completing the procedure established by the department; and
230 provided further, that a municipality, district, political subdivision or its instrumentalities shall
231 not be subject to this chapter unless it adopts this chapter under section 10.

SECTION 12. Section 6 of said chapter 175M , as most recently amended by sections 20 to 22 of chapter 5 of the acts of 2019, is hereby further amended by inserting after subsection (a) the following subsection:-

(a¹/₄) Notwithstanding any general or special law to the contrary, for the purposes of this section, the PCA quality home care workforce council established in section 71 of chapter 118E shall be the employer of personal care attendants, as defined in section 70 of said chapter 118E, and the department of early education and care shall be the employer of family child care providers, as defined in subsection (a) of section 17 of chapter 15D.

SECTION 13. The first sentence of paragraph (d) of section 1 of chapter 773 of the acts of 1960, as most recently amended by section 10 of chapter 319 of the acts of 1998, is hereby amended by adding after the word “preparation” the following words:- , and shall mean working capital and any other property described in the first sentence of section 3.

SECTION 14. The second sentence of said paragraph (d) of said section 1 of said chapter 773, as appearing in section 2 of chapter 684 of the acts of 1963, is hereby amended by adding after the word “appurtenances” the following words:-, and shall also mean said working capital and any other property described in the first sentence of section 3.

SECTION 15. Section 3 of said chapter 773, as most recently amended by section 13 of chapter 267 of the acts of 1995, is hereby further amended by inserting after the word “structures” the following words:- , and working capital and tangible and intangible personal property,.

SECTION 16. Paragraph (e) of section 4 of said chapter 773, as appearing in section 5 of chapter 684 of the acts of 1963, is hereby amended by inserting after the word “trustees;” the

first time it appears, the following words:- ; to provide working capital and any other property described in the first sentence of section 3, in each case upon written request made by authority of the trustees; provided, that all outstanding amounts borrowed on any line of credit entered into shall be repaid no later than 365 days from the date of closing of said line of credit.

SECTION 17. Item 1599-2018 of section 2A of chapter 273 of the acts of 2018 is hereby amended by adding the following words:- ; and provided further, that funds may be expended for the Massachusetts emergency management agency to respond to any natural disaster or emergency event and to prepare for any future events.

SECTION 18. Item 1000-0008 of section 2 of chapter 41 of the acts of 2019 is hereby amended by striking out the words “5 per cent” and inserting in place thereof the following words:- 23.7 per cent.

SECTION 19. Paragraph (ii) of subsection (b) of section 17 of chapter 53 of the acts of 2020 is hereby amended by striking out the words “45 days after the termination of the state of emergency, or by a date otherwise prescribed by law, whichever is later” and inserting in place thereof the following words:- December 1, 2020, unless such date is extended by a waiver from the secretary of housing and economic development as set forth in subsection (d).

SECTION 20. Said subsection (b) of said section 17 of said chapter 53 is hereby further amended by striking out paragraph (iv) and inserting in place thereof the following paragraph:-

(iv) when a statute, ordinance, bylaw, rule or regulation provides that a permit shall be considered granted, approved or denied, constructively or otherwise, due to a failure of the permit granting authority to act within a specified time period, the time within which the permit granting authority must act shall be deemed tolled from March 10, 2020 to December 1, 2020;.

SECTION 21. The first sentence of paragraph (v) of said subsection (b) of said section 17 of said chapter 53 is hereby amended by striking out the words “more than 45 days after the termination of the state of emergency or after a date otherwise prescribed by law, whichever is later” and inserting in place thereof the following words:- a date later than December 1, 2020, unless an alternate deadline has been approved by the secretary of housing and economic development pursuant to subsection (d).

SECTION 22. Said subsection (b) of said section 17 of said chapter 53 is hereby further amended by striking out paragraph (vii) and inserting in place thereof the following paragraph:-

(vii) a hearing on a pending application for a permit opened by a permit granting authority before March 10, 2020, which has not been concluded as of March 10, 2020 or has been continued by the permit granting authority as of March 10, 2020, shall be automatically tolled and continued to a date selected by the permitting granting authority but the date may in no event be later than December 1, 2020;.

SECTION 23. The second sentence of subsection (c) of said section 17 of said chapter 53 is hereby amended by striking out the words “as long as the state of emergency is in effect and for a period of 60 days following the termination of the state of emergency” and inserting in place thereof the following words:- until December 1, 2020.

SECTION 24. Subsection (d) of said section 17 of said chapter 53 is hereby amended by adding the following sentence:- Permit granting authorities that are (i) unable to conduct meetings and public hearings remotely due to lack of access to broadband or other technical limitations, and (ii) unable to conduct such meetings or hearings in person in accordance with applicable public health orders regulating gatherings during the state of emergency, may apply to

298 the secretary of housing and economic development for relief from the deadlines provided in
299 paragraphs (ii), (iv), (v) and (vii) of subsection (b) for good cause shown.

300 SECTION 25. Subsection (d) of section 99 of chapter 124 of the acts of 2020 is hereby
301 amended by striking out the first sentence.

302 SECTION 26. Notwithstanding any general or special law to the contrary, the
303 comptroller shall not make any transfers attributable to capital gains tax collections required
304 pursuant to section 5G of chapter 29 of the General Laws during fiscal year 2020.

305 SECTION 27. Except as otherwise specified, this act shall take effect upon its passage.