HOUSE . . . . . . No. 4714

The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 9, 2018.

The committee on Ways and Means, to whom was referred the Bill relative to economic development in the commonwealth (House, No. 4592), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4714) [Bond Issue: General Obligation Bonds: $666,250,000.00].

For the committee,

JEFFREY SÁNCHEZ.
An Act relative to economic development in the commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To provide for a program of economic development and job creation, the sums set forth in sections 2A and 2B, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds; provided, however, that the amounts specified in an item or for a particular project may be adjusted in order to facilitate projects authorized in this act. These sums shall be in addition to any amounts previously authorized and made available for these purposes.

SECTION 2A.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Office of the Secretary

6720-1351. For a grant program to coastal communities to be administered by the Seaport Economic Council; provided that funding shall be used for community planning and investment activities that stimulate economic development and create jobs in the maritime economy sector, and to construct, improve, repair, maintain and protect coastal assets that are
vital to achieving these goals; provided further, that that the planning, prioritization, selection
and implementation of projects shall consider climate change impacts in furtherance of the goals
of climate change mitigation and adaptation and consistent with the integrated state hazard
mitigation and climate change adaptation plan................................. $50,000,000

7002-1501. For grants administered by Massachusetts Technology Development
Corporation established in section 2 of chapter 40G of the General Laws, and doing business as
MassVentures; provided that such grants shall be made on a competitive basis to growing
Massachusetts-based companies commercializing technologies developed with assistance of a
Small Business Innovation Research (SBIR) or Small Business Technology Transfer (STTR)
grant from a federal agency such as, but not limited to, the Department of Defense, the
Department of Energy, or the National Science Foundation..................... $12,500,000

7002-8006. For the MassWorks infrastructure program established in section 63 of
chapter 23A of the General Laws..........................................................$300,000,000

7002-8007. For matching grants to enable institutions of higher education, including
state and municipal colleges and universities, to participate in and receive federal funding
through Manufacturing USA, formerly known as the National Network for Manufacturing
Innovation..........................................................$25,000,000

7002-8019. For the Massachusetts Growth Capital Corporation established in section 2
of chapter 40W of the General Laws, for a program to provide matching grants to community
development financial institutions certified by the United States Treasury or community
development corporations certified under chapter 40H of the General Laws to enable the
community development financial institution or community development corporation to leverage
federal or private investments for the purpose of making loans to small businesses ................................................................. $1,250,000

7002-8022. For the Massachusetts Cybersecurity Innovation Fund established in section 4H of chapter 40J of the General Laws ...................................................... $2,500,000

7002-8023. For grants to coastal communities to undertake dredging projects that will promote job creation, increase commercial activity, contribute to downtown revitalization, or advance other local economic development goals; provided that all grants shall be matched on a 1:1 basis by the grantee ................................................................. $50,000,000

SECTION 2B.

EXECUTIVE OFFICE OF EDUCATION

Office of the Secretary

7009-2005. For a competitive grant program to be administered by the executive office of education, in consultation with the executive office of housing and economic development and the executive office of labor and workforce development, to provide funding for the purchase and installation of equipment and any related improvements and renovations to facilities necessary for the installation and use of such equipment, in order to establish, upgrade and expand career technical education and training programs that are aligned to regional economic and workforce development priorities; provided, that grant applications may facilitate collaboration to provide students enrolled in eligible vocational technical schools with postsecondary opportunities consistent with clause (o) of the first paragraph of section 22 of chapter 15A of the General Laws and section 37A of chapter 74 of the General Laws; provided
further, that community colleges, and innovation centers that receive funds from the
Massachusetts Life Sciences Center shall also be eligible for funds from this program; provided
further, that the executive office of education, in consultation with the executive office of
housing and economic development and the executive office of labor and workforce
development, shall adopt additional guidelines as necessary for the administration of the
program; provided further, that awards may be made to community-based organizations with
recognized success in training adults with barriers to employment................. $75,000,000

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Office of the Secretary

6720-1341. For mitigation of or contribution toward any costs associated with or
arising out of design, construction or infrastructure improvements to the Raymond L. Flynn
Cruiseport in the South Boston section of the city of Boston to accommodate large cruise ships
and increasing passenger demand, for the continued competitiveness of the terminal; provided,
that the secretary, in coordination with the chief executive officer of the Massachusetts Port
Authority, shall seek to maximize federal and private funds and reimbursement to offset, to the
extent feasible, costs incurred under this item..............................................$100,000,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary.

0640-0302. For the Massachusetts Cultural Facilities Fund established in section 42 of
chapter 23G of the General Laws for the acquisition, design, construction, repair, renovation,
rehabilitation or other capital improvement or deferred maintenance to a cultural facility to
advance and promote tourism through the preservation of the state’s cultural resources...$50,000,000


SECTION 4. Subsection (b) of section 3A of chapter 23A of the General Laws, as so appearing, is hereby amended by inserting after the definition of “Expansion of an existing facility” the following definition:-

“Extraordinary economic development opportunity”, a proposed project that is jointly designated by the secretary of housing and economic development and the secretary of administration and finance as an extraordinary economic development opportunity as provided in subsection (e) of section 3C.

SECTION 5. Section 3C of said chapter 23A, as so appearing, is hereby amended by adding the following 2 subsections:-

(d) Notwithstanding the requirements of subsections (b) and (c), the EACC may by guidelines or regulations establish a program to incent businesses to occupy vacant storefronts in downtown areas. The EACC may award EDIP tax credits to storefront tenants on a competitive basis taking into account factors such as the number of jobs to be created; the volume of pedestrian traffic to be generated; potential synergy with other downtown businesses; whether there is a matching contribution from the municipality or the landlord; commitment to storefront improvements; and whether the municipality has made local plans or investments to revitalize the downtown. Certification of such projects shall require that a business commit to occupy the vacant storefront for a period of not less than 1 year, but shall not require the business to invest
in improvements or to create new jobs. The EACC shall not award more than $500,000 in EDIP
tax credits in a calendar year to projects certified pursuant to this subsection.

(e) The secretary of housing and economic development and the secretary of
administration and finance may, from time to time, jointly designate a proposed project as an
extraordinary economic development opportunity if the secretaries jointly determine that the
proposed project involves the construction or substantial rehabilitation of a new facility or
expansion of an existing facility within the commonwealth that is not a replacement of an
existing facility in the commonwealth, or involves the relocation of an existing business to the
commonwealth from a facility located outside of the commonwealth, and the proposed project
meets at least 1 of the following additional criteria:

(1) The proposed project, if approved and constructed, will create at least 400 new jobs;

or

(2) The proposed project, if approved and constructed, will result in the creation of at
least 200 new jobs in a gateway municipality or in an adjacent city or town that is accessible by
public transportation to residents of a gateway municipality.

The decision by the secretaries to designate or not to designate a proposed project as an
extraordinary economic development opportunity may include such conditions as the secretaries
shall in their discretion impose. Such decisions shall be final and shall not be subject to
administrative appeal or judicial review under chapter 30A or give rise to any other cause of
action or legal or equitable claim or remedy.

SECTION 6. Subsection (b) of section 3D of said chapter 23A, as so appearing, is hereby
further amended by adding the following sentence:-

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Refundable tax credits awarded to a certified project that has been designated as an extraordinary economic development opportunity shall not be counted against the cap set forth in this subsection.

SECTION 7. Subsection (c) of said section 3D of said chapter 23A, as so appearing, is hereby further amended by inserting after the first sentence the following sentence:-

Notwithstanding the cap set forth in the preceding sentence, the EACC may authorize tax credits in excess of the annual cap of $30,000,000 for a certified project that is designated as an extraordinary economic development opportunity; provided that the total amount awarded shall not exceed $50,000,000 in a calendar year.

SECTION 8. Said chapter 23A is hereby further amended by striking out section 10B, as so appearing, and inserting in place thereof the following section:-

Section 10B. The secretary of housing and economic development shall establish a Massachusetts advanced manufacturing collaborative, hereinafter referred to as the collaborative, within the executive office of housing and economic development, which shall be responsible for advising and assisting on the development, implementation and periodic update of a plan to foster and strengthen the conditions necessary for growth and innovation of manufacturing within the commonwealth. The collaborative shall include, but not be limited to: the secretary of housing and economic development, or a designee, who shall serve as chair; the secretary of labor and workforce development, or a designee; 1 person who shall be appointed by the speaker of the house of representatives; 1 person who shall be appointed by the president of the senate; the director of the office of business development; the executive director of the Massachusetts clean energy center; the executive director of the Massachusetts Life Sciences Center; the
executive director of the John Adams Innovation Institute; the executive director of the
Massachusetts Technology Transfer Center; the president of the Massachusetts Manufacturing
Extension Partnership, Inc.; a representative from the Associated Industries of Massachusetts,
Inc.; a representative from the Massachusetts Workforce Board Association; a representative
from the Massachusetts Development Finance Agency; a representative from the Massachusetts
Technology Park Corporation; a representative from a local chamber of commerce appointed by
the governor; and 8 members appointed by the governor to represent the commonwealth’s large
manufacturers, small-to-medium sized enterprises, incubators, innovation centers and federally-
funded research and development centers. The collaborative shall: (i) consult with stakeholders
in the public and private sector in the development and implementation of the commonwealth's
manufacturing plan; (ii) identify emerging priorities within the commonwealth's manufacturing
sector in order to make recommendations for high impact projects and initiatives; (iii) facilitate
the implementation of goals established under the plan; and (iv) develop a statewide certification
process for the advanced manufacturing industry with the goal of establishing uniform industry
workforce standards across the commonwealth. The collaborative may establish working groups
that aid in the development and implementation of the plan.

SECTION 9. Subsection (b) of section 2RR of chapter 29 of the General Laws, as so
appearing, is hereby amended by adding the following paragraph:-

(3) To provide grants for pipeline training for unemployed persons by an employer with a
job vacancy; provided that, the director shall not allocate more than 5 per cent of the annual
capitalization of the fund to provide for such grants. In determining who shall receive the grants,
the director shall contract with the Commonwealth Corporation to distribute the grants in a need-
based, competitive process in accordance with the rules and parameters outlined in section
2WWW of chapter 29. The grants shall be performance-based; with 50 per cent paid upon enrollment in the program, and the balance to be paid contingent on job placement and retention outcomes; provided that for the purpose of this section, job placement shall mean placement in a training related position requiring at least 30 hours per week; further, retention outcomes shall mean placement in said position for at least 2 months.

SECTION 10. Chapter 40J of the General Laws is hereby amended by inserting after section 4G the following section:-

Section 4H. (a) In order to grow the cybersecurity industry cluster in the commonwealth and protect against cybersecurity threats, there is hereby established and set up on the books of the corporation the Massachusetts Cybersecurity Innovation Fund, hereinafter referred to as the fund, to which shall be credited the proceeds of any bonds or notes of the commonwealth issued for the purpose, and any appropriations designated by the general court to be credited thereto. The fund shall be administered by the corporation. The corporation shall hold the fund in an account or accounts separate from other funds of the corporation. The purpose of the fund shall be to: (i) support facilities, hardware and software used to develop or test cybersecurity solutions and enable the growth of innovative ideas to address cybersecurity threats; (ii) accelerate the growth of the cybersecurity cluster and related clusters; (iii) expand employment opportunities and address talent pipeline needs in the cybersecurity industry and related industries for the residents of the commonwealth, including, but not limited to, women, minorities, veterans, and unemployed and underemployed individuals, through workforce training; (iv) match public and private universities with industry participants to develop cybersecurity technology and expand other relevant capabilities; and (v) promote the development and implementation of educational programs within the commonwealth’s public schools, kindergarten to grade 12, inclusive, and
public institutions of higher education through collaboration with Massachusetts Computing Attainment Network.

SECTION 11. Chapter 40M of the General Laws is hereby amended by adding the following section:-

Section 18. Notwithstanding any general or special law to the contrary, chapter 176W shall apply to groups governed by this chapter.

SECTION 12. Paragraph (a) of part B of section 3 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out subparagraph (10) and inserting in place thereof the following subparagraph:- (10) An amount equal to 10 per cent of the cost of renovating any abandoned building that is part of a certified project as defined in section 3A of chapter 23A.

SECTION 13. Paragraph (1) of subsection (g) of section 6 of said chapter 62 is hereby amended by inserting after the words “EDIP contract”, in line 149, as so appearing, the following words:- “extraordinary economic development opportunity”.

SECTION 14. Paragraph (3) of said subsection (g) of said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting after the second sentence the following sentence:- Notwithstanding the cap set forth in this paragraph, the EACC may authorize an additional $20,000,000 in EDIP tax credits to any project designated as an extraordinary economic development opportunity in accordance with subsection (e) of section 3C of chapter 23A; provided that if such designation and authorization occurs, the total amount of EDIP tax credits awarded by the EACC pursuant to this subsection and section 38N of chapter 63 shall not exceed $50,000,000 in a calendar year.
SECTION 15. Said section 6 of said chapter 62, as amended by section 33 of chapter 47 of the acts of 2017, is hereby further amended by adding the following subsection:-

(v)(1) An employer that is not a business corporation subject to the excise under chapter 63, shall be allowed a credit equal to $4,800 or 50 per cent of the wages paid to each qualified apprentice in a taxable year, whichever is less, against the tax liability imposed by this chapter. If a credit allowed by this subsection exceeds the tax otherwise due under this chapter, 100 per cent of the balance of such credit may, at the option of the taxpayer, be refundable to the taxpayer. In order to qualify, the apprentice must meet the definition of apprentice in section 11H of chapter 23 and must be hired and trained in 1 of the following occupations, as defined by the Bureau of Labor Statistics: computer occupations, as defined by Standard Occupational Codes 15-1200; health technologists and technicians, as defined by Standard Occupational Codes 29-2000; health practitioner support technologists and technicians, as defined by Standard Occupational Codes 29-2050; healthcare support occupations, as defined by Standard Occupational Codes 31-0000; or production occupations if employed in the manufacturing industry, as defined by Standard Occupational Codes 51-0000, NAICS code 31-33.

(2) To be eligible for a credit under this subsection: (a) the primary place of employment of the apprentice must be in the commonwealth; (b) the business must be registered with the division of apprentice standards as an apprenticeship program sponsor and have an apprentice agreement, as defined in section 11H of chapter 23, with each apprentice for whom the credit is claimed; and (c) the apprentice must have been employed as an apprentice by the business for at least 180 calendar days in the taxable year in which the credit is claimed.
(3) An employer that is eligible for and claims the credit allowed under this subsection in a taxable year with respect to a qualified apprentice shall be eligible for a credit in the subsequent taxable year with respect to such qualified apprentice, subject to certification by the division of apprentice standards of continued employment as an apprentice during the subsequent taxable year in the manner required by the commissioner. Any credit allowed under this subsection shall not be transferable.

(4) The secretary of labor and workforce development, in consultation with the commissioner, shall promulgate regulations establishing an application process for the credit; provided, however, that the regulations shall include a maximum number of qualified apprentices for which a taxpayer may claim the credit in a year.

(5) The credit under this subsection shall be attributed on a pro rata basis to the owners, partners or members of the legal entity entitled to the credit under this subsection, and shall be allowed as a credit against the tax due under this chapter of such owners, partners or members, in a manner determined by the commissioner.

(6) The secretaries of labor and workforce development and administration and finance, acting jointly and in writing shall authorize tax credits pursuant to this subsection and section 38HH of chapter 63. The total amount of credits that may be authorized in a calendar year pursuant to this subsection and said section 38HH of said chapter 63 shall not exceed $2,500,000. No credits shall be allowed under this subsection except to the extent authorized in this paragraph. The commissioner, after consulting with the secretaries, on the criteria set forth in paragraphs (1) and (2) of this subsection, shall adopt regulations governing applications for and other administration of the tax credits. The secretaries and the division of apprentice standards
shall provide the commissioner with the documentation that the commissioner deems necessary

to confirm compliance with the annual cap.

(7) The commissioner, in consultation with the secretaries, shall annually, not later than
March 1, file a report with the house and senate committees on ways and means, the joint
committee on economic development and emerging technologies, and the joint committee on
labor and workforce development, identifying the following: (i) total amount of tax credits
claimed pursuant to this subsection; (ii) the number of participating apprentices and relevant
wage information; (iii) the number of applications received and the number of participating
employers; (iv) the areas of occupation by qualifying tax credit beneficiaries; (v) program
outcomes for apprentices, including job retention and further employment opportunities; and (vi)
whether the tax credit program is achieving its public policy purpose to create talent pipelines for
businesses and provide career pathways toward high demand occupations for unemployed and
underemployed residents of the commonwealth.

SECTION 16. Subsection (v) of said section 6 of said chapter 62, as added by section 15,
is hereby repealed.

SECTION 17. Section 38N of chapter 63 of the General Laws, as appearing in the 2016
Official Edition, is hereby amended by inserting after the words “EDIP contract”, in line 2, the
following words:- , “extraordinary economic development opportunity”.

SECTION 18. The first paragraph of subsection (c) of said section 38N of said chapter
63, as so appearing, is hereby amended by adding the following sentence:-

Notwithstanding the cap set forth in this paragraph, the EACC may authorize an award of
an additional $20,000,000 in EDIP tax credits to any project designated as an extraordinary
economic development opportunity in accordance with subsection (e) of section 3C of chapter 23A; provided that if such designation and authorization occurs, the total amount of EDIP tax credits awarded by the EACC pursuant to this section and subsection (g) of section 6 of chapter 62 shall not exceed $50,000,000 in a calendar year.

SECTION 19. Section 38O of said chapter 63, as so appearing, is hereby amended by striking out, in lines 4 to 5, the words “either located within an economic target area designated under section 3G of chapter 23A, or”.

SECTION 20. Said chapter 63 is hereby amended by inserting after section 38GG, as inserted by section 35 of chapter 47 of the acts of 2017, the following section:-

Section 38HH.

(a) A business corporation engaged in business in the commonwealth shall be allowed a credit against its excise due under this chapter in an amount equal to $4,800 or 50 per cent of the wages paid to each qualified apprentice in a taxable year, whichever is less. If a credit allowed by this section exceeds the tax otherwise due under this chapter, 100 per cent of the balance of such credit may, at the option of the taxpayer, be refundable to the taxpayer. In order to qualify, the apprentice must meet the definition of apprentice in section 11H of chapter 23 and must be hired and trained in 1 of the following occupations, as defined by the Bureau of Labor Statistics: computer occupations, as defined by Standard Occupational Codes 15-1200; health technologists and technicians, as defined by Standard Occupational Codes 29-2000; health practitioner support technologists and technicians, as defined by Standard Occupational Codes 29-2050; healthcare support occupations, as defined by Standard Occupational Codes 31-0000; or production
occupations if employed in the manufacturing industry, as defined by Standard Occupational
Codes 51-0000, NAICS code 31-33.

(b) To be eligible for a credit under this section: (i) the primary place of employment of
the apprentice must be in the commonwealth; (ii) the business corporation must be registered
with the division of apprentice standards as an apprenticeship program sponsor and have an
apprentice agreement, as defined in section 11H of chapter 23, with each apprentice for whom
the credit is claimed; and (iii) the apprentice must have been employed by the business
corporation as an apprentice for at least 180 calendar days in the taxable year in which the credit
is claimed.

(c) A business corporation that is eligible for and claims the credit allowed under this
section in a taxable year with respect to a qualified apprentice shall be eligible for a credit in the
subsequent taxable year with respect to such qualified apprentice, subject to certification by the
division of apprentice standards of continued employment as an apprentice during the subsequent
taxable year in the manner required by the commissioner. Any credit allowed under this section
shall not be transferable.

(d) The secretary of labor and workforce development, in consultation with the
commissioner, shall promulgate regulations establishing an application process for the credit;
provided, however, that the regulations shall include a maximum number of qualified apprentices
for which a taxpayer may claim the credit in a year.

(e) The secretaries of labor and workforce development and administration and finance,
acting jointly and in writing shall authorize tax credits pursuant to this section and subsection (v)
of section 6 of chapter 62. The total amount of credits that may be authorized in a calendar year
pursuant to this section and said subsection (v) of said section 6 of said chapter 62 shall not
exceed $2,500,000. No credits shall be allowed under this subsection except to the extent
authorized in this paragraph. The commissioner, after consulting with the secretaries, on the
criteria set forth in subsections (a) and (b) of this section, shall adopt regulations governing
applications for and other administration of the tax credits. The secretaries and the division of
apprentice standards shall provide the commissioner with the documentation that the
commissioner deems necessary to confirm compliance with the annual cap.

(f) The commissioner, in consultation with the secretaries, shall annually, not later than
March 1, file a report with the house and senate committees on ways and means, the joint
committee on economic development and emerging technologies, and the joint committee on
labor and workforce development, identifying the following: (i) total amount of tax credits
claimed pursuant to this subsection; (ii) the number of participating apprentices and relevant
wage information; (iii) the number of applications received and the number of participating
employers; (iv) the areas of occupation by qualifying tax credit beneficiaries; (v) program
outcomes for apprentices, including job retention and further employment opportunities; and (vi)
whether the tax credit program is achieving its public policy purpose to create talent pipelines for
businesses and provide career pathways toward high demand occupations for unemployed and
underemployed residents of the commonwealth.

SECTION 21. Section 38HH of said chapter 63, as inserted by section 20, is hereby
repealed.

SECTION 22. Section 14L of chapter 151A of the General Laws, as appearing in the
2016 Official Edition, is hereby amended by adding the following subsection:-
(c) Not later than March 1 of each year, the commissioner shall file a report in writing
with the joint committee on labor and workforce development and the house and senate
committees on ways and means concerning the collection of the workforce training
contributions, pursuant to subsection (a), during the calendar year ending on the preceding
December 31, which shall include, but not be limited to: (1) the amount collected in each quarter
and the total amount collected for the year; (2) the total number of employers that contributed to
the fund, and the total number of employees employed by this group of employers; and (3) the
contribution rate, to the extent it differs from 0.056 per cent.

SECTION 23. Section 25E of chapter 152 of the General Laws, as so appearing, is
hereby amended by striking out, in line 1, 14 and 16, the words “25V,” and inserting in place
thereof, in each instance, the following words:- 25W.

SECTION 24. Said chapter 152 is hereby further amended by inserting after section 25V
the following section:-

Section 25W. Notwithstanding any general or special law to the contrary, chapter 176W
shall apply to groups governed by sections 25E to 25U, inclusive.

SECTION 25. Subsection (1) of section 20A of chapter 175 of the General Laws, as
appearing in the 2016 Official Edition, is hereby amended by adding the following 2
paragraphs:-

(I) If an accredited or certified reinsurer ceases to meet the requirements for accreditation
or certification, the commissioner may suspend or revoke the reinsurer’s accreditation or
certification.
(i) The commissioner shall give the reinsurer notice and opportunity for hearing. The suspension or revocation shall not take effect until after the commissioner’s order on hearing, unless:

(a) the reinsurer waives its right to hearing;

(b) the commissioner’s order is based on regulatory action by the reinsurer’s domiciliary jurisdiction or the voluntary surrender or termination of the reinsurer’s eligibility to transact insurance or reinsurance business in its domiciliary jurisdiction or in the primary certifying state of the reinsurer under subparagraph (vi) of paragraph (E); or

(c) the commissioner finds that an emergency requires immediate action and a court of competent jurisdiction has not stayed the commissioner’s action.

(ii) While a reinsurer’s accreditation or certification is suspended, no reinsurance contract issued or renewed after the effective date of the suspension shall qualify for credit except to the extent that the reinsurer’s obligations under the contract are secured in accordance with subsection (2). If a reinsurer’s accreditation or certification is revoked, no credit for reinsurance shall be granted after the effective date of the revocation except to the extent that the reinsurer’s obligations under the contract are secured in accordance with subparagraph (v) of paragraph (E) or subsection (2).

(J)(i) A ceding insurer shall take steps to manage its reinsurance recoverables proportionate to its own book of business. A domestic ceding insurer shall notify the commissioner within 30 days after: (1) reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, exceeds 50 per cent of the domestic ceding insurer’s last reported surplus to policyholders, or (2) it is determined that reinsurance
recoverables from any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed 50 per cent of the domestic ceding insurer’s last reported surplus to policyholders. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(ii) A ceding insurer shall take steps to diversify its reinsurance program. A domestic ceding insurer shall notify the commissioner within 30 days after: (1) ceding to any single assuming insurer, or group of affiliated assuming insurers, more than 20 per cent of the ceding insurer’s gross written premium in the prior calendar year, or (2) it has determined that the reinsurance ceded to any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed 20 per cent of the ceding insurer’s gross written premium in the prior calendar year. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

SECTION 26. Said section 20A of said chapter 175, as so appearing, is hereby further amended by striking out subsection (5) and inserting in place thereof the following subsection:-

(5) (A) The commissioner may, in accordance with chapter 30A and after notice and hearing, promulgate reasonable rules and regulations necessary to effectuate this section.

(B) A regulation applicable to reinsurance arrangements shall apply only to reinsurance relating to:

(i) life insurance policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits;
(ii) universal life insurance policies with provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period;

(iii) variable annuities with guaranteed death or living benefits;

(iv) long-term care insurance policies; or

(v) such other life and health insurance and annuity products as to which model regulatory requirements are adopted with respect to credit for reinsurance.

(C) A regulation adopted pursuant to clauses (i) and (ii) of paragraph (B) shall apply to any reinsurance contract containing:

(i) policies issued on or after January 1, 2015, or

(ii) policies issued prior to January 1, 2015, if risk pertaining to such pre-2015 policies is ceded in connection with the contract, in whole or in part, on or after January 1, 2015.

(D) A regulation adopted pursuant to paragraph (B) shall not apply to cessions to an assuming insurer that:

(i) is certified in the commonwealth;

(ii) maintains at least $250,000,000 in capital and surplus when determined in accordance with generally accepted accounting practices; and

(iii) is licensed in at least 26 states; or licensed in at least 10 states and licensed or accredited in a total of at least 35 states.
the internationally active insurance group.

SECTION 28. Said section 206 of said chapter 175, as so appearing, is hereby further amended by inserting after the definition of “Insurer” the following definition:-

“Internationally active insurance group”, an insurance holding company system that: (i) includes an insurer registered under section 206C; and (ii) meets the following criteria: (a) premiums written in at least 3 countries; (b) the percentage of gross premiums written outside the United States is at least 10 per cent of the insurance holding company system’s total gross written premiums and (c) based on a 3-year rolling average, the total assets of the insurance holding company system are at least $50,000,000,000 or the total gross written premiums of the insurance holding company system are at least $10,000,000,000.

SECTION 29. Section 206C of said chapter 175, as so appearing, is hereby further amended by inserting after the word “reported”, in line 291, the following words:- or provided to the division of insurance.
SECTION 30. Said section 206C of said chapter 175, as so appearing, is hereby further
amended by adding the following subsection:-

(y)(1) The commissioner may act as the group-wide supervisor for any internationally
active insurance group in accordance with this subsection; provided however, the commissioner
may otherwise acknowledge another regulatory official as the group-wide supervisor if the
internationally active insurance group:

(i) does not have substantial insurance operations in the United States;

(ii) has substantial insurance operations in the United States, but not the commonwealth;
or

(iii) has substantial insurance operations in the United States and the commonwealth, but
the commissioner has determined pursuant to the factors set forth in paragraphs (2) and (6) that
another regulatory official is the appropriate group-wide supervisor.

An insurance holding company system that does not qualify as an internationally active
insurance group may request that the commissioner make a determination or acknowledgement
as to a group-wide supervisor.

(2) In cooperation with other state, federal and international regulatory agencies, the
commissioner shall identify a single group-wide supervisor for an internationally active
insurance group. The commissioner may determine that the commissioner is the appropriate
group-wide supervisor for an internationally active insurance group that conducts substantial
insurance operations concentrated in the commonwealth; provided however, the commissioner
may determine that it is appropriate to acknowledge another supervisor to serve as the group-
The commissioner may acknowledge that a regulatory official from another jurisdiction is the appropriate group-wide supervisor for the internationally active insurance group. The commissioner shall consider the following factors when making a determination or acknowledgement under this subsection:

(i) the domicile of the insurers within the internationally active insurance group that hold the largest share of the group’s written premiums, assets or liabilities;

(ii) the domicile of the top-tiered insurers in the insurance holding company system of the internationally active insurance group;

(iii) the location of the executive offices or largest operational offices of the internationally active insurance group;

(iv) whether another regulatory official is acting or is seeking to act as the group-wide supervisor under a regulatory system that the commissioner determines to be substantially similar to the system of regulation by the commonwealth, or otherwise sufficient in terms of providing for group-wide supervision, enterprise risk analysis and cooperation with other regulatory officials; and
(v) whether another regulatory official acting or seeking to act as the group-wide supervisor provides the commissioner with reasonably reciprocal recognition and cooperation.

(3) Notwithstanding any general or special law to the contrary, when another regulatory official is acting as the group-wide supervisor of an internationally active insurance group, the commissioner shall acknowledge that regulatory official as the group-wide supervisor.

However, in the event of a material change in the internationally active insurance group that results in: (i) the internationally active insurance group’s insurers domiciled in the commonwealth holding the largest share of the group’s premiums, assets or liabilities; or (ii) the commonwealth being the domicile of the top-tiered insurers in the insurance holding company system of the internationally active insurance group, the commissioner shall make a determination or acknowledgment as to the appropriate group-wide supervisor for such an internationally active insurance group pursuant to paragraph (2).

(4) Pursuant to subsection (u), the commissioner may collect from any insurer registered pursuant to subsection (a) all information necessary to determine if the commissioner may act as the group-wide supervisor of an internationally active insurance group or acknowledge another regulatory official to act as the group-wide supervisor. Prior to issuing a determination that an internationally active insurance group is subject to group-wide supervision by the commissioner, the commissioner shall notify the insurer registered pursuant to subsection (a) and the ultimate controlling person within the internationally active insurance group. The internationally active insurance group shall have not less than 30 days to provide the commissioner with additional information pertinent to the pending determination. The commissioner shall publish on the division of insurance’s website the identity of internationally active insurance groups that the commissioner has determined are subject to group-wide supervision by the commissioner.
If the commissioner is the group-wide supervisor for an internationally active insurance group, the commissioner may engage in any of the following group-wide supervision activities:

(i) assess the enterprise risks within the internationally active insurance group to ensure that the material financial condition and liquidity risks to the members of the internationally active insurance group that are engaged in the business of insurance are identified by management and reasonable and effective mitigation measures are in place;

(ii) request, from any member of an internationally active insurance group subject to the commissioner’s supervision, information necessary and appropriate to assess enterprise risk, including but not limited to, information about the members of the internationally active insurance group regarding governance, risk assessment and management; capital adequacy; and material intercompany transactions;

(iii) coordinate and, through the authority of the regulatory officials of the jurisdictions where members of the internationally active insurance group are domiciled, compel development and implementation of reasonable measures designed to ensure that the internationally active insurance group is able to timely recognize and mitigate enterprise risks to members of such internationally active insurance group that are engaged in the business of insurance;

(iv) communicate with other state, federal and international regulatory agencies for members within the internationally active insurance group and share relevant information subject to the confidentiality provisions of subsection (v), through supervisory colleges as set forth in subsection (x) or otherwise;
(v) enter into agreements with or obtain documentation providing the basis for or otherwise clarifying the commissioner’s role as group-wide supervisor, including provisions for resolving disputes with other regulatory officials from: any insurer registered under subsection (a), any member of the internationally active insurance group and any other state, federal and international regulatory agencies for members of the internationally active insurance group. Said agreements or documentation shall not serve as evidence that an insurer or person within an insurance holding company system not domiciled or incorporated in the commonwealth is doing business in the commonwealth or is otherwise subject to jurisdiction in this state in any proceeding; and

(vi) other group-wide supervision activities, consistent with the authorities and purposes enumerated in this paragraph, as considered necessary by the commissioner.

(6) If the commissioner acknowledges that another regulatory official from a jurisdiction that is not accredited by a standard-setting, regulatory support industry organization is the group-wide supervisor, the commissioner may reasonably cooperate, through supervisory colleges or otherwise, with group-wide supervision undertaken by the group-wide supervisor, provided that:

(i) the commissioner’s cooperation is in compliance with the laws of the commonwealth; and (ii) the regulatory official acknowledged as the group-wide supervisor also recognizes and cooperates with the commissioner’s activities as a group-wide supervisor for other internationally active insurance groups where applicable. If such recognition and cooperation is not reasonably reciprocal, the commissioner may refuse recognition and cooperation.

(7) The commissioner may enter into agreements with or obtain documentation from any insurer registered under subsection (a), any affiliate of said insurer and other state, federal and
international regulatory agencies for members of the internationally active insurance group that
provide the basis for or otherwise clarify a regulatory official’s role as group-wide supervisor.

(8) A registered insurer subject to this subsection shall be liable for and shall pay the
reasonable expenses of the commissioner’s participation in the administration of this subsection,
including the engagement of attorneys, actuaries and any other professionals and all reasonable
travel expenses.

SECTION 31. Said chapter 175 is hereby further amended by adding the following
section:–

Section 230. Notwithstanding any general or special law to the contrary, chapter 176W
shall apply to insurers governed by this chapter.

SECTION 32. Chapter 176 of the General Laws is hereby amended by inserting after
section 1A the following section:–

Section 1B. Notwithstanding any general or special law to the contrary, chapter 176W
shall apply to fraternal benefit societies governed by this chapter.

SECTION 33. Section 18 of chapter 176A of the General Laws, as appearing in the 2016
Official Edition, is hereby amended by adding the following paragraph:–

Notwithstanding any general or special law to the contrary, chapter 176W shall apply to
every corporation subject to this chapter.

SECTION 34. Chapter 176B of the General Laws is hereby amended by inserting after
section 8B the following section:–
Section 8C. Notwithstanding any general or special law to the contrary, chapter 176W shall apply to a medical service corporation governed by this chapter.

SECTION 35. Chapter 176E of the General Laws is hereby amended by inserting after section 8B the following section:-

Section 8C. Notwithstanding any general or special law to the contrary, chapter 176W shall apply to a dental service corporation governed by this chapter.

SECTION 36. Chapter 176F of the General Laws is hereby amended by inserting after section 8A the following section:-

Section 8B. Notwithstanding any general or special law to the contrary, chapter 176W shall apply to an optometric service corporation governed by this chapter.

SECTION 37. Chapter 176G of the General Laws is hereby amended by inserting after section 10A the following section:-

Section 10B. Notwithstanding any general or special law to the contrary, chapter 176W shall apply to a health maintenance organization governed by this chapter.

SECTION 38. Chapter 176H of the General Laws is hereby amended by inserting after section 13A the following section:-

Section 13B. Notwithstanding any general or special law to the contrary, chapter 176W shall apply to legal services plans governed by this chapter.
SECTION 39. Section 6 of chapter 176O of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 36 to 37 and 102 to 103, in each instance, the words “and the involuntary disenrollment rate among insureds of the carrier”.

SECTION 40. Section 21 of said chapter 176O, as so appearing, is hereby amended by striking out subsection (a).

SECTION 41. Subsection (b) of said section 21 of said chapter 176O, as so appearing, is hereby amended by striking out paragraph (2) and inserting in place thereof the following paragraph:-

(2) Any carrier which provides administrative services to 1 or more self-insured groups shall submit to the division a report including the following information:

(i) the number of the carrier's self-insured customers;

(ii) the aggregate number of members, as defined in section 1 of chapter 176J, in all of the carrier's self-insured customers;

(iii) the aggregate number of lives covered in all of the carrier's self-insured customers;

(iv) the percentage of the carrier's self-insured customers that include each of the benefits mandated for health benefit plans under chapters 175, 176A, 176B and 176G; and

(v) any other information deemed necessary by the commissioner.

SECTION 42. Subsection (d) of said section 21 of said chapter 176O, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:-
If, for any year, the division determines, based on the report submitted under section 10 of chapter 176G or other sources, that a carrier has a risk-based capital ratio on a combined entity basis that exceeds 700 per cent, the division shall hold a public hearing within 60 days.

SECTION 43. Chapter 176P of the General Laws is hereby amended by inserting after section 38A the following section:-

Section 38B. Notwithstanding any general or special law to the contrary, chapter 176W shall apply to a limited society governed by this chapter.

SECTION 44. The General Laws are hereby amended by inserting after chapter 176V the following chapter:-

CHAPTER 176W.

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Commissioner”, the commissioner of insurance.

“Corporate Governance Annual Disclosure (CGAD)”, a confidential report filed by the insurer or insurance group made in accordance with the requirements of this chapter.

“Division”, the division of insurance.

“Insurance group”, those insurers and affiliates included within an insurance holding company system as defined in section 206 of chapter 175; health maintenance organizations and affiliates included within a health maintenance organization holding company system, as defined in section 1 of chapter 176G; public employer self-insurance groups and their affiliates organized
pursuant to chapter 40M; workers compensation self-insurance groups and their affiliates
organized pursuant to sections 25E to 25U, inclusive, of chapter 152; fraternal benefit societies
and their affiliates organized pursuant to chapter 176; non-profit hospital service corporations
and their affiliates organized pursuant to chapter 176A; medical service corporations and their affiliates
organized pursuant to chapter 176B; dental service corporations and their affiliates
organized pursuant to chapter 176E; optometric service corporations and their affiliates
organized pursuant to chapter 176F; insured legal services plans and their affiliates organized
pursuant to chapter 176H; and limited societies and their affiliates organized pursuant to chapter
176P.

“Insurer”, the same meaning as in section 1 of chapter 175 and shall also include public
employer self-insurance groups organized pursuant to chapter 40M; workers compensation self-
insurance groups organized pursuant to sections 25E to 25U, inclusive, of chapter 152; fraternal
benefit societies organized pursuant to chapter 176; non-profit hospital service corporations
organized pursuant to chapter 176A; medical service corporations organized pursuant to chapter
176B; dental services corporations organized pursuant to chapter 176E; optometric service
corporations organized pursuant to chapter 176F; health maintenance organizations organized
pursuant to chapter 176G; insured legal services plans organized pursuant to chapter 176H; and
limited societies organized pursuant to chapter 176P; except that “insurer” shall not include
agencies, authorities or instrumentalities of the United States, its possessions and territories, the
commonwealth of Puerto Rico, the District of Columbia or a state or political subdivision of a
state.

“ORSA summary report”, the report filed in accordance with chapter 176V.
Section 2. (a) An insurer, or the insurance group of which the insurer is a member, shall, no later than June 1 of each calendar year, submit to the commissioner a CGAD that contains the information described in subsection (a) of section 4. Notwithstanding any request from the commissioner made pursuant to subsection (c), if the insurer is a member of an insurance group, the insurer shall submit the report required by this section to the commissioner of the lead state for the insurance group, in accordance with the laws of the lead state.

(b) The CGAD shall include a signature of the insurer’s or insurance group’s chief executive officer or corporate secretary attesting to the best of that individual’s belief and knowledge that the insurer has implemented the corporate governance practices and that a copy of the disclosure has been provided to the insurer’s board of directors or the appropriate committee thereof.

(c) An insurer not required to submit a CGAD under this section shall do so upon the commissioner’s request.

(d) For purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level or the individual legal entity level, depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group is encouraged to make the CGAD disclosures at the level at which the insurer’s or insurance group’s risk appetite is determined, or at which the earnings, capital, liquidity, operations and reputation of the insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised, or the level at which legal liability for failure of general corporate governance duties would be placed. If the insurer or insurance group
determines the level of reporting based on these criteria, it shall indicate which of the 3 criteria was used to determine the level of reporting and explain any subsequent changes in the level of reporting.

(e) Insurers providing information substantially similar to the information required by this chapter in other documents provided to the commissioner, including proxy statements filed in conjunction with Form B requirements pursuant to section 206C of chapter 175, or other state or federal filings provided to the division, shall not be required to duplicate that information in the CGAD, but shall only be required to cross reference the document in which the information is included.

Section 3. The commissioner may, upon notice and opportunity for all interested persons to be heard, issue such rules, regulations and orders as shall be necessary to carry out the provisions of this chapter.

Section 4. (a) The insurer or insurance group shall have discretion over the responses to the CGAD inquiries, provided the CGAD shall contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies and practices. The commissioner may request additional information that he or she deems material and necessary to provide the commissioner with a clear understanding of the corporate governance policies, the reporting or information system or controls implementing those policies.

Section 5. (a) Documents, materials or other information including the CGAD, in the possession or control of the division that are obtained by, created by or disclosed to the commissioner or any other person under this chapter shall be proprietary and recognized to
contain trade secrets. All such documents, materials or other information shall be confidential by law and privileged, shall not be considered a public record pursuant to section 10 of chapter 66, shall not be subject to subpoena and shall not be subject to discovery or admissible in evidence in any private civil action. However, the commissioner may use the documents, materials or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner’s official duties. The commissioner shall not otherwise make the documents, materials or other information public without the prior written consent of the insurer. Nothing in this section shall require written consent of the insurer before the commissioner may share or receive confidential documents, materials or other CGAD-related information pursuant to subsection (c) to assist in the performance of the commissioner’s regular duties.

(b) Neither the commissioner nor any person who received documents, materials or other CGAD-related information, through examination or otherwise, while acting under the authority of the commissioner, or with whom such documents, materials or other information are shared pursuant to this chapter shall be permitted or required to testify in any private civil action concerning any confidential documents, materials or information subject to subsection (a).

(c) In order to assist in the performance of the commissioner’s regulatory duties, the commissioner may:

(i) upon request, share documents, materials or other CGAD-related information including the confidential and privileged documents, materials or information subject to subsection (a), including proprietary and trade secret documents and materials with other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in subsection (x) of section 206C of chapter 175, and with third party
consultants pursuant to section 6, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, material or other information and has verified in writing the legal authority to maintain confidentiality; and

(ii) receive documents, materials or other CGAD-related information, including otherwise confidential and privileged documents, materials or information, including proprietary and trade-secret information or documents, from regulatory officials of other state, federal and international financial regulatory agencies, including members of any supervisory college as defined in said subsection (x) of said section 206C of said chapter 175, and shall maintain as confidential or privileged any documents, materials or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material or information.

(d) The sharing of information and documents by the commissioner pursuant to this chapter shall not constitute a delegation of regulatory authority or rulemaking, and the commissioner is solely responsible for the administration, execution and enforcement of the provisions of this chapter.

(e) No waiver of any applicable privilege or claim of confidentiality in the documents, proprietary and trade-secret materials or other CGAD-related information shall occur as a result of disclosure of such CGAD-related information or documents to the commissioner under this section or as a result of sharing as authorized in this chapter.

Section 6. (a) The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants and other experts not otherwise a part of
the commissioner's staff as may be reasonably necessary to assist the commissioner in reviewing
the CGAD and related information or the insurer's compliance with this chapter.

(b) Any persons retained under subsection (a) shall be under the direction and control of
the commissioner and shall act in a purely advisory capacity.

(c) Third-party consultants shall be subject to the same confidentiality standards and
requirements as the commissioner.

(d) As part of the retention process, a third-party consultant shall verify to the
commissioner, with notice to the insurer, that it is free of a conflict of interest and that it has
internal procedures in place to monitor compliance with a conflict and to comply with the
confidentiality standards and requirements of this chapter.

(e) A written agreement with a third-party consultant governing sharing and use of
information provided pursuant to this chapter shall contain the following provisions and
expressly require the written consent of the insurer prior to making public information provided
under this chapter:

(i) specific procedures and protocols for maintaining the confidentiality and security of
CGAD-related information shared with a third-party consultant pursuant to this chapter;

(ii) procedures and protocols for sharing only with other state regulators from states in
which the insurance group has domiciled insurers. The agreement shall provide that the recipient
agrees in writing to maintain the confidentiality and privileged status of the CGAD-related
documents, materials or other information and has verified in writing the legal authority to
maintain confidentiality;
(iii) a provision specifying that ownership of the CGAD-related information shared with a third-party consultant shall remain with the division and the third-party consultant’s use of the information is subject to the direction of the commissioner;

(iv) a provision that prohibits the third-party consultant from storing the information shared pursuant to this chapter in a permanent database after the underlying analysis is completed;

(v) a provision requiring the third-party consultant to provide prompt notice to the commissioner and to the insurer or insurance group regarding any subpoena, request for disclosure, or request for production of the insurer’s CGAD-related information; and

(vi) a requirement that the third-party consultant consent to intervention by an insurer in any judicial or administrative action in which the third-party consultant may be required to disclose confidential information about the insurer shared with the third-party consultant pursuant to this chapter.

Section 7. Any insurer failing, without just cause, to timely file the CGAD as required pursuant to this chapter shall, after notice and hearing, be subject to a penalty of $500 for each day of delay, to be recovered by the commissioner. The maximum penalty under this section is $10,000. The commissioner may reduce the penalty if the insurer demonstrates to the commissioner that the imposition of the penalty would constitute a financial hardship to the insurer.

Section 8. If any provision of this chapter except for section 5, or the application thereof to any person or circumstance, is held invalid, such determination shall not affect the provisions
or applications of this chapter which can be given effect without the invalid provision or
application, and to that end the provisions of this chapter, except for section 5, are severable.

SECTION 45. Section 135 of chapter 219 of the acts of 2016 is hereby amended by
striking out the words “from August 1, 2016 to July 31, 2018, inclusive,“.

SECTION 46. Notwithstanding any general or special law to the contrary, in fiscal years
2019 to 2025, inclusive, the office of Medicaid shall allocate $1,000,000 annually for a Fishing
Partnership Health Plan Corporation project that shall provide services to fishermen and fishing
families; provided, however, that such services shall include, but not be limited to, assisting
fishermen and fishing families in obtaining health insurance coverage.

SECTION 47. Notwithstanding any general or special law to the contrary, the
Massachusetts Technology Park Corporation, established in section 3 of chapter 40J of the
General Laws and doing business as the Massachusetts Technology Collaborative, shall conduct
a study on the autonomous vehicles industry and issue recommendations on how to advance the
state’s competitiveness in the emerging industry. The study shall include, but not be limited to,
cybersecurity, data privacy, data analytics, artificial intelligence, the internet of things,
navigational software, robotics, advanced manufacturing, and other emerging technologies
related to autonomous vehicles. The study shall examine ways to accommodate research and
development in a safe and productive manner. The Massachusetts Technology Collaborative may
conduct this study in collaboration with relevant stakeholders, including but not limited to, the
insurance industry, municipalities, institutions of higher education, automobile manufacturers,
technology companies, policymakers, and other entities deemed necessary and relevant. The
recommendations shall provide ways for the state to improve on its strengths and weaknesses
through policies, strategies and initiatives to create new or stronger working relationships between key institutions, agencies, organizations and businesses. The study and recommendations shall be submitted to the joint committee on economic development and emerging technologies and the joint committee on transportation no later than December 31, 2019.

SECTION 48. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2A, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $441,250,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth Economic Development Act of 2018”, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall be payable not later than June 30, 2053. All interest and payments on account of principal on such obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provision of this act, be general obligations of the commonwealth.

SECTION 49. Notwithstanding any general or special law to the contrary, to meet the expenditures necessary in carrying out section 2B, the state treasurer shall, upon receipt of a request by the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $225,000,000. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face “Commonwealth Economic Development Act of 2018”, and shall be issued for a maximum term of years, not
exceeding 30 years, as the governor may recommend to the general court pursuant to section 3 of
Article LXII of the Amendments to the Constitution; provided, however, that all such bonds shall
be payable not later than June 30, 2053. All interest and payments on account of principal on
such obligations shall be payable from the General Fund. Bonds and interest thereon issued
under the authority of this section shall, notwithstanding any other provision of this act, be
general obligations of the commonwealth.

SECTION 50. Sections 11, 23 to 38, inclusive, and 43 to 44, inclusive, shall take effect
90 days after the passage of this act.

SECTION 51. Sections 4 to 7, inclusive, 12 to 15, inclusive, and 17 to 20, inclusive, shall
take effect on January 1, 2019 and shall be effective for all tax years beginning on or after
January 1, 2019.

SECTION 52. Sections 16 and 21 shall take effect on January 1, 2022.

SECTION 53. Except as otherwise specified, this act shall take effect upon its passage.