

New Massachusetts law bans list of chemical flame retardants in products

By Michael P. Norton
State House News Service

Manufacturers and retailers in Massachusetts will be banned from selling or importing covered products like bedding, furniture, children's products, window treatments and carpeting that contain 11 flame-retardant chemicals under legislation signed Friday by Gov. Charlie Baker.

The new law, which does not apply to inventory manufactured prior to Dec. 31, 2021, was celebrated by supporters who have pushed for its passage for years by arguing the chemicals can cause cancer and also are ineffective at slowing down fires.

In a tweet, Sen. Cynthia Creem said she filed flame retardants legislation eight years ago and called its passage a "great start to 2021" and an important way to protect children and first responders from "harmful chemicals." When products containing the chemicals burn, Creem has said, they create "toxic smoke."

The Professional Fire Fighters of Massachusetts thanked Creem and Rep. Marjorie Decker of Cambridge for their work on the bill.

"This is a massive step forward in protecting our residents and first responders in Massachusetts from the dangers of these toxic chemicals associated with flame-retardant products," union president Richard MacKinnon Jr. wrote in a message to members.

Last week, in his push for Baker to sign the bill, MacKinnon

argued that numerous firefighters in Massachusetts over the last two years have died from various forms of cancers, and dozens more have received cancer diagnoses. He called the bill a “direct result of the significant scientific data that has come to light over the last several years proving the link between flame retardant chemicals and cancer.”

Decker said on Twitter that Baker had chosen to stand with science, children and firefighters in choosing to sign the bill. According to Decker, the banned flame retardants have been linked to cancer, neurological disorders, and other serious health outcomes, with firefighters, children and pregnant people at particularly high risk.

Janet Domenitz, executive director of MASSPIRG, joined Clean Water Action last week in saying the chemicals are not effective in curbing fires.

“This bill is two wins in one: it gets rid of ‘flame retardants’ that don’t slow down fires anyway, and adding insult to injury they are made of – and release – toxic chemicals. It’s way past time to ban them, literally for good,” Domenitz said.

According to the bill, regulations governing its implementation will be assembled by the state Department of Environmental Protection, which may establish a labeling program for covered products that meet fire safety standards and do not contain any of the chemical flame retardants banned under the new law.

The department, working with the Toxics Use Reduction Institute at the University of Massachusetts Lowell and others, is also directed under the new law to recommend at least every three years additional chemical flame retardants that should be prohibited based on certain criteria. The chemicals banned under the bill include Tris, Antimony trioxide, Hexabromocyclododecane, Chlorinated paraffins,

PentaBDE, and others.

The bill also lays out a civil penalty schedule that makes manufacturers and retailers subject to a fine of not more than \$100 per covered product, not to exceed \$5,000, for a first violation; a fine of not more than \$250 per covered product, not to exceed a total of \$25,000, for a second violation; and a fine of not more than \$1,000 per covered product, not to exceed a total of \$50,000, for third and subsequent violations.

Massachusetts legislators to get 6.46% pay raise

By Michael P. Norton
State House News Service

Massachusetts lawmakers are in store for another pay raise.

Two years after Gov. Charlie Baker certified a **raise of 5.93 percent for the 200 members of the House and Senate for the 2019-2020 session**, the governor in a letter to Treasurer Deb Goldberg on Wednesday advised her that a 6.46 percent increase is warranted in the base pay of legislators.

The raise in the base pay for legislators last session increased it by \$3,709 to \$66,256. A 6.46 percent increase works out to a \$4,280 raise to \$70,536. Legislators also get **leadership pay of up to \$80,000 each and office expense accounts of up to \$20,000.**

In early 2017, legislators ignited an uproar by voting through a generous package of pay raises for themselves and other

public officials, outside of the changes in compensation that the governor is required to make every two years. The adjustments in legislative base pay are required biennially under the state constitution, based on changes in the median household income statewide. Lawmakers got a 4.2 percent raise at the start of the 2017-2018 session.

The 2017 law raised the pay for constitutional officers and stipends for legislative leaders and committee chairs. That law also awarded office and travel expense budgets of between \$15,000 and \$20,000 for every lawmaker, based on how far they live from the State House, and called for all of that compensation to be adjusted every two years based on wage and salary changes over two years as reported by the Bureau of Economic Analysis in the Department of Commerce.

The latest raises are being authorized as Massachusetts copes with the COVID-19 pandemic, which has wreaked havoc on the economy and jobs, with some areas like restaurant, travel, retail and entertainment hit especially hard and demands on the unemployment system rising to record levels.

Accepting or rejecting the raises is up to individual lawmakers and constitutional officers.

A spokesman for Gov. Charlie Baker and Lt. Gov. Karyn Polito told the News Service Thursday they will not accept raises authorized under the 2017 law.

Though Massachusetts differs from many other states with its full-time Legislature, many lawmakers also hold outside jobs to supplement their incomes.

Massachusetts businesses told to reduce foot traffic after Christmas

By Colin A. Young
State House News Service

Fearing that the holiday season could fuel an explosion of COVID-19 cases that the state's health care system would not be able to handle, Gov. Charlie Baker on Tuesday announced new restrictions that seek to limit the number of people in most businesses, public spaces, and private homes for at least two weeks after Christmas.

Starting Saturday and running until at least noon on Jan. 10, restaurants, movie theaters, performance venues, casinos, offices, places of worship, retail businesses, fitness centers, health clubs, libraries, golf facilities, driving and flight schools, arcades, museums, and "sectors not otherwise addressed" must limit their customer capacity to a maximum of 25 percent.

The capacity limits were part of an emergency order Baker issued Tuesday.

The limit for outdoor gatherings will be lowered from 50 to 25, and the limit for indoor gatherings – including events and public spaces – will be 10, which matches the limit for indoor gatherings at private residences. Unless it would risk the patient's health, all hospitals must also postpone or cancel all non-essential inpatient elective invasive procedures beginning Saturday.

Baker said the idea behind his newest restrictions, which will be layered on top of the existing orders he has already issued, is to "pause activity and reduce mobility" for

the two weeks immediately following Christmas in an attempt to prevent a significant increase in COVID-19 cases and hospitalizations that could undermine the state's hospital systems.

"I think [the] most important thing we want out of this is to make absolutely clear to people that the best and most safe thing we can all do for the next few weeks is to spend as much time with those we live with as possible and to not treat the period between Christmas and New Year's the way we normally do, which is a constant race to connect with, catch up with, hang out with, grab a drink with, grab a meal with, all those people you haven't seen since the last time you saw them last year," Baker said Tuesday. "And I think we all get the fact that that's a tough message. But it's the right message for the moment."

As of Monday, the seven-day average number of new COVID-19 cases in Massachusetts was 3,489 – that's up 90 percent from the seven-day average of 1,837 cases as of Nov. 8, the date Baker highlighted in his order. The seven-day weighted average of the positive test rate was 5.94 percent as of Monday, compared to 2.7 percent on Nov. 8. Since Thanksgiving, the number of people requiring hospital care for COVID-19 in Massachusetts has more than doubled from 986 patients to 1,991 patients.

"Our hospitals are now under significant pressure and we're heading toward another period, this holiday stretch, where we're likely to see another significant increase in cases and hospitalizations unless everybody plays a very different game than the one we all played at Thanksgiving," Baker said. "As a result, we think it's appropriate to take action now to slow that spread. And we must do so in a way that can avoid overriding our hospital system."

Baker has been concerned about the possibility of the December holidays – Hanukkah, Christmas, Kwanzaa and New Year's Eve/Day

– leading to a repeat of the spike in COVID-19 cases that Massachusetts saw in the aftermath of Thanksgiving. On Monday, he said he was “basically begging everyone to stay within their immediate household” for Christmas and New Year’s.

While he has been urging residents to alter their traditions and celebrate the holidays differently for this one year, Baker said Tuesday that he decided to make his newest round of restrictions effective the day after Christmas – and therefore after many of the gatherings he is concerned about will have taken place – so he would not disrupt the religious celebration of Christmas and because he hopes many people will physically attend Mass, which is Christmas tradition for some Christians.

“Honestly, the main reason we picked the day after Christmas instead of the day before Christmas was we know that many people, hopefully, will participate in a faith service of some kind – safely – on Christmas Eve or Christmas Day,” the governor said. “Now, it’s perfectly possible to do that safely. And we would hope people would follow the rules, follow the guidance, do the things we’ve talked about if they choose to do that.”

Somerville Mayor Joe Curtatone, whose city took a more cautious approach to its economic reopening than the state as a whole, was not impressed with Baker’s newest restrictions Tuesday.

“The Governor and Secretary Sudders have sounded the alarm for help from retired healthcare workers because our healthcare system is showing signs of strain,” he tweeted. “So why the decision [sic] to just roll back the capacity for indoor business activity to 25%?”

Christopher Carlozzi, Massachusetts director of the National Federation of Independent Business, called it “unfortunate” that Baker chose to further reduce capacity for small

businesses, many of which have “followed the rules and dutifully adhered to all state guidelines,” when the governor has repeatedly cited private gatherings as the primary driver of COVID-19 spread.

“These businesses have overcome the odds and survived despite facing a months-long shutdown, fewer customers, increased restrictions, and higher operating costs, but the new capacity limits may result in their doors shutting permanently,” he said. “The new restrictions will hit struggling restaurants the hardest, an industry already ravaged by the pandemic.”

The governor acknowledged Tuesday that the two-week reduction in capacity will be tough for some businesses to manage, especially restaurants and entertainment businesses, and he said that he plans to detail “a significant economic relief fund for the commonwealth’s small businesses that will be most negatively affected by these decisions” at a press conference Wednesday.

“We know what this means for a lot of our small businesses, especially those in the restaurant and indoor entertainment venue activity, which is why we’ll be back here tomorrow with a plan for them,” Baker said.

Earlier Tuesday, the Massachusetts Coalition for Health Equity – a group that includes more than 20 organizations and almost 300 physicians – called for Baker to close casinos, movie theaters, gyms, places of worship and to limit restaurants to carry-out only, among other steps.

Baker said Tuesday afternoon that he thinks his latest strategy is a better one.

“Our view is based on a lot of the data we saw. You get down below 30 percent [capacity] and you start having a pretty significant impact on infection rates, generally, and I think for many businesses the pure closure of the operation requires shutting all kinds of things down that are then hard to start

up again at some point later on," he said. He added, "I think this is a much more appropriate way to deal with it than to just lock everything down and tell everybody to stay home."

Tuesday was the second time this month that Baker has announced new, more restrictive measures to combat the growing second surge of COVID-19. On Dec. 8, Baker announced that the state would move back a step in his phased reopening plan effective Dec. 13.

That rollback meant capacity limits were lowered across an array of businesses, some indoor recreation venues were ordered to close again, and rules around mask-wearing and dining out were tightened.

Governor Baker vetoes bill expanding abortion access

By Matt Murphy
State House News Service

Despite agreeing with key elements of the bill, Gov. Charlie Baker vetoed legislation Thursday that would codify the right to an abortion in state law and make the procedure in Massachusetts more accessible by expanding access for women after 24 weeks of pregnancy.

The bill known as the ROE Act would also lower the age of consent for an abortion to 16, which the Republican governor said he "cannot support."

The Christmas Eve action by the governor kicks the issue back to the Legislature, where Baker said he hopes Democrats will

reconsider his compromise proposal. After rejecting his proposed amendments this week, leadership in both the House and Senate are more likely to seek to override the governor within the next two weeks and appear to have the votes, even if by just a narrow margin.

Baker vetoed the legislation, which was originally included in the annual state budget, on Thursday afternoon, two days after the Legislature returned the abortion measure unchanged to his desk.

In his letter to lawmakers, Baker said he “strongly” supports a woman’s right to access reproductive health care, including the provision in the bill that would make abortions available after 24 weeks of pregnancy if the fetus would not survive after birth.

He also said he supports eliminating the 24-hour waiting period for an abortion and changes to the judicial bypass process to make abortions more accessible to minors who cannot obtain parental consent.

“However, I cannot support the sections of this proposal that expand the availability of later term abortions and permit minors age 16 and 17 to get an abortion without the consent of a parent or guardian,” Baker wrote.

The Legislature’s version of the bill would also permit abortions after 24 weeks “if it is necessary, in the best medical judgment of the physician, to preserve the patient’s physical or mental health.”

Baker proposed to change the qualifying condition for a later-term abortion to “if a continuation of the pregnancy will impose, in the best medical judgment of the physician, a substantial risk to” the patient’s physical or mental health.

The House voted 107-50 on Tuesday to re-enact the abortion bill (H 5179), giving leadership in that branch a slim cushion

of two votes to reach the two-thirds majority needed to override Baker. In the Senate, the margin was a more comfortable 32-8 to reject Baker's amendment.

Rep. Jay Livingstone, a Boston Democrat and co-sponsor of the original legislation, expressed confidence in his newsletter Thursday that the ROE Act would become law.

"If he vetos it we have enough votes to override that veto and therefore it would become law," he wrote.

The abortion measure picked up steam following the death of Supreme Court Justice Ruth Bader Ginsberg. Democratic leaders argued that the nomination by President Donald Trump and confirmation of Justice Amy Coney Barrett put the legal right to an abortion established by Roe v. Wade in jeopardy, and warranted state-level action.

In addition to clarifying the right to abortion in state law, Livingstone said the bill improves access "by treating 16 and 17 year old pregnant individuals as adults, allows abortion after 24 weeks if there is a 'lethal fetal anomaly', and updates the law to incorporate medical terminology instead of anti-choice phrases currently in the law."

A coalition of reproductive rights groups, including Planned Parenthood Advocacy Fund of Massachusetts, quickly called on the Legislature Thursday to override Baker's veto.

The ROE Act coalition released a statement describing Baker's veto as "callous and dangerous" to the health and well-being of women in Massachusetts.

"With this veto, the Governor has made plain that he has no problem imposing medically unnecessary barriers that delay and deny care, and forcing families to fly across the country to get compassionate care. Our abortion laws are broken, and with two recent actions against equitable abortion access, Governor Baker is upholding our broken system," the coalition said.

Conservative critics of the bill have blasted Democrats for seeking to expand abortion, with the chairman of the Massachusetts Republican Party Jim Lyons likening the bill's provisions to "infanticide" and other opponents questioning whether 16 is too young to make such a decision alone.

Billerica Republican Rep. Marc Lombardo tried unsuccessfully when the bill last came before the House to amend it to require physicians to use life-saving equipment "to preserve the life and health of a live birth baby and the patient."

That amendment was rejected, with Democrats arguing that it was unnecessary and meant to stigmatize women who might seek a later-term abortion.

The House and Senate are next in session on Monday.

Massachusetts one of three states joining vehicle emissions pact

By Colin A. Young
State House News Service

Fewer than one-third of the state and local governments talking about forming a regional effort to staunch vehicle emissions along the East Coast have agreed to sign on to the final program from the outset, but officials said Monday they are confident the program will still be effective.

The coalition, which includes Massachusetts, settled on a carbon emission reduction target of 26 percent by 2032, which is more aggressive than any of the three scenarios presented a

year ago and would add an estimated 5 to 9 cents to the price of a gallon of gas, according to officials involved in the effort.

The program would set a limit on vehicle emissions, and hold auctions for fuel suppliers that transport gasoline into Massachusetts and other states to purchase allowances for every ton of carbon dioxide that the fuel they are carrying would emit when burned.

Twelve states and Washington, D.C. began the process more than two years ago of developing a regional "cap-and-invest" program to reduce carbon pollution from cars and trucks and generate the resources needed to expand clean transit options and improve public health. On Monday, the leaders of just four jurisdictions – Massachusetts, Rhode Island, Connecticut and Washington, D.C. – signed on to be the program's initial members.

"The bipartisan Transportation and Climate Initiative program, or TCI-P, will allow participating jurisdictions to invest in equitable cleaner transportation options and create significant new economic opportunities while substantially improving public health across all our jurisdictions," Energy and Environmental Affairs Secretary Kathleen Theoharides said. "Massachusetts, Connecticut, Rhode Island and D.C. are committing to bold action to achieve our ambitious emissions reduction targets while positioning the jurisdictions and the region to grow the clean transportation economy."

Theoharides, who chairs the coalition of Northeast and Mid-Atlantic states pursuing the regional cap-and-trade program, said TCI aims to cap and reduce emissions from transportation by 26 percent by 2032 while generating annual proceeds for the participating governments that could exceed \$366 million by 2032. That money would be reinvested into clean energy and public health improvements.

“The program works by setting a cap upstream on fuels. Because fuel distributors operate in a competitive marketplace with a growing diversity of alternative fuels such as hydrogen and electricity, this price signal will spur innovation including for regulated entities to reduce the carbon content of the fuels that they sell,” Katie Dykes, commissioner of Connecticut’s Department of Energy and Environmental Protection, said.

She added, “The total number of emission allowances will decline. Each year, resulting in less transportation pollution.”

The reduction in emissions will almost certainly come at a cost to drivers in the form of higher gasoline and diesel prices passed along from the distributors. Dykes said it has been difficult to predict exactly what TCI will mean for drivers because fuel prices fluctuate all the time.

“Should fuel suppliers pass along costs, our modeling estimates show a potential increase of around five cents per gallon, which is far less than regular fluctuations the customers see in retail field prices,” she said. Theoharides said the group’s modeling, which was updated to reflect some of the impacts of the COVID-19 pandemic, currently shows “an absolute maximum estimated at nine cents.”

At 5 to 9 cents, the estimated increase in fuel costs for drivers falls below the high-end forecast of 17 cents per gallon that TCI states gave last year. The Center for State Policy Analysis at Tufts University has suggested it could be even higher depending on how aggressive states choose to be in reducing emissions.

TCI is a central part of Gov. Charlie Baker’s transportation and climate agenda, and is “critical” to the efforts that will be needed to achieve his administration’s goal of net-zero emissions by 2050, Theoharides said.

The potential cost of the program for consumers scared off New Hampshire a year ago – Gov. Chris Sununu called it a “financial boondoggle” – and opponents argue the emissions reductions sought by the cap are not worth the impact on gas prices, particularly because TCI’s own projections have shown that emissions are on track to decrease by 19 percent by 2032 even without any action from the compact states.

A year ago, Theoharides said the TCI coalition had not examined how many states it would take to make a regional pact work, but said that a “critical mass” of participation from the original 12 states and the District of Columbia would be necessary to make TCI successful.

On Monday, she said having Massachusetts, Rhode Island, Connecticut and Washington, D.C., onboard represented enough of a critical mass and that the TCI program “can absolutely be effective with three states and the District of Columbia.”

“The states and the District participating in this program are getting the same emission reductions that were expected if all states joined and significant proceeds to invest back into clean transportation in our economies and in our transportation systems,” she said. “All four of us have state and city goals, aggressive goals, in terms of reducing climate emissions, improving public health and then investing in clean transportation choices. And this program allows us to do that, allows us to get things started while continuing to work to get other states on board so they can realize those same benefits in their states.”

The TCI program is slated to kick off in 2022, but that year will be solely a reporting year to collect a baseline of information and the cap-and-trade program will begin in earnest in 2023, officials said.

New Bedford parking ban lifted as of 5 pm today

The **New Bedford citywide snow emergency parking ban**, which began yesterday, December 16, will be lifted as of 5:00 p.m. today, Thursday, December 17, 2020.

Residents should remove their vehicles from municipal and school parking lots with the parking ban lifted at 5:00 p.m., to ensure those lots are able to be cleared after the snow accumulation.

New Bedford Police issued \$31,050 in tickets and 194 vehicles were towed during the winter storm.

New Bedford Police issue \$31,050 in tickets, 194 vehicles towed during winter storm

During **New Bedford's emergency parking ban**, the New Bedford Police Department issued 621 parking tickets overnight totaling \$31,050 in fines. The police department also reports that 194 vehicles were towed.

New Bedford Mayor Jon Mitchell issued a **city-wide parking ban that started at 5 pm on Wednesday**. The New Bedford police

department issues \$50 fines per violation and tows vehicles that disrupt snow plowing operations. The City of New Bedford offers **38 alternate parking locations during parking bans.**



Edna Teixeira is with Goodluck Tanisha.

8h · 🌐



They really out here towing everyone's car on nash rd. They took about 8 cars already. Can't park on either side of the st.



Warren, Markey, Keating Joint Statement on Attorney General Maura Healey's Investigation Into Bristol County Jail

United States Senators Elizabeth Warren (D-MA) and Edward J. Markey (D-MA), along with Representative William Keating (D-MA-09) released a joint statement on Attorney General Maura Healey's investigation into the violent events of May 1, 2020 at the C. Carlos Carreiro Immigration Detention Center, Unit B, Bristol County Sheriff's office.

"The thorough investigation by the Office of Attorney General Healey compiled significant evidence that the Bristol County Sheriff's Office violated the civil rights of immigrants detained at the facility. We agree with the report's recommendation that the Bristol County Sheriff's Office should not be engaged in immigrant detention," said the lawmakers in a joint statement. "Every person – regardless of their immigration status and regardless of where they are living – deserves to feel safe, to have access to due process under the law, to be treated with dignity, and to have their rights protected. We led our colleagues in calling on the Department of Homeland Security Inspector General and the Office for Civil Rights and Civil Liberties to conduct a federal investigation of these events. We look forward to the findings of that additional investigation, which we expect to help determine accountability for this disturbing incident and to offer further recommendations about how such events can be avoided in the future."

In May, shortly after the violent altercation, Senators Warren and Markey, along with Representatives Keating and Joseph P. Kennedy III (D-MA-04), wrote to Bristol County Sheriff Thomas M. Hodgson to express alarm about the incident, to request that Sheriff Hodgson preserve video of the events to facilitate an investigation, and to allow persons detained at the facility to speak with their attorneys immediately. The four lawmakers also led the entire Massachusetts Congressional Delegation, as well as several members of the Congressional Hispanic Caucus-Chairman Joaquin Castro (D-Texas) and Representatives Jesús G. “Chuy” García (D-Ill.), Juan Vargas (D-Calif.), Alexandria Ocasio-Cortez (D-N.Y.), and Nydia M. Velázquez (D-N.Y.)-in requesting the Department of Homeland Security Inspector General and Office for Civil Rights and Civil Liberties investigate the violent incident.

On April 2, 2020, the Massachusetts Congressional Delegation wrote privately to the sheriffs overseeing each of the Massachusetts facilities, including Bristol County, that detain people on behalf of U.S. Immigration and Customs Enforcement. The letter urged officials to implement alternatives to detention as much as possible, requested information about COVID-19 testing and their steps to comply with federal guidelines on management of COVID-19, and encouraged them to work to limit facility-to-facility transfers in order to protect the health and safety of detained people, facility personnel, and the general public during the pandemic.

Governor Baker signs fiscal

year 2021 budget – here's what's in it

Governor Charlie Baker today signed the Fiscal Year 2021 (FY21) budget into law, a \$45.9 billion plan that protects core government services amidst the COVID-19 pandemic while making substantial investments in economic development and education. This financially responsible budget does not rely on new taxes and maintains significant financial reserves for the future.

Additionally, the Baker-Polito Administration today is filing a \$107.4 million supplemental budget bill for Fiscal Year 2021 entitled “An Act Making Appropriations for Fiscal Year 2021 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.” (read filing letter) This bill authorizes \$49.4 million to fully fund the economic recovery and small business relief plan included in the Administration’s revised FY21 budget proposal and support the unique needs of small and minority- and women-owned businesses across the Commonwealth. The legislation also includes \$53 million for targeted measures to address learning gaps and strengthen educational quality for students during the COVID-19 pandemic, as well as \$5 million in start-up funds for the Peace Officer Standards and Training (POST) Commission, which is proposed in pending legislation, and funding for the Municipal Police Training Committee.

“I am signing this balanced budget because it is fiscally responsible, and maintains our strong commitment to delivering essential government services to the people of Massachusetts amid the COVID-19 pandemic – all without raising taxes,” said Governor Charlie Baker. “Since taking office in 2015, our Administration has worked to ensure fiscal discipline, build up and protect our financial reserves, and invest in key priorities throughout the Commonwealth. The FY21 budget and

this supplemental spending bill will generate economic growth and support small businesses, promote equity, and increase educational opportunity. Our Administration is proud to have worked across the aisle with lawmakers to put this spending plan in place as we fight the pandemic together.”

“This responsible plan delivers vital support to every city and town at a critical time in this public health emergency,” said Lieutenant Governor Karyn Polito. “The Fiscal Year 2021 budget also invests significantly in care for older adults, sexual assault and domestic violence prevention initiatives, support for children and families, and substance abuse treatment. The additional funding we propose today will deliver much needed financial aid for businesses such as restaurants and those hit hardest by the pandemic, and we urge the Legislature to approve these funds quickly.”

“We thank our colleagues in the House and Senate for their collaboration and partnership throughout the many challenges associated with arriving at a final FY21 budget,” said Administration and Finance Secretary Michael J. Heffernan. “While actual tax collections during the first half of Fiscal Year 2021 have so far exceeded revised projections, we continue to maintain fiscal responsibility by prioritizing investments in core government services and protecting the Commonwealth’s financial reserves as economic challenges resulting from COVID-19 are likely to continue into Fiscal Year 2022.”

Fiscal Overview

This FY21 budget incorporates an upgraded \$28.440 billion tax revenue forecast. This represents an increase of \$459 million over the revised tax projection announced in October, based off better-than-expected actual tax collections in recent months, plus adjustments in the enacted budget, most notably sales tax acceleration. The budget includes a total of \$45.9 billion in gross spending, excluding the Medical Assistance

Trust Fund transfer, which reflects approximately 4.5% growth in spending over Fiscal Year 2020 (FY20).

The budget includes an expected withdrawal of \$1.35 billion from the Stabilization Fund, which would be reduced in the instance of increased tax collections or new federal revenue. The \$1.35 billion withdrawal is consistent with the Administration's focus on flexibility and supporting one-time spending needs as part of the response to the COVID-19 emergency. This would leave the fund with a balance of approximately \$2.21 billion, a significant buffer in the event of future budgetary constraints in Fiscal Year 2022 and beyond. The balance of the Stabilization Fund has increased threefold since 2015 and is currently \$3.5 billion because of the collaborative fiscal discipline of the Administration and Legislature.

The FY21 budget modernizes the timeline for sales tax remittance and collection, which has not been significantly updated in decades. This modernization effort takes advantage of widely available technologies and capabilities and directs businesses that have collected and remitted more than \$150,000 in sales tax or \$150,000 in room occupancy and meals tax in the prior calendar year to remit collections from the first three weeks of each month in the final week of the same month. These reforms will not impact consumers or nearly 95% of Massachusetts businesses, and are focused on the largest companies in the Commonwealth, many of which have benefited from the changing economic landscape and new consumer patterns.

Investing in Massachusetts

Despite the fiscal challenges caused by the COVID-19 pandemic, the Commonwealth continues to support record investments in Massachusetts' students and ensure they have the opportunities and resources to grow and succeed. The FY21 budget includes a \$108 million increase in the annual Chapter 70 investment,

which complements the \$442 million in new federal supports that is available to K-12 schools to assist with educating our students during the public health crisis.

To generate economic growth amidst the COVID-19 pandemic and support Main Streets across Massachusetts, the FY21 budget includes over \$82.4 million in funding for economic recovery and development efforts. In addition, the Administration today filed a supplemental budget bill that includes \$49.4 million to further support the unique needs of small and diverse businesses by fully funding the Administration's economic recovery and small business relief plan. The additional funding in the supplemental budget bill would fully support the Administration's economic recovery and small business relief plan included in the revised FY21 budget proposal submitted in October.

The FY21 budget protects essential government services by maintaining the FY20 Unrestricted General Government Aid (UGGA) investment of \$1.129 billion to local cities and towns. The budget protects eligibility and benefit levels for social safety net programs such as MassHealth, Transitional Aid to Families with Dependent Children (TAFDC), child-care vouchers, Prescription Advantage, Home Care, Chapter 115 veteran benefits, and the Turning 22 program. It also preserves Chapter 257 rate increases using an updated rate methodology that better reflects the cost of benchmarking direct care and clinical staff wages.

This FY21 budget continues support for the Community Compact Cabinet Program, which is chaired by Lieutenant Governor Polito and provides municipalities with meaningful assistance and resources in delivering quality services to the Commonwealth's citizens. The budget includes \$2 million in funding for Community Compact related programs including best practices and regionalization and efficiency grants, and an additional \$2 million for these programs is included in the supplemental budget filed today to further support communities

during this critical time. The budget also includes \$4.8 million for the Public Safety Staffing Grant Program managed by the Executive Office of Public Safety and Security, as well as \$3 million for district local technical assistance.

The FY21 budget continues the Administration's efforts to improve outcomes for patients and increase access to care in order to ensure the health and safety of individuals and families across Massachusetts. The budget funds the Executive Office of Health and Human Services (EOHHS) at \$25.470 billion, excluding supplemental payments to hospitals, a \$2.175 billion (9%) increase over the FY20 budget. This includes \$160 million for Chapter 257 human service provider rate increases under the new rate methodology, which reflects the Administration's ongoing commitment to supporting human service programs and providers.

Given the COVID-19 pandemic's impact on seniors and high-risk individuals, the Commonwealth continues to make significant investments in supporting older adults and ensuring they have adequate care during this challenging time. The budget funds the Executive Office of Elder Affairs at \$598.9 million, which furthers the Administration's commitment to supporting older adults in Massachusetts to remain active, contributing and engaged members of their communities.

The FY21 budget includes \$17.5 million in support of grants to Local Councils on Aging and an increase of \$9.7 million above the FY20 budget to support consumer growth in the state Home Care Program, which provides care management and in-home support services to help eligible elders age in place. The budget also includes a \$4.7 million increase for the Community Choices Program, which provides MassHealth-eligible elders with nursing facility levels of need with home care support.

The Baker-Polito Administration recognizes that the challenges of COVID-19 have exacerbated existing housing concerns and disproportionately impacted vulnerable populations. The

Administration recently announced a comprehensive set of resources, known as the Eviction Diversion Initiative, which includes a \$171 million total commitment this fiscal year for new and expanded housing stability programs.

The FY21 budget continues support for the most vulnerable populations, providing \$182.7 million for the Emergency Assistance family shelter system, of which \$1.8 million will help support 40 new family shelter units that are compliant with the Americans with Disabilities Act in order to accommodate homeless families that include a person with disabilities. The budget provides \$56.4 million to maintain an estimated 3,036 beds, services, and day programs at homeless shelters for individuals, as well as \$135 million for the Massachusetts Rental Voucher Program (MRVP), \$80 million for local housing authorities, and other significant investments.

The COVID-19 pandemic and the resulting economic challenges have impacted the livelihood of employers and workers across the Commonwealth. The FY21 budget provides a total of \$5.5 million in funding to transform vocational high schools into Career Technical Institutes running three shifts per day. This initiative is designed to train new workers in skilled trades and technical fields including plumbing, HVAC, manufacturing, and robotics. This will consist of a combination of enrolling more high school students in high-impact vocational trade programs and expanding capacity for adults to earn industry-based credentials, aligned to apprenticeships and post-secondary degrees.

The FY21 budget includes over \$30 million to continue supporting the recommendations of the Black Advisory Commission (BAC) and the Latino Advisory Commission (LAC) with numerous significant investments. This includes funding for workforce development training programs, Youth Work Summer Jobs, entrepreneurs, workforce training, early college, teacher diversity, small business development, financial literacy, and job placement programming.

To continue combating the opioid epidemic, the budget includes \$264 million across several state agencies for substance misuse treatment and service. This represents a \$31.9 million increase over FY20 and a total increase of \$144.8 million since FY15, not including MassHealth.

The Baker-Polito Administration recognizes that in some instances, the COVID-19 pandemic and the need for social distancing have increased risks for survivors of sexual assault and domestic violence. The FY21 budget includes a total investment of \$95.8 million for sexual assault and domestic violence prevention services, a \$15.5 million (19%) increase over the FY20 budget and a 48% increase from FY15.

Outside Sections and Earmarks

The Administration also signed several outside sections attached to the FY21 budget. One such section promotes road safety by permitting the Registry of Motor Vehicles to require drivers who have been granted a hardship license following a DUI offense to drive with an ignition interlock device.

The Governor also signed outside sections corresponding to two proposals that were filed in the Administration's comprehensive health care legislation, originally filed last fall. One such proposal promotes access to behavioral health services by encouraging behavioral health practitioners to accept insurance. It requires insurers, including MassHealth, to use a standardized credentialing form so providers only need to complete one application. The second such proposal promotes timely access to appropriate behavioral health treatment by prohibiting payers from denying coverage or imposing additional costs for same-day behavioral health and certain medical visits.

The Administration recognizes there are many items funded in the budget during this difficult fiscal year that are one-time in nature and related to the COVID-19 pandemic and maintains

these should not be considered as expansions on base funding. Notably, as part of the budget-signing, Governor Baker, signed all the approximately \$80 million in earmarked funding. These resources support one-time local projects in communities throughout the state, with funding slated to go out by the end of the fiscal year. The Governor vetoed \$167 million in gross spending. Of 113 outside sections, the Governor signed 96, and returned 17 to the Legislature with proposed amendments.

Key FY21 Highlights Include:

Core Services

Increases Chapter 70 education aid to local municipalities by \$108 million – for a total investment of \$5.284 billion

Maintains the FY20 Unrestricted General Government Aid (UGGA) investment of \$1.129 billion to local cities and towns

\$2 million in funding for Community Compact related programs including best practices and regionalization and efficiency grants

\$4.8 million for the Public Safety Staffing Grant Program managed by the Executive Office of Public Safety and Security

\$3 million for district local technical assistance

Economic Development

\$82.4 million in additional funding for economic recovery and small business efforts

\$17.5 million for grants for small businesses, particularly businesses in underserved markets, minority-owned, women-owned, and veteran-owned businesses, and those who have not yet received federal aid

\$17.5 million for community development financial institutions (CDFI) grants and loans

\$15 million for a Community Empowerment and Reinvestment Grant Program

\$7.5 million for matching grants for capital investments by businesses with twenty or fewer employees

\$6 million total for regional recovery planning grants, an increase of \$5 million over FY20

\$5 million for small business technical assistance

\$5 million for Community Foundation Grants

\$5 million for Community Action Agencies

\$3.9 million for technical assistance and grants, including for small business online and digital tools

This is in addition to the \$49.4 million included in the supplemental budget bill filed today, which would help support the unique needs of small and diverse businesses by fully funding the Administration's economic recovery and small business relief plan.

Food Security

\$30 million for Emergency Food Assistance during the pandemic

\$13 million for the Healthy Incentives Programs to address food insecurity exacerbated by COVID-19

K-12 Education

\$108 million increase in the annual Chapter 70 investment

Recognizes at least \$442 million in new federal supports for K-12 schools to assist with educating our students during the public health crisis

Early Education

\$836 million for Early Education and Care

\$40 million for future revisions to the sliding parent fee schedule reductions in parent contributions and paying for parent fees as provider supports

\$25 million for COVID-19 support for the workforce and providers

Higher Education

\$1.328 billion investment for the Department of Higher Education, University of Massachusetts, and state universities and community colleges, representing a \$44.6 million (3.5%) increase over the FY20 budget

Approximately \$900,000 increase above the FY20 budget for financial aid and fee waiver programs at college campuses to maintain support for students currently or previously in the custody and care of the Department of Children and Families (DCF), or who have been adopted through DCF

Health and Human Services

\$25.470 billion for the Executive Office of Health and Human Services (EOHHS), excluding supplemental payments to hospitals, a \$2.175 billion (9%) increase over the FY20 budget

\$160 million for Chapter 257 human service provider rate increases under a new rate methodology that better reflects the cost of benchmarking direct care and clinical staff wages

Caring for Seniors

\$598.9 million for the Executive Office of Elder Affairs

\$17.5 million in support of grants to Local Councils on Aging and an increase of \$9.7 million above the FY20 budget for the Home Care program

\$4.7 million increase for the Community Choices Program

MassHealth

\$18.261 billion gross, \$6.608 billion net funding for MassHealth, a change of 10.1% gross, approximately level on a net basis to the FY20 budget

These changes incorporate COVID-19 related increases in caseload support and members, as well as costs for the public health response and provider relief

This investment also includes the conclusion of the temporary, enhanced Employer Medical Assistance Contribution that was completed at the end of calendar year 2019, per statute

Children and Families

\$1.084 billion for the Department of Children and Families, marking a \$257 million increase since 2015

\$9 million to support continued progress toward a maximum caseload level of 15 clients per caseworker

\$7.1 million to sustain investments made in FY20 for the expansion of support and stabilization services for foster parents, and services and supports for transition-age youth

\$10 million for the Safe and Successful Youth Initiative

Individuals with Disabilities

Fully funds the Turning 22 Program at the Department of Developmental Services (DDS) and other agencies

\$2.134 billion for DDS, an increase of \$40.8 million over the FY20 budget

Behavioral Health

\$911.6 million for the Department of Mental Health

\$91 million for Adult Community and Clinical Services

\$10 million for inpatient behavioral health beds

\$6.5 million for DMH's jail and arrest diversion programs

Housing and Homelessness

\$182.7 million for the Emergency Assistance family shelter system

\$135 million for the Massachusetts Rental Voucher Program (MRVP)

\$80 million in funding for local housing authorities

\$56.4 million to maintain an estimated 3,036 beds, services, and day programs at homeless shelters for individuals

\$50 million for Residential Assistance for Families in Transition (RAFT)

Transportation

\$1.302 billion in total operating budget transfers for the MBTA, an increase of \$98 million over FY20

\$381 million in the Massachusetts Department of Transportation (MassDOT), an increase of \$35 million over FY20 to fund snow and ice operations

\$90.5 million for Regional Transit Authorities

\$800,000 increase for the Merit Rating Board

Black Advisory Commission and Latino Advisory Commission

Over \$30 million to continue implementing recommendations

\$5.9 million for Adult Basic Education (ABE)

\$3.1 million to continue recruitment efforts to enroll more Black and Latino youth in Youth Works Summer Jobs

\$2.5 million to fund a grant program which invests in local entrepreneurs and support workforce trainings through the

Executive Office of Housing and Economic Development

\$1.5 million for the STEM Pipeline Fund

\$750,000 to expand the “Learn to Earn” initiative

Sexual Assault and Domestic Violence

\$95.8 million to address this key priority, a \$15.5 million (19%) increase over the FY20 budget and a 48% increase from FY15

\$50.3 million in funding for the Department of Public Health to carry out domestic violence and sexual assault prevention and survivor services, as well as emergency and transitional residential services for victims and their children

\$32.9 million for providing shelter, services, and housing assistance for individuals and families who are victims or at risk of domestic abuse in their current living situations

\$6.8 million to support statewide sexual assault nurse examiner programs for adults and adolescents in hospital settings, and pediatric sexual assault nurse examiner programs in child advocacy centers

Combating the Opioid Epidemic

\$264 million across several state agencies for substance misuse treatment and services, a \$31.9 million increase over FY20 and a total increase of \$144.8 million since FY15 (not including MassHealth)

Criminal Justice and Public Safety

\$733.9 million for the Department of Correction, including \$203.3 million for medical and mental health contract costs

\$399.4 million for State Police public safety and crime lab operations and includes support for the 86th RTT class

\$62.9 million to continue funding for the clinical contract at Bridgewater State Hospital

\$11.3 million in funding for the Shannon Grant program to fund anti-gang and youth violence prevention efforts

\$10.4 million to fully fund tuition and fee waivers for National Guard members

\$5.4 million for the Municipal Police Training Committee which develops, delivers, and enforces training standards of municipal, University of Massachusetts, and Environmental police officers

Modernizing and Security Government IT

\$135.6 million for the Executive Office of Technology Services and Security to support

Managing a new cybersecurity operations center which provides 24/7 monitoring capabilities of systems to identify and help mitigate potential cyber threats

Implementing a security incident event management software platform for threat monitoring and analytics

Centralized software and IT contract compliance program

Energy and the Environment

\$301.7 million for the Executive Office of Energy and Environmental Affairs (EOEEA)

\$100.9 million for the Department of Conservation and Recreation

\$62.5 million for the Department of Environmental Protection (DEP)

\$32.3 million in funding for the Department of Fish and Game

\$20.8 million for the Department of Public Utilities

\$4.5 million for the Department of Energy Resources

\$1.4 million to address the spread of mosquito-borne diseases like Eastern Equine Encephalitis

To access the FY21 budget, please click [**here**](#).

New Bedford and Fall River top list of new COVID-19 public school cases

Chris Lisinski

State House News Service

Massachusetts education officials reported 923 newly confirmed COVID-19 cases in public schools over the past week, nearly twice as many as the prior week. Between Dec. 3 and Dec. 9, districts reported 503 new infections among students participating in either fully in-person or hybrid learning and 420 cases among staff in school buildings, according to data the Department of Elementary and Secondary Education published late Thursday.

Amid a statewide surge, the latest weekly total reflects significant growth over the 527 new student and staff cases reported last week and the 482 the week before that. New Bedford far surpassed any other district in new cases, reporting 42 among students and 23 among staff. The second-highest numbers were in Fall River, which reported 15 student cases and 18 staff cases.

One hundred and forty-three districts had at least one student case over the past week. Of those, 32 reported at least five. Baker administration officials have argued that despite confirmed cases, the overall rate of infection remains low in public schools, pointing to the roughly 450,000 students attending schools partly or fully in-person statewide. They have also cautioned for months about the negative effects of remote learning.