

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 employers

\$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.

Nursing home, senior living visitation to be prohibited in New Bedford to protect vulnerable residents from COVID-19

Mayor Jon Mitchell and the Board of Health have issued strong new guidelines to protect the residents of nursing homes, long-term care and senior living facilities from the spread of COVID-19.

As the New England region, including New Bedford, enters its second surge, the percent positivity of COVID-19 tests has risen – up from 2% at the end of the summer to more than 7% now. Increases in positive cases among staff and residents nursing homes and senior living facilities across the region and in the city has led to new protections for residents.

Effective Monday, December 14, visitation at nursing homes,

long-term care and senior living facilities will be prohibited, with the exception of compassionate care visits concerning end-of-life situations. Group activities and dining will be prohibited for residents, and stringent health protocols including routine inspections, temperature checks, additional hygiene measures, wellness checks, and notification to the Health Department of symptoms or suspected COVID-19 cases among residents, continue to be required of all such facilities in the city.

“Right now, the primary goal of government at every level should be to protect the most vulnerable among us such that they’ll have the opportunity to be vaccinated. Toward that end, and given continuing acceleration of disease transmission, we are prohibiting visitation in New Bedford’s senior living facilities until further notice. Today’s order effectively reinstitutes a similar prohibition in place during the first surge,” said Mayor Jon Mitchell. “This is no doubt difficult around the holidays, when all of us yearn to connect with our loved ones, but current circumstances demand that we redouble our efforts to protect those at highest risk. For seniors who do not reside in senior living facilities, and those with underlying health conditions, the best thing to do is to remain home unless it is imperative to go out, and tell prospective visitors that you’ll see them after you get your vaccination. We want our loved ones protected and safe so that they are around for many more holidays to come.”

The state’s latest guidance allows for in-person visitation with social distancing, screening, mask-wearing, and other protective protocols. Rising cases have resulted in this additional public health protection in New Bedford.

Earlier this year, Mayor Mitchell and the Board of Health announced emergency orders to keep residents of all senior living settings safe through the requirement of stringent public health and sanitation requirements.

New Bedford awarded \$176,972 cybersecurity grant

The Baker-Polito Administration today announced \$3,709,438 in grants to 55 municipalities through the Community Compact Cabinet (CCC) Information Technology grant program. Today's announcement brings the total of municipal IT grants issued over the past four years to over \$15 million supporting more than 300 municipalities and school districts.

Lieutenant Governor Karyn Polito made the announcement during a virtual award ceremony, attended by recipients, local and state officials, and community leaders.

"We are proud of the work that the Community Compact Cabinet has done partnering with cities and towns to support their efforts to modernize and improve information technology operations," said Governor Charlie Baker. "This year, we have seen incredible innovation from our local communities to provide services to residents and we are pleased to see various cities, towns and school districts take advantage of this program."

"Collaboration is at the heart of our Administration's partnership with the Commonwealth's municipalities," said Lt. Governor Polito, Chair of the Community Compact Cabinet. "Since the beginning of the grant program, these investments have had an outsized impact on economic and community development and this round of awards will ensure that cities and towns deliver better services for Massachusetts residents for years to come."

"Every year we are pleased with the wide array of projects the communities across Massachusetts identify for grant support,"

said Administration and Finance Secretary Michael Heffernan. "The Baker-Polito Administration is proud of the work community leaders have done to improve the reliability of state government and we look forward to this year's recipients continuing that work."

"State and municipal governments are increasingly recognizing the need for smart investments in modern information technology infrastructure and services to make government more accessible, efficient, and resilient," said Technology Services and Security Secretary Curtis Wood. "This latest installment of CCC IT grant awards invests in many impressive and innovative project proposals that will better serve the people of the Commonwealth."

Examples of Community Compact IT Grant Program Initiatives in this round of funding:

- West Springfield will receive a \$115,750 grant to purchase a modern HR system that centralizes Town and School HR operations
- New Bedford will receive a \$176,972 grant to bolster their cybersecurity infrastructure and improve disaster recovery capabilities
- Monterey will receive a \$82,000 grant to implement a web-based road surface temperature measurement system
- Cummington will receive a \$69,631 grant to deploy a computer network to complete a recently built fiber optic network

Formed in January 2015, the Community Compact Cabinet is chaired by Lt. Governor Polito and is composed of the Secretaries of Housing and Economic Development, Education, Transportation, Energy and Environmental Affairs, and Technology Services and Security, along with the Senior Deputy Commissioner of Local Services and the Assistant Secretary of Operational Services. The Community Compact Cabinet elevates

the Administration's partnerships with cities and towns, and allows the Governor's Office to work more closely with leaders from all municipalities. The Cabinet champions municipal interests across all executive secretariats and agencies, and develops, in consultation with cities and towns, mutual standards and best practices for both the state and municipalities. The creation of Community Compacts creates clear standards, expectations and accountability for both partners.

For a full list of awardees and projects, click [here](#).

Need for heating assistance grows during pandemic

By Colin A. Young
State House News Service

With more people out of work this winter because of the pandemic, the demand for federal home heating aid is projected to grow nearly 20 percent and U.S. Sen. Edward Markey is calling for an infusion of \$10 billion to wipe away pandemic-related utility debt and to keep people warm this winter.

As winter weather descends on New England and other northern parts of the country, Markey said Tuesday that the federal Low-Income Home Energy Assistance Program (LIHEAP) will need more money, and called on other states to follow Massachusetts' lead in banning utility shutoffs until the spring.

"We are teetering on the edge of a financial cliff that is forcing already vulnerable households to make the impossible

decisions of either putting food on the table, covering rent or keeping the heat on through the cold winter months," the senator said, adding that 1.3 million American households now have an average of \$5,400 in rent and utility bill debt.

Markey said that 26 million American households, including 160,000 in Massachusetts, qualified for LIHEAP before the COVID-19 pandemic and that experts expect five million more households nationwide will qualify this winter as a result of the pandemic. That would mean about 190,000 Massachusetts households could seek federal help this winter.

"This week in Massachusetts, temperatures are expected to dip into the mid-20s and we all know that when temperatures drop heating bills begin to pile up for many families in the commonwealth," he said.

Markey said an infusion of \$10 billion for LIHEAP would help seven million families eliminate utility bill debt and provide a "safety blanket" during the winter.

Mark Wolfe, executive director of the National Energy Assistance Directors' Association, said LIHEAP's typical funding level is not enough to meet the demand for home heating assistance that his organization expects this winter.

"We're facing conditions you'd not be surprised to see in a Charles Dickens novel, to be honest," he said. "Families are falling behind in the rent, you're seeing long food lines, for the first time in years middle-class families can't pay their utility bills. These families don't even know where to go for help, they're not used to asking for help, they're used to paying their own way. We think there's an extra seven or eight million households that were formerly middle class, for all purposes, that have lost their jobs and that need help."

Wolf said the \$10 billion investment in LIHEAP will help ensure that families do not end up with \$3,000 or \$4,000 in utility bill debt by the time the worst of the pandemic

passes.

“They’ll never get back on their feet,” he said.

In Massachusetts, the Legislature and administration have often supplemented the federal LIHEAP funding with state dollars amid a steady decrease in federal support over recent years. Federal aid to Massachusetts for the LIHEAP program decreased by \$15 million between 2017 and 2021, Markey said, despite overall program funding increasing by nearly \$350 million.

“That’s because the federal Department of Health and Human Services is using outdated energy price information to determine LIHEAP allocations. They are currently using data that is years out of date for fuel costs and weather projections, instead of up-to-date information, in determining how to distribute LIHEAP funds to the states that need it,” the senator said. “As a result, some of the LIHEAP money that gets awarded to states like Massachusetts is divorced from the reality of what families will spend this winter to heat their homes.”

Markey also reiterated a call he made in March for states and utilities to impose or extend moratoria on gas and electric service disconnections, late fees, reconnection fees, rate hikes, and more.

For residential customers in Massachusetts who receive electric or gas service from an investor-owned utility, such a moratorium is in place until April 1. For residential customers who get electric or gas service through a municipal utility, the attorney general’s office says “most municipal utilities” have also agreed to suspend shut-offs until April 1. The Massachusetts moratorium on commercial shut-offs ended Aug. 31.

“Our commonwealth can serve as an example to the rest of the nation as we enter the long winter months, but no one anywhere

should be left to fall sick because they're falling behind," Markey said.

New Bedford will implement state COVID-19 guidelines at houses of worship

New Bedford will implement the statewide COVID-19 guidelines for houses of worship in the city, the Health Department announced to faith leaders this week.

New Bedford had implemented an additional cap, 40% or 100 people, whichever was lower, in the spring. Last month, the U.S. Supreme Court decided against certain capacity restrictions in Roman Catholic Diocese of Brooklyn, New York v. Andrew Cuomo, Governor of New York.

In November, Governor Baker issued COVID-19 Order No. 54, Further Regulating Gatherings in the Commonwealth, which requires religious gatherings to follow COVID-19 safety rules and capacity limitations.

The following is an excerpt summarizing the state's occupancy guidelines:

For indoor services, places of worship must monitor member entries and exits and limit occupancy at all times to the greater of the following:

50% of the building's maximum permitted occupancy as documented in its occupancy permit on record with the municipal building department or other municipal record holder

Buildings for which no permitted occupancy limitation is on record may allow 10 persons (including staff) per 1,000 square feet of accessible space

In any case, no enclosed space (e.g. a single room, basement) within the building may exceed occupancy of 10 persons per 1,000 square feet

All occupancy counts and calculations shall include attendees, staff, and other workers

Attendees who are not part of the same immediate household must be seated at least 6 feet apart. Members of the same immediate household are permitted to sit together and less than 6 feet apart

Under Massachusetts statewide COVID-19 protocols, all attendees of any indoor gathering must wear face coverings or masks in accordance with COVID Order No. 31 and guidance of the state Department of Public Health while inside, and while entering and exiting places of worship or otherwise participating in in-person services, except where a person is unable to wear a face covering or mask due to a medical or disabling condition.

The Bar closed by New Bedford Health Department due to repeated COVID-19 violations

The New Bedford Health Department has issued a cease and desist order to The Bar at 266 Dartmouth Street for its third violation of the state's regulations to protect residents from

the spread of COVID-19.

The Bar has been fined \$2,900 and is ordered closed effective immediately, and may not be allowed to reopen until Phase 4. The cease and desist order was issued on Wednesday, December 2.

The Bar was previously fined \$300 on October 14 for serving alcohol without food and for failure of employees to wear a mask. On November 21, The Bar was fined \$600 for failure of employees to wear masks.

Businesses and employees are reminded to comply with mask-wearing to keep themselves and others safe. Businesses will be subject to fines for failure to comply with the City's orders, including failure to protect employees and failure to notify the Health Department of an outbreaks. The orders can be found on New Bedford's COVID-19 webpage: <https://www.newbedford-ma.gov/health-department/coronavirus/>.

Massachusetts Representatives fear pandemic being used to delay gun licenses

By Katie Lannan
State House News Service

A new bill filed by a Webster Republican would create a process for Massachusetts residents to be able to apply for a gun license during the COVID-19 pandemic without first having to get fingerprinted by local police as is normally required.

Rep. Joseph McKenna said his bill is meant to prevent cities

and towns from using the pandemic “as an excuse to deny someone their constitutional rights to obtain a license to carry.”

“I think for the most part, towns are being really cooperative and working with applicants to figure out how to best proceed with an application safely and without as much face-to-face contact,” he said. “I do think there are some towns that could perhaps be using COVID as a reason to say to an applicant, we’re not comfortable with you coming into the police station.”

McKenna said retailers, restaurants and “just about every industry and business” have by now adapted their operations to accommodate social distancing, provide remote services or otherwise incorporate the public health precautions that have become widespread over the past several months.

Applicants for firearms identification cards and licenses to carry a firearm have their fingerprints taken for a background check, and McKenna said his bill (HD 5442) would allow local police chiefs or the state Executive Office of Public Safety and Security to temporarily waive that requirement if they determine it’s unsafe or unreasonable to collect fingerprints.

McKenna’s bill is backed by the Gun Owners’ Action League, which in October filed a federal lawsuit against top police officials in Weymouth, Cambridge and Stoughton on behalf of residents of those three communities who said they’d been waiting for months to secure licenses to carry firearms.

Republican Reps. Peter Durant, William Crocker, Nicholas Boldyga, David DeCoste and Donald Berthiaume are signed on to the bill as cosponsors, as is Lawrence Democrat Rep. Marcos Devers.

In some instances, police departments that had paused their fingerprinting have been able to bring the service back online.

Southwick police announced on Nov. 14 that they were suspending the processing of any new gun license applications “due to the inability to safely fingerprint and photograph applicants” and clarified two days later that an employee who is involved in the processing had been ordered not to report to work for a period of time because of close contact with someone COVID-positive. On Nov. 23, the department posted to Facebook that it was accepting applications again.

On Nantucket, police stopped accepting license applications that require a fingerprint check on Nov. 18 and now plan to resume fingerprinting on Dec. 9, using a new protocol under which fingerprints will be taken only by appointment and the department will provide a mask for the applicant to wear.

Nantucket officials said they were implementing the new measures to protect the safety of residents and police department employees and limit trips to the public safety building, citing climbing COVID case numbers both on the island and statewide and an expectation “that the COVID-19 infection rate will continue to increase significantly, particularly over the days following Thanksgiving.”

McKenna said he is not seeking a universal waiver of the fingerprinting requirement, and that fingerprints would still be required in towns that feel comfortable conducting the procedure, “whether it’s outside, whether it’s behind a plastic screen” or with some other precaution in place.

He said he would be open to tweaking the bill’s language to establish a buffer period of a set time after which an applicant would then need to submit fingerprints.

McKenna said he’s looking at refiling the bill in the new legislative term that begins on Jan. 5.

“To be quite honest, being that it’s very late in a lame-duck session, I would not expect it to be taken up over the last four weeks we have remaining in session, but we have received

some feedback from colleagues, some suggestions," he said. "It's certainly garnered some interest and some discussion."

Massachusetts police union: reform bill punishes "police just for being police"

Matt Murphy

State House News Service

The state's largest law enforcement union called a compromise police reform bill that will be voted on Tuesday the "final attack" by lawmakers on Bay State police, who union leaders said are being scapegoated for violence incidents that occurred in other states.

In a letter to his 4,300 members, Massachusetts Coalition of Police President Scott Hovsepian said the final policing bill that emerged from a House and Senate conference committee Monday evening was "crowded" with punitive measures for police and would add layers of unnecessary bureaucracy. The union urged the 66 lawmakers who voted against earlier versions of the bill to oppose this compromise version as well, and to lobby their colleagues to join them.

Hovsepian said that if MassCOP loses to the "iron hand" of leadership in the House and Senate it would appeal to Gov. Charlie Baker for a veto. "They seek to punish police just for being police," Hovsepian wrote in a two-page letter to union members. MassCOP joins the union representing State Police troopers in opposing the bill.

The heart of the bill creates a police accountability panel, to be known as the Massachusetts Peace Officer Standards and Training (POST) Commission, that would certify officers every three years and could revoke certification for officers found to commit wrongdoing, such as excessive use of force or falsifying timesheets. MassCOP specifically took issue with a provision that would allow the new POST Commission to strip a police officer of his or her license before the completion of an internal investigation and disciplinary hearing. Hovsepien said the nine-member commission, which must include at least three police officers, including one chief, had “minimal representation” from anyone experienced in law enforcement.

The union also called the negotiations between the House and Senate over the bill “grossly unfair and opaque,” taking issue with the secrecy of the talks, which is a custom on Beacon Hill regardless of the issue. “We now know that the process has ended in the same way it began – with law enforcement professionals who protect the citizens of this Commonwealth each day being disregarded, dismissed and disrespected,” Hovsepien wrote.

One win MassCOP celebrated was the inclusion of a public hearing process next year to study qualified immunity from civil lawsuits for police, but Hovsepien called it a “hollow victory” because the bill also revokes the protection from civil lawsuits for any officer stripped of their license by the POST Commission for wrongdoing.

Cannabis Control Commission

gives final approval to Marijuana delivery framework in Massachusetts

By Colin A. Young

State House News Service

With the threat of legal challenges looming, state regulators gave final approval Monday morning to new regulations that will reshape the legal marijuana industry to include home delivery businesses initially available only to social equity program participants and economic empowerment applicants.

The suite of new industry rules creates a two-pronged delivery license framework that is expected to become a reality in 2021 but also includes changes to the medical marijuana caregiver program and provisions that Cannabis Control Commission regulators said will be crucial to preventing monopolization of the new delivery sector.

“I am thrilled. It was a huge step today in passing regulations in general; they are very consumer-oriented and patient-oriented and I think they represent a focus on what the people of Massachusetts want,” Commissioner Shaleen Title said. “Delivery, in particular, I think represents a huge step forward for equity but it is not a cure-all in any way and, in fact, I think the work starts right now this afternoon in terms of making sure we are providing education and resources and guidance to municipalities, in particular, and prospective applicants.”

The new adult-use marijuana regulations, which include the new delivery framework were adopted 3-1, with Commissioner Jennifer Flanagan casting the vote of opposition. The medical marijuana regulations and those for co-located recreational and medical facilities were adopted unanimously.

The CCC's delivery policy will create two delivery license types: a "marijuana delivery operator" that can buy products wholesale from growers and manufacturers and sell them to their own customers, and a "marijuana courier" that can charge a fee to make deliveries from CCC-licensed retailers and dispensaries. Applications for the courier model have been available for months and the CCC expects to open the application process for the delivery operator license class by the end of January.

Home delivery of marijuana has long been allowed under the state's medical marijuana program, and the CCC has been thinking about a non-medical delivery framework for about three years. During that time, advocates have argued that delivery-only licenses will help level the playing field between large corporations and small businesses because the barriers to entry for delivery are typically far less burdensome than those for retail licenses.

But as the vote to make non-medical marijuana home delivery a reality approached, some existing marijuana retailers have threatened to sue the CCC if it adopts and implements its new delivery policy.

"Since 2018, the [Commonwealth Dispensary Association] has consistently worked with the CCC to create a more equitable, profitable delivery model that could support our shared goals of creating opportunity for minority-owned entrepreneurs. However, the CCC has seemingly pushed these thoughtful deliberations to the side to pursue misguided online retailer policies that will only serve to cannibalize the legal industry by large, corporate interests at the expense of our small businesses, communities and Main Streets," the Commonwealth Dispensary Association, which represents about 80 percent of existing retailers, said after the CCC's vote Monday.

The retailer organization added, "While the CDA is

disappointed by today's outcome, this will not be the final word on delivery. The very real concerns of introducing online retailers should be heard and addressed. To that end, we are prepared to contest the matter to ensure that policy continues to adhere to the statute and that the market is not upended."

CCC Chairman Steven Hoffman has previously said the agency is confident that establishing a delivery structure is well within its authority, and on Monday downplayed the possibility that legal challenges could ensnare the CCC's latest policy accomplishment.

"That's certainly their prerogative to do so. We made what we thought was the right decision, one that we stand by," Hoffman told reporters about the threats from retailers to sue after the CCC's vote. "We're fully prepared to defend ourselves if that happens, but that is certainly outside of my control and outside of the commission's control."

Title pointed out that the CCC's delivery policy was opposed by some existing retailers but supported by others represented by the Cannabis Business Association. Some state lawmakers challenged the CCC's authority to adopt the regulations, but others supported the step, she said. And while the Massachusetts Municipal Association opposed the adoption of the new rules, Title said other municipal officials registered their support for the idea.

"If you don't want a market to change, I think the cannabis business may not be the right business for you. Because this is absolutely an industry that is going to change, there's a lot of room for innovation, there's a lot of room for new licenses," Title said. "Today, with the delivery structure that we passed, there's a lot of opportunities to collaborate with economic empowerment and equity businesses ... and create an experience that marijuana consumers want. So I think businesses that do that will be successful."

To the delivery advocates who pressed for the ability to buy products from wholesalers to resell, the opposition from retailers is seen as an attempt to squash competition.

“Essentially, they want to own 100 percent of it or 80 percent or have as much control or influence over it as possible,” Aaron Goines, an activist who advises the Massachusetts Cannabis Association for Delivery and has been involved in shaping the delivery framework, said Monday during a pre-meeting panel hosted by The Young Jurks. “That’s just not how the regulations are written, so get on board. Compete. You are not entitled to a clear runway of no competition in this country, it just doesn’t work like that.”

The vote Monday to conclude the CCC’s third regulatory rewrite in as many years also marked a turning point for the commission. Monday’s meeting was the last for Commissioner Britte McBride, who announced in August that she planned to leave the CCC once the latest regulations were finalized despite having almost a year remaining on her initial appointment.

Attorney General Maura Healey appointed McBride to the CCC in 2017 to fill the commission’s required public safety seat and her departure combined with the May exit of former commissioner Kay Doyle leaves the CCC shorthanded. Title’s initial appointment was due to expire Sept. 1, but she remains on the CCC as a hold-over and could be reappointed. Hoffman’s term as chairman extends until Sept. 1, 2022, and Flanagan’s initial appointment is valid until Sept. 1, 2021.

Doyle’s seat is to be filled by a majority vote of Gov. Charlie Baker, Attorney General Maura Healey and Treasurer Deborah Goldberg and the pick must be someone who has experience in oversight or management of commodities, production or distribution in a regulated industry. Healey alone must select someone to fill the commission’s public safety seat that McBride is vacating.

“First of all, I completely understand that there is a lot going on the world and the appointing authorities have an awful lot on their plate,” Hoffman said Monday, adding that the CCC needs three commissioners to have a quorum and will complete its work “regardless of how many commissioners we have, as long as we have three.”

He added, “I would prefer to have five commissioners, there’s no question whatsoever about it. But we will get our work done with three and I am very hopeful that the appointing authorities are moving as quickly as they can to find replacements for us and I really think it’s important that we get back to five commissioners so I beseech them to help us in that respect.”