

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**Salvatore F. DiMasi**  
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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act making certain technical changes to the law relative to the life sciences industry in the commonwealth.

\_\_\_\_\_  
PETITION OF:

NAME:	DISTRICT/ADDRESS:
Salvatore F. DiMasi	3rd Suffolk
Daniel E. Bosley	1st Berkshire

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT MAKING CERTAIN TECHNICAL CHANGES TO THE LAW RELATIVE TO THE LIFE SCIENCES INDUSTRY IN THE COMMONWEALTH.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the immediate investment in and expansion of the life sciences in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. Paragraph (a) of section 56 of chapter 23A is hereby amended by inserting after the  
2 words "Massachusetts Workforce Investment Board" the following words:- the Massachusetts Life  
3 Sciences Center;.

4 SECTION 2. Section 2 of chapter 23I of the General Laws, as appearing in section 3 of chapter 130  
5 of the acts of 2008, is hereby amended by striking out the definition of "Vocational technical school" and  
6 replacing it with the following definition:-

7 "Vocational technical school", educational institutions providing vocational-technical education  
8 established pursuant to sections 14 and 15 of chapter 71, chapter 74 or any vocational-technical school  
9 that meets the programmatic requirements established by the department of education.

10 SECTION 3. Subsection (b) of section 3 of said chapter 23I, as appearing in section 4 of said  
11 chapter 130, is hereby amended by striking out the word "his", the fourth time it appears, and inserting in  
12 place thereof the word:- the.

13 SECTION 4. Paragraph (f) of section 6 of said chapter 23I, as appearing in paragraph (f) of  
14 subsection 6 of section 13 of said chapter 130 is hereby amended by striking out the words "may develop  
15 a proposal creating" and inserting in place thereof the following words: - may, subject to the approval of  
16 the board, create.

17 SECTION 5. Paragraph (c) of section 7 of said chapter 23I, as appearing in paragraph (c) of  
18 subsection 7 of said section 13 of said chapter 130 is hereby amended by striking out the words  
19 “unsuccessful; and (4) said qualified equity investment conforms” and inserting in place thereof the  
20 following words: - unsuccessful. Said qualified equity investment shall conform.

21 SECTION 6. Paragraph (d) of said section 7 of said chapter 23I, as appearing in paragraph (d) of  
22 said subsection 7 of said section 13 of said chapter 130 is hereby amended by striking out the words “may  
23 develop a proposal relative to the creation of” and inserting in place thereof the following words: - may,  
24 subject to the approval of the board, create.

25 SECTION 7. Paragraph (c) of section 8 of said chapter 23I, as appearing in paragraph (c) of  
26 subsection 8 of said section 13 of said chapter 130 is hereby amended by striking out the word “shall” the  
27 fourth time it appears.

28 SECTION 8. Paragraph (d) of said section 8 of said chapter 23I, as appearing in paragraph (d) of  
29 said subsection 8 of said section 13 of said chapter 130 is hereby amended by striking out the words “may  
30 develop a proposal creating” and inserting in place thereof the following words: - may, subject to the  
31 approval of the board, create.

32 SECTION 9. Paragraph (d) of section 9 of said chapter 23I, as appearing in paragraph (d) of  
33 subsection 9 of said section 13 of said chapter 130 is hereby amended by striking out the words “may  
34 develop a proposal relative to the creation of” and inserting in place thereof the following words: - may,  
35 subject to the approval of the board, create.

36 SECTION 10. Paragraph (d) of section 10 of said chapter 23I, as appearing in paragraph (d) of  
37 subsection 10 of said section 13 of said chapter 130 is hereby amended by striking out the words “may  
38 develop a proposal relative to the creation of” and inserting in place thereof the following words: - may,  
39 subject to the approval of the board, create.

40 SECTION 11. Paragraph (b) of section 11 of said chapter 23I, as appearing in subsection 11 of  
41 section 13 of said chapter 130 is hereby amended in clause (vi) by striking out the clause in its entirety  
42 and inserting in place thereof the following clause:-

43 (vi) providing recommendations, at the request of the center, on proposals received by the center.

44 SECTION 12. Section 12 of said chapter 23I, as appearing in subsection 12 of said section 13 of said  
45 chapter 130, is hereby amended by inserting after the word “member”, the first time it appears, the word  
46 “statewide”.

47 SECTION 13. Said section 12 of said chapter 23I, as appearing in subsection 12 of said section 13  
48 of said chapter 130, is hereby further amended by striking out, in the second paragraph, the words “5

49 members for a term of 3 years” and inserting in place thereof the following words:- and 5 members to  
50 serve for a term of 3 years.

51 SECTION 14. Said section 12 of said chapter 23I, as appearing in said subsection 13 of said section  
52 13 of said chapter 130, is hereby further amended in said second paragraph by striking out the words  
53 “executive director” and inserting in place thereof the following word:- president

54 SECTION 15. Said section 13 of chapter 23I, as appearing in said subsection 13 of said section 13 of  
55 said chapter 130, is hereby amended by striking out the words “executive director” and inserting in place  
56 thereof the word:- president.

57 SECTION 16. Paragraph (m) (1) of section 17 of said chapter 23I, as appearing in clause (a) of  
58 subsection 17 of said section 13 of said chapter 130 is hereby amended by inserting before the word  
59 “Internal” the word:- the.

60 SECTION 17. Paragraph (1) of section 17 of said chapter 23I, as appearing in clause (b) of said  
61 paragraph (1) of said subsection 17 of said section 13 of said chapter 130 is hereby further amended by  
62 striking out the number “2” and inserting in place thereof the number:- 1.

63 SECTION 18. Paragraph (e) of section 38U of chapter 63 of the General Laws, as appearing in  
64 section 30 of said chapter 130, is hereby amended by striking out the word “subsection (c)” and inserting  
65 in place thereof the following:- subsection (d).

66 SECTION 19. Paragraph (f) of said section 38U of said chapter 63, as appearing in said section 30  
67 of said chapter 130 , is hereby amended by striking out the word “paragraph” and inserting in place  
68 thereof the following word:- subsection.

69 SECTION 20. Paragraph (g) of section 38W of said chapter 63, as appearing in said section 30 of  
70 said chapter 130, is hereby amended by striking out, in paragraph (g), the words “subsection (f)” and  
71 inserting in place thereof the following:- subsection (e).

72 SECTION 21. Section 42B of said chapter 63, as amended by section 85 of chapter 173 of the acts of  
73 2008, is further amended by adding the following:-

74 (d) To the extent authorized pursuant to the life sciences tax incentive program established by section  
75 5 of chapter 23I, a certified life sciences company may be deemed a research and development  
76 corporation for purposes of exemptions under chapters 64H and 64I.

77 SECTION 22. Said section 42B of said chapter 63, as so appearing, is further amended by striking  
78 out subsection (d) added by section 14.

79 SECTION 23. Section 1 of chapter 130 of the acts of 2008 is hereby amended by striking out, in line  
80 2, the words “section 2” and inserting in place thereof the following:- section 2A.

81 SECTION 24. Section 2B of said chapter 130, as so appearing, is hereby amended by striking out the  
82 number "37" and inserting in place thereof the following number:- 36.

83 SECTION 25. Section 14 of said chapter 130, as so appearing, is hereby amended by striking out, in  
84 the first sentence, the number "14" and inserting in place thereof the following number:- 13.

85 SECTION 26. Section 26 of said chapter 130, as so appearing, is hereby repealed.

86 SECTION 27. Section 27 of said chapter 130, as so appearing, is hereby repealed.

87 SECTION 28. Section 40 of said chapter 130, as so appearing, is hereby amended by striking out the  
88 words "March 31, 2009" and inserting in place thereof the following:- August 31, 2010.

89 SECTION 29. Section 41 of said chapter 130, as so appearing, is hereby amended by striking out the  
90 words "March 31, 2009" and inserting in place thereof the following:- June 30, 2009.

91 SECTION 30. Section 42 of said chapter 130, as so appearing, is hereby amended by striking out the  
92 words "March 31, 2009" and inserting in place thereof the following:- October 31, 2009.

93 SECTION 31. Section 43 of said chapter 130, as so appearing, is hereby amended by striking out the  
94 words "June 30, 2009" and inserting in place thereof the following:- February 28, 2010.

95 SECTION 32. Section 52 of said chapter 130, as so appearing, is hereby further amended by striking  
96 out the number "14" and inserting in place thereof the following number:- 13.

97 SECTION 33. Section 54 of said chapter 130, as so appearing, is hereby amended by inserting before  
98 the number "18" the following number:-14.

99 SECTION 34. Said section 54 of said chapter 130, as so appearing, is further amended by striking  
100 out the numbers "27" and "33".

101 SECTION 35. Section 14 shall take effect on January 1, 2009.

102 SECTION 36. Section 15 shall take effect on December 31, 2018.