



The Commonwealth of Massachusetts

IN THE YEAR OF TWO THOUSAND AND EIGHT

1 SECTION 1. To provide for supplementing certain items in the general
2 appropriation act and other appropriation acts for fiscal year 2008, the sum set forth in
3 section 2A is hereby appropriated from the General Fund unless specifically designated
4 otherwise in this act or in those appropriation acts, for the several purposes and subject to
5 the conditions specified in this act or in those appropriation acts and subject to laws
6 regulating the disbursement of public funds.

7

8 **No Section 2.**

9

10 SECTION 2A. **EXECUTIVE OFFICE FOR ADMINISTRATION AND**
11 **FINANCE**

12 *Small Business Capital Access Program*

13 For a capital access reserve to provide loan guarantees to small businesses
14 pursuant to section 57 of chapter 23A of the General Laws.....\$5,000,000

15

16 SECTION 2B. To provide for a program of infrastructure development,
17 improvements and various capital investments, the sums set forth in this section for the
18 several purposes and subject to the conditions specified in this act, are hereby made

19 available, subject to the laws regulating the disbursement of public funds and approval
20 thereof.

21

22 **EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT**

23 *Office of the Secretary*

24 7007-9037 For grants related to site remediation, preparation and ancillary
25 infrastructure improvement projects; provided, that the local government body and an
26 entity involved in the project shall jointly submit a request for funding to the secretary of
27 housing and economic development; provided further, that the request shall include
28 sufficient documentation including, but not limited to, a project plan with specific goals
29 and objectives that fully details the proposed project and either: (i) that the businesses
30 associated with the project will generate substantial sales from outside the
31 commonwealth and will result in the creation of a net increase of at least 100 new
32 permanent full-time jobs in the commonwealth within 24 months after receipt of a grant
33 and that those jobs will continue for at least 5 years; or (ii) that it produces an economic
34 benefit that the secretary determines will be sufficiently exceptional; provided further,
35 that no grants shall be awarded unless the project is certified under section 63 of chapter
36 23A of the General Laws; provided further, that the grants authorized from this
37 appropriation shall not exceed \$12,500,000 in total in a given year; and provided further,
38 that the executive office of housing and economic development shall not transfer any
39 funds authorized in this item to the Massachusetts Life Sciences Center established in
40 chapter 23I of the General Laws unless specifically authorized by the general
41 court.....\$125,000,000

42

43 **EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT**

44

Office of the Secretary

45

46 7007-9038 For grants for capital projects to be undertaken by the secretary,
47 including the preparation of plans and specifications, acquisition, construction,
48 renovation, reconstruction, alteration, improvement, demolition, expansion and repair of
49 land and facilities and for the acquisition of furnishings and equipment, as determined by
50 the secretary, for the purpose of carrying out chapter 23I of the General Laws; provided
51 further, that no grant shall be awarded unless the project is certified under section 63 of
52 chapter 23A of the General Laws; provided further, that the grants authorized from this
53 appropriation shall not exceed \$12,500,000 in total in a given year; and provided further,
54 that the executive office of housing and economic development shall not transfer any
55 funds authorized in this item to the Massachusetts Life Sciences Center established in
56 chapter 23I of the General Laws unless specifically authorized by the general
57 court.....\$125,000,000

58

59 **EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE**

60

Division of Capital Asset Management and Maintenance

61 7100-0250 For costs associated with planning and studies, dispositions,
62 acquisition of land and buildings and interests therein by purchase or by eminent domain
63 under chapter 79 of the General Laws, for the preparation of plans and specifications,
64 repairs, construction, renovations, improvements, maintenance and repair, asset

65 management and demolition at the University of Massachusetts campus facilities and
66 grounds; provided, that all projects approved for design and construction by the division
67 of capital asset management and maintenance shall be consistent in priority and need
68 with a master plan approved by the president of the University of Massachusetts and by
69 the board of trustees of the University of Massachusetts; provided further, that any
70 maintenance and repair work funded by this item shall be included in the capital asset
71 management information system administered by the division of capital asset
72 management and maintenance; provided further, that not less than \$90,000,000 shall be
73 expended for the design, construction, development and related infrastructure
74 improvements for an advanced therapeutics cluster to be constructed at the University of
75 Massachusetts Medical School in Worcester, which shall be named the Albert “Albie”
76 Sherman center, and shall include an RNAi Institute, stem cell biology cluster and gene
77 therapy cluster; provided further, that those funds shall not be used for faculty salaries;
78 provided further, that funds appropriated herein may be transferred to the University of
79 Massachusetts Building Authority for these infrastructure improvements and for design
80 and construction; provided further, that no funds shall be transferred from this item for a
81 phase of construction until the secretary of administration and finance certifies in writing
82 to the house and senate committees on ways and means that all sources of funding for
83 that phase of the facility have been committed and are available as necessary for
84 commencement of design and construction; provided further, that the written
85 confirmation shall include copies of all business plans, letters of financial commitment
86 and other documentation as the secretary shall deem necessary to certify that all other
87 sources of funding have been secured; provided further, that the University of

88 Massachusetts Building Authority shall submit to the clerks of the senate and house of
89 representatives a report which shall include the following: (1) a detailed list of all private
90 donors and amounts donated for each facility; (2) a plan for design, construction,
91 operation and maintenance and all associated costs and revenues of the facility, including
92 the projected timeline for the completion of all phases of the project; and (3) a description
93 of the proposed title to the assets associated with each facility; provided further, that the
94 secretary shall not expend any funds until such report is filed with the house and senate
95 committees on ways and means; provided further, that the University of Massachusetts
96 Building Authority shall require the assurance of labor harmony during all phases of
97 development, including construction, reconstruction and capital and routine maintenance,
98 and shall provide adequate remedies to address the failure to maintain labor harmony
99 which shall included, but not be limited to, assessment of liquidated damages and
100 contract termination; and provided further, that the payment of prevailing wages shall be
101 in accordance with sections 26 to 27F inclusive, of chapter 149 of the General Laws for
102 all phases of these projects.....\$250,000,000.

103

104 SECTION 3. To meet the expenditures necessary in carrying out section 2B, the
105 state treasurer shall, upon request of the governor, issue and sell bonds of the
106 commonwealth in an amount to be specified by the governor from time to time but not
107 exceeding, in the aggregate, \$500,000,000. All bonds issued by the commonwealth as
108 aforesaid shall be designated on their face, Commonwealth Life Sciences Center Capital
109 Improvement Loan Act of 2007, and shall be issued for a maximum term of years, not
110 exceeding 20 years, as the governor may recommend to the general court from time to

111 time under section 3 of Article LXII of the Amendments to the Constitution. All such
112 bonds shall be payable not later than June 30, 2032. All interest and payments on
113 account of principal on these obligations shall be payable from the General Fund. Bonds
114 and interest thereon issued under this section shall be general obligations of the
115 commonwealth.

116

117 SECTION 4. Chapter 23A of the General Laws is hereby amended by adding the
118 following section:-

119 Section 63. (a) As used in this section, the following words shall, unless the
120 context clearly requires otherwise, have the following meanings:

121 “Affiliate”, any business which directly or indirectly controls or is controlled by
122 or is under direct or indirect common control with another business, including, but not
123 limited to, any business with which a business is merged or consolidated, or which
124 purchases all or substantially all of the assets of a business.

125 “Business”, a business corporation, partnership, firm, unincorporated association
126 or other entity engaging or proposing to engage in economic activity in the
127 commonwealth, and any affiliate thereof, which is, or of which the members are, subject
128 to taxation under chapter 62 or chapter 63.

129 “Business incubator”, a facility which: (i) provides small units of space, shared
130 support services or financing and management assistance to new and established
131 businesses; or (ii) is created and operated for the principal purpose of addressing
132 conditions of unemployment and economic distress by encouraging the creation of new
133 businesses and improving their ability to survive and grow.

134 “Center”, the Massachusetts Life Sciences Center established by section 3 of
135 chapter 23I.

136 “Certified life sciences project”, a project that has been given initial approval by
137 the center and thereafter certified by the department of business development for
138 participation in the LSSIP.

139 “Control”, the power to direct the management and policies of a business or a
140 facility thereof, directly or indirectly, through the exercise of voting rights, by contract or
141 otherwise.

142 “Facility”, the physical location, in real property owned or leased by a life
143 sciences sector business, of a commercial or industrial activity, division or component
144 controlled by a life sciences sector business, or any real estate project which involves the
145 construction or renovation of real property to serve such purpose, or any combination of
146 the foregoing, at which are employed, or are projected to be employed, permanent full-
147 time employees of a life sciences sector business.

148 “Life sciences”, advanced and applied sciences, including, but not limited to,
149 regenerative medicine, biotechnology, biopharmaceuticals, nanotechnology, medical
150 devices and chemistry technology.

151 “Life sciences sector business”, a life sciences business located in the
152 commonwealth and engaged in research, development or manufacturing.

153 “Life sciences project”, that portion of a life sciences sector business consisting
154 of a new or expanded facility that in its entirety, as of the project proposal date, is located
155 in the commonwealth and that: (i) shall increase the number of permanent full-time
156 employees employed by the life sciences sector business in the commonwealth; and (ii)

157 shall not result in a replacement or relocation of permanent full-time employees
158 employed by the life sciences sector business at any other facility in the commonwealth;
159 provided, however, that if a facility shall be located in the commonwealth after the
160 project proposal date, the term shall refer only to a facility which: (1) shall be the first
161 facility of the life sciences sector business to be located in the commonwealth; or (2)
162 shall be a new facility of the life sciences sector business and shall not be a replacement
163 or relocation of an existing facility of the life sciences sector business located in the
164 commonwealth or an expansion of an existing facility of the life sciences sector business
165 which results in an increase in permanent full-time employees.

166 “LSSIP”, the life sciences sector incentive program that is designed to promote
167 the development and expansion of life sciences sector businesses in the commonwealth,
168 to be administered by the department of business development in conjunction with the
169 center.

170 “Municipality”, a city or town or, when 2 or more cities or towns agree to act
171 jointly for some purpose hereunder, then, collectively, all cities and towns participating in
172 the collaborative agreement.

173 “Permanent full-time employee”, an individual who: (i) is in an employment
174 relationship which, at its inception, does not have a termination date which is a date
175 certain or which is determined with reference to the completion of some specified scope
176 of work; (ii) works a minimum number of weekly hours as the department may specify
177 by rule or regulation; and (iii) receives employee benefits at least equal to those provided
178 to other full-time employees of the life sciences sector business.

179 “Project proposal”, a proposal submitted by a life sciences sector business to the
180 center for initial approval and thereafter forwarded to the department of business
181 development for designation as a certified life sciences project that meets the following
182 requirements: (i) the proposal shall be timely submitted as determined by the center, in
183 the form and with the information as prescribed by the center and the department,
184 supported by independently verifiable information and signed under the penalties of
185 perjury by a person authorized to bind the life sciences sector business; (ii) the proposal
186 shall include specific targets by year of the number of newly hired or retained full-time
187 employees, the projected salaries for those employees and the projected taxes generated
188 under chapter 62 by those employees for each year for which the project may receive
189 benefits under this chapter or chapters 62 or 64H; (iii) if a project is already located in the
190 commonwealth as of the project proposal date, the projected increase in employees shall
191 not be less than 10 per cent over the subsequent 5-year period; and (iv) if a project is a
192 new facility within the meaning of clause (ii) of the definition of life sciences project, the
193 proposal shall include the number of permanent full-time employees employed by the life
194 sciences sector business at other facilities located in the commonwealth.

195 “Project proposal date”, the date on which a project proposal is received by the
196 center.

197 “Real estate project”, real property at which, on a specified date after the project
198 proposal date, construction or renovation shall be initiated which, when completed, shall
199 result in an increase in the assessed value of the real property of at least 100 per cent over
200 its assessed value as of the project proposal date; provided, however, that if a real estate
201 facility is a business incubator facility and is designated as a certified life sciences

202 project, each business which executes a binding lease for space in that facility after the
203 date on which the construction or renovation activity begins shall be eligible for
204 designation in its own right as a certified life sciences project.

205 “Return on investment”, the tax under chapter 62 generated by permanent full-
206 time employees of a life sciences project, who have been hired or retained because of a
207 project, over the period for which project benefits are received.

208 (b) (1) The department, in conjunction with the center, shall administer the
209 LSSIP and shall: (i) promulgate rules and regulations and prescribe procedures to
210 effectuate the purposes of this section; (ii) review applications from life sciences sector
211 businesses; (iii) certify projects for participation in the LSSIP that have been given initial
212 approval by the center and establish regulations for evaluating project proposals; (iv)
213 assist life sciences sector businesses in accessing state and federal resources and
214 obtaining assistance from such resources; (v) provide appropriate coordination with other
215 programs, agencies, authorities and public instrumentalities in the commonwealth to
216 enable activity within the life sciences sector to be more effectively promoted by the
217 commonwealth; (vi) monitor the implementation and operation of the LSSIP; (vii)
218 conduct an ongoing evaluation of the certified life sciences projects; and (viii)
219 promulgate in rules and regulations criteria for certification that favor projects that are
220 proposed in economically distressed areas, including, but not be limited to, projects
221 located in a municipality in which the unemployment rate is at least 1.5 per cent above
222 the statewide unemployment rate and projects located in a municipality in which the
223 median household income is not greater than 80 per cent of the statewide median
224 household income.

225 (2) The executive director of the center shall designate a staff person to serve as a
226 liaison to the department who shall regularly consult with the director of the department
227 of business development and coordinate the efforts of the center and department to
228 further the purposes of this section.

229 (3) The department shall annually submit to the governor, the house and senate
230 committees on ways and means and the joint committee on economic development and
231 emerging technologies, within 90 days after the end of its fiscal year, a complete report
232 detailing all projects certified under the LSSIP during that fiscal year. The report shall
233 identify every certified life sciences project and, for each project, shall include, but not be
234 limited to, the following information: (i) the number of jobs created for each year for
235 which the project was certified; (ii) the number of jobs projected to be certified at each
236 certification or renewal thereof; (iii) a comparison of the rate of actual job growth to the
237 job growth projected in the project proposal; (iv) the value of tax incentives authorized
238 under the LSSIP for each year for which the project was certified; (v) the value of tax
239 incentives actually used as a result of the project; and (vi) the status of construction of
240 any real estate project included in the project, including whether construction is on-time
241 and on-budget.

242 (4) Every 2 years after a project proposal is approved as a certified life sciences
243 project, the department shall prepare a report which evaluates the relative effectiveness of
244 the project and shall make recommendations to improve such effectiveness to the
245 secretary of housing and economic development. Each report shall be sent to the house
246 and senate committees on ways and means and to the joint committee on economic
247 development and emerging technologies.

248 (c) (1) The department may designate projects as certified life sciences projects,
249 and may take any action necessary or appropriate thereto, upon completion of the
250 following: (i) receipt and initial approval by the center of a project proposal, which
251 includes the following: (A) a workable plan, with precise goals and objectives, by which
252 the life sciences sector business proposes to achieve the projected return on investment,
253 including for each year an estimate of the number of permanent full-time employees
254 hired or retained, the average salaries of those employees, the projected taxable income
255 under chapter 62 generated by those employees, the year the business expects to hire or
256 retain the employees and the methods by which the business shall obtain new employees
257 and pursue a diverse workforce; (B) documentation regarding an agreement, if any,
258 between the life sciences sector business and area banking institutions by which the life
259 sciences sector business agrees to establish accounts in the banks and by which the banks
260 agree to commit a specified percentage of the funds deposited in the accounts for loans
261 made thereby to businesses under the small business capital access program established
262 by section 57; (C) if appropriate, documentation in the project proposal that the project is
263 a certified project, under section 3F; (D) request for a designation of the project as a
264 certified life sciences project for a specified number of years, which shall be not less than
265 5 years nor more than the lesser of 10 years and the years remaining on the project's
266 designation as a certified economic development incentive program project under section
267 3F; and (ii) findings made by the department, based on the project proposal, documents
268 submitted therewith, the initial approval by the center and any additional investigation by
269 the department, and incorporated in its approval, that: (A) the project meets all applicable
270 statutory requirements and any other criteria that the department may prescribe; and (B)

271 the project proposal, shall, if certified, achieve a projected return on investment, as
272 specified in the proposal, over the period for which it receives benefits as a certified
273 project.

274 (2)(A) A certified life sciences project shall retain its certification for the period
275 specified by the department in its certification decision unless the certification is revoked
276 before the expiration of the specified period; provided, however, that the specified period
277 shall be not less than 5 years, unless earlier revoked, from the date of certification nor
278 more than the lesser of 10 years from the date of certification and the years remaining on
279 the project's designation as a certified project, including any renewals thereof. Beginning
280 in the year after a project is certified and for every year for which the project receives
281 benefits, the department shall determine whether the project has satisfactorily met the
282 specific targets by year for the number of full-time employees hired or retained, the
283 projected salaries for those employees and the projected taxes generated under chapter 62
284 by those employees. The department shall include its determinations under this
285 paragraph in each report called for under paragraph (3) of subsection (b).

286 (B) The certification of a project may be revoked only by the secretary of housing
287 and economic development after an independent investigation and determination that
288 representations made by the life sciences sector business in its project proposal are
289 materially at variance with the conduct of the life sciences sector business after the
290 certification; provided, however, that the department of business development shall
291 review the certified life sciences project at least yearly; provided further, that a project
292 with an actual return on investment that is less than 70 per cent of the return on
293 investment projected in the project proposal shall be deemed to contain a material

294 variance for the purposes of a revocation determination. Whenever the secretary
295 determines not to revoke certification even though the actual return on investment for the
296 project is less than 70 per cent, the secretary shall state his reasons for the decision in
297 writing to the secretary of administration and finance, the commissioner of revenue, the
298 house and senate committees on ways and means, the chairs of the joint committee on
299 revenue and the chairs of the joint committee on economic development and emerging
300 technology.

301 (C) A notice of decertification under this subsection shall specify the date on
302 which the decertification is effective, which may be the date of the notice or the date on
303 which the secretary of housing and economic development determined that the material
304 variance commenced. In the event of a decertification, the commissioner of revenue
305 shall, as of the effective date of the decertification, disallow any credits, exemptions or
306 other tax benefits as may have been allowed by the original certification of tax benefits
307 under this section. In addition, any credits allowed by the certification shall be
308 recaptured in a manner similar to that provided in section 31A of chapter 63 as would
309 apply when property is disposed of or ceased to be in qualified use before the end of its
310 useful life or, if applicable, before the end of the year in which the credit is to be taken.
311 If the original certification allowed sales and use tax exemptions under subsection (s) of
312 section 6 of chapter 64H, the purchaser shall accrue use tax as of the date of the
313 decertification on a portion of the sales price on which exemption was claimed that is
314 proportionate to the remaining useful life of the property.

315 (D) Nothing in this subsection shall limit any legal remedies available to the
316 commonwealth against any life sciences sector business.

317 (3) The department shall evaluate and either certify or deny a project proposal
318 that has been granted initial approval by the center within 30 days of the initial approval.

319 (d) A certified life sciences project may be eligible for the tax benefits made
320 available to life sciences projects under this chapter, chapter 62 and chapter 64H only to
321 the extent specified in a certification from the secretary of housing and economic
322 development and the secretary of administration and finance. These tax benefits shall not
323 be available to any certified life sciences project unless expressly granted by the
324 secretaries in writing. The department of business development shall estimate in writing
325 the tax cost of extending benefits to a proposed project before certification, as approved
326 in writing by the commissioner of revenue, based on reasonable projections of project
327 activities and costs.

328 (e) Not more than \$25,000,000 of tax incentives shall be awarded annually under
329 the LSSIP; provided, however, that tax incentives authorized by the LSSIP shall count
330 towards the \$25,000,000 annual ceiling only if they are not otherwise available to a
331 taxpayer.

332 (f) Only certified life sciences projects shall be eligible for the available capital
333 funding provided in items 7007-9037 and 7007-9038.

334 (g) Capital funding may be revoked only by the secretary of housing and
335 economic development after an independent investigation and determination that
336 representations made by the life sciences sector business in its project proposal are
337 materially at variance with the conduct of the life sciences sector business after the
338 certification; provided, however, that the department of business development shall
339 review the certified life sciences project at least yearly; provided further, that a project

340 with an actual return on investment that is less than 70 per cent of the return on
341 investment projected in the project proposal shall be deemed to contain a material
342 variance for the purposes of a revocation determination. Whenever the secretary
343 determines not to revoke certification even though the actual return on investment for the
344 project is less than 70 per cent, the secretary shall state his reasons for the decision in
345 writing to the secretary of administration and finance, the commissioner of revenue, the
346 house and senate committees on ways and means, the chairs of the joint committee on
347 bonding, capital expenditures and state assets and the chairs of the joint committee on
348 economic development and emerging technology.

349 A notice of decertification under this subsection shall specify the date on which
350 the decertification is effective, which may be the date of the notice or the date on which
351 the secretary of housing and economic development determined that the material variance
352 commenced. In the event of a decertification, the commissioner of revenue shall, as of
353 the effective date of the decertification, disallow any loans, grants or other benefits as
354 may have been allowed by the original certification under this section. In addition, any
355 grants or loans allowed by the certification shall be recaptured in a manner similar to that
356 provided under section 31A of chapter 63 as would apply when property is disposed of or
357 ceased to be in qualified use before the end of its useful life.

358

359 SECTION 5. Section 2 of chapter 23I of the General Laws, as inserted by section
360 24 of chapter 123 of the acts of 2006, is hereby amended by striking out the definition of
361 “Bonds”.

362

363 SECTION 6. Said section 2 of chapter 23I, as so inserted, is hereby further
364 amended by inserting after the definition of “Fund”, the following definition:-

365 “Independent research institution”, a nonprofit research organization that holds
366 tax-exempt status granted under section 501(c)(3) of the Internal Revenue Code and is
367 organized and operated exclusively for scientific or educational purposes but is not a
368 hospital, college, university or private foundation.

369

370 SECTION 7. The definition of “Life sciences” in said section 2 of chapter 23I, as
371 so inserted, is hereby amended by adding the following words:- , medical devices and
372 chemistry technology.

373

374 SECTION 8. Section 3 of said chapter 23I, as so inserted, is hereby amended by
375 striking out subsection (b) and inserting in place thereof the following subsection:-

376 (b) The center shall be governed and its corporate powers exercised by a board of
377 directors consisting of: the secretary of administration and finance or his designee; the
378 secretary of housing and economic development or his designee; the president of the
379 University of Massachusetts or his designee; 3 members to be appointed by the governor,
380 1 of whom shall be a physician licensed to practice medicine in the commonwealth and
381 affiliated with an academic medical center, 1 of whom shall be a chief executive officer
382 of a Massachusetts-based life sciences corporation which is a member of the board of
383 directors of the Massachusetts Biotechnology Council and 1 of whom shall be a
384 researcher involved in the commercialization of biotechnology, pharmaceuticals or
385 medical diagnostic products. Each appointed member shall serve a term of 5 years. The

386 secretary of housing and economic development shall serve as chair of the board. Any
387 person appointed to fill a vacancy in the office of a member of the board shall be
388 appointed in a like manner and shall serve for only the unexpired term of such member.
389 Any member shall be eligible for reappointment. Any member may be removed from his
390 appointment by the governor for cause.

391

392 SECTION 9. Subsection (c) of said section 3 of said chapter 23I, as so inserted,
393 is hereby amended by striking out the first paragraph and inserting in place thereof the
394 following paragraph:-

395 (c) Four directors shall constitute a quorum and the affirmative vote of a majority
396 of directors present at a duly called meeting if a quorum is present shall be necessary for
397 any action to be taken by the board. Any action required or permitted to be taken at a
398 meeting of the directors may be taken without a meeting if all of the directors consent in
399 writing to such action and the consent is filed with the records of the minutes of the
400 meetings of the board. The consent shall be treated for all purposes as a vote at a
401 meeting. Each member shall make full disclosure, under subsection (d), of his financial
402 interest, if any, in matters before the board by notifying the state ethics commission, in
403 writing, and shall abstain from voting on any matter before the board in which he has a
404 financial interest, unless otherwise permissible under chapter 268A.

405

406 SECTION 10. Subsection (e) of said section 3 of said chapter 23I, as so inserted,
407 is hereby amended by adding the following sentence:- The board shall also have the
408 power to appoint and employ a treasurer, who shall be the chief financial and accounting

409 officer of the center and shall be in charge of its funds, books of accounts and accounting
410 records.

411

412 SECTION 11. The first sentence of subsection (g) of said section 3 of said
413 chapter 23I, as so inserted, is hereby amended by striking out the words “1 of its
414 members as chairperson,”.

415

416 SECTION 12. Said subsection (g) of said section 3 of said chapter 23I, as so
417 inserted, is hereby further amended by striking out the last sentence.

418

419 SECTION 13. Clause (14) of subsection (a) of section 4 of said chapter 23I, as so
420 inserted, is hereby amended by striking out the words “, issue bonds and apply the
421 proceeds thereof as provided in section 8,”.

422

423 SECTION 14. Said subsection (a) of said section 4 of said chapter 23I, as so
424 inserted is hereby further amended by striking out clause (16).

425

426 SECTION 15. Clause (17) of said subsection (a) of said section 4 of said chapter
427 23I, as so inserted, is hereby amended by inserting after the word “nanotechnology” the
428 following words:- “, chemistry technology”.

429

430 SECTION 16. Said subsection (a) of said section 4 of said chapter 23I, as so
431 inserted, is hereby further amended by adding the following clause:-

432 (30) to review project proposals for certification as life sciences projects as
433 provided in subsection (c).

434

435 SECTION 17. Said section 4 of said chapter 23I, as so inserted, is hereby further
436 amended by adding the following 2 subsections:-

437 (b) There shall be a 23-member advisory committee to be appointed by the
438 governor to advise the center and the board. The members shall be appointed as follows:
439 10 shall be active members of the Massachusetts Life Sciences Collaborative, at least 2 of
440 whom shall represent small businesses; 5 shall represent regional councils of government,
441 chambers of commerce or regional economic development councils located in western,
442 central, northeastern and southeastern Massachusetts and metropolitan Boston; 5 shall be
443 chancellors at the University of Massachusetts, or other designees, at Amherst, Boston,
444 Dartmouth, Lowell and Worcester; and 3 shall be patient advocates with significant
445 interaction in the life sciences. The advisory committee shall have 3 ex-officio non-
446 voting members who shall include: the secretary of administration and finance, or his
447 designee, the secretary of housing and economic development, or his designee, and the
448 secretary of labor and workforce development, or his designee.

449

450 Each member shall serve for terms of 3 years. Any person appointed to fill a
451 vacancy in the office of a member of the committee shall be appointed in a like manner
452 and shall serve for only the unexpired term of the member who vacated. Members shall
453 be eligible for reappointment. Any member may be removed by the governor for cause.
454 The members of the committee shall serve without compensation, but each member shall

455 be entitled to reimbursement for his actual and necessary expenses incurred in the
456 performance of his or her official duties. The duties of the advisory board shall be to
457 advise the center and the board concerning issues related to: research in the life sciences;
458 development of products and the efficacy of the public and private initiatives to further
459 product development in the life sciences; commercialization of biotechnology,
460 pharmaceuticals, medical diagnostic products or such other areas within the life sciences;
461 and any other such area as is requested by the board.

462

463 The advisory committee shall not be a state agency for the purposes of chapter
464 268A and shall not be subject to section 11A½ of chapter 30A or chapter 66.

465

466 (c) The center shall receive and review all project proposals for certification under
467 the Massachusetts Life Sciences Sector Incentive Program established in section 63 of
468 chapter 23A. The center shall, if it deems necessary and upon a majority vote of the
469 board, grant initial approval to those proposals meeting the certification criteria set forth
470 in said section 63 of said chapter 23A. The center shall recommend and forward any
471 proposals meeting its initial approval to the department of business development, and the
472 department shall be responsible for determining whether a project proposal shall be
473 deemed a certified life sciences project.

474

475 SECTION 18. Subsection (c) of section 5 of said chapter 23I, as so inserted, is
476 hereby amended by striking out the first paragraph and inserting in place thereof the
477 following subsection:-

478 (c) The fund shall be held and applied by the center, subject to the approval of the
479 board, to make qualified investments, grants and loans designed to advance the following
480 public purposes: (1) to make targeted investments, including research funding, and
481 funding for the development of devices and pharmaceuticals, in the areas of life sciences,
482 nano-technology, biotechnology and stem cell research and to spur manufacturing
483 activities for new or existing advanced technologies and life sciences in the
484 commonwealth; (2) to make matching grants to universities, colleges, independent
485 research institutions, nonprofit entities, public instrumentalities, companies and other
486 entities to induce the federal government, industry and other grant-funding sources to
487 fund the expansion of research and development in the areas of life sciences, nano-
488 technology, biotechnology and stem cell research in the commonwealth, and to thereby
489 serve to increase and strengthen the commercial and industrial base of the commonwealth
490 and the economic development and employment opportunities related thereto; (3) to
491 provide bridge financing to universities, colleges, independent research institutions,
492 nonprofit entities, public instrumentalities, companies and other entities in anticipation of
493 the receipt of grants of the type described in clause (1) awarded by, or to be awarded by,
494 the federal government, industry or other sources; (4) to provide fellowships and grants;
495 (5) to provide work force training grants to prepare individuals for life sciences careers;
496 and (6) to otherwise further the public purposes set forth in this chapter.

497

498 SECTION 19. Said chapter 23I, as so inserted, is hereby further amended by
499 striking out section 7 and inserting in place thereof the following section:-

500 Section 7. The center shall annually submit to the governor, the chair of the
501 senate committee on ways and means, the chair of the house committee on ways and
502 means, the co-chairs of the joint committee on economic development and emerging
503 technologies, the secretary of administration and finance and the comptroller, within 90
504 days after the end of each fiscal year, a complete and detailed report that includes
505 information about the center’s operations and accomplishments, receipts and
506 expenditures during such fiscal year, its assets and liabilities at the end of such fiscal
507 year, the anticipated return on investment to the commonwealth from the investment of
508 funds administered by the center during such fiscal year, a complete list of grants
509 awarded by the center, a list of other funding activities, reports of patents or products
510 resulting from funded activities, and a tracking of job creation as a result of funded
511 projects.

512
513 SECTION 20. Section 1 of chapter 32 of the General Laws, as appearing in the
514 2006 Official Edition, is hereby amended by inserting after the word “connector,” in line
515 211, the following words:- , the Massachusetts Life Sciences Center.

516
517 SECTION 21. Section 2 of chapter 32A of the General Laws is hereby amended
518 by inserting after the word “authority,” in line 12, as so appearing, the following words:- ,
519 the Massachusetts Life Sciences Center.

520

521 SECTION 22. Section 6 of chapter 62 of the General Laws is hereby amended by
522 inserting after subsection (l), as most recently amended by section 4 of chapter 63 of the
523 acts of 2007, the following 2 subsections:-

524 (m) (1) A taxpayer subject to tax under this chapter, which operates a certified life
525 sciences project as defined in section 63 of chapter 23A, may take a credit against the
526 taxes imposed by this chapter, to the extent provided in a certification under section 63 of
527 chapter 23A, in an amount equal to 10 per cent of the cost of qualifying property used
528 exclusively in the commonwealth for the project. Qualifying property shall be tangible
529 personal property and other tangible property, excluding property taxable under chapter
530 60A but including buildings and structural components of buildings acquired by
531 purchase, as defined under section 179(d) of the Code, as amended and in effect for the
532 taxable year, if the property is depreciable under section 167 of the Code and has a useful
533 life of 4 years or more. If such property is disposed of or ceases to be in qualified use
534 before the end of its useful life or before the end of the year in which the credit is to be
535 taken, the recapture and related provisions of subsection (e) of section 31A of chapter 63
536 shall apply. A taxpayer taking a credit allowed under this subsection may not take the
537 credit allowed by subsection (g) except to such extent, not to exceed 2 per cent of the cost
538 of any qualifying property, as may be provided in a certification under said section 63 of
539 said chapter 23A.

540 A credit is allowed under this section only to the extent that the taxpayer files the
541 application with the department of business development, in a form as may be determined
542 by the department, within 1 year after the initial project certification under said section 63
543 of said chapter 23A.

544 The department may certify that property eligible for the credit is a certified life
545 sciences project as defined in said section 63 of said chapter 23A and that the certified
546 life sciences project reasonably satisfies the return on investment projections specified in
547 the original project proposal as defined in said section 63 of said chapter 23A. Based
548 upon the information provided in the application and its own independent investigation,
549 the department shall determine whether the project meets the definition of certified life
550 sciences project and whether the project has a reasonable chance of completing the return
551 on investment as advanced in the project proposal as certified by the department. If the
552 department determines that the certified life sciences project is no longer in compliance,
553 the secretary of housing and economic development shall revoke certification of the
554 project as provided in said section 63 of said chapter 23A and shall provide notification
555 of decertification to the commissioner of revenue. Nothing in this section shall limit the
556 authority of the commissioner of revenue to adjust a taxpayer's liability upon audit.
557 Nothing in this section shall limit any other legal remedies available to the commissioner
558 of revenue or the commonwealth against a life sciences sector business.

559 (2) Any taxpayer entitled to a credit under this section for any taxable year may
560 carry over and apply to its tax for any of the next succeeding 10 taxable years, that
561 portion, as reduced from year to year, of those credits which exceed the tax for the
562 taxable year but the taxpayer shall not apply the credit to its tax for any taxable year
563 beginning more than 10 years after the certified life sciences project ceases to qualify as
564 such under chapter 23A.

565 (3) The commissioner of revenue shall adopt rules and regulations as are
566 necessary to implement this section. Such rules and regulations may provide the

567 adjustment of intercompany prices and elimination of intercompany transactions to
568 ensure that all amounts upon which the credit is based reasonably reflect fair market
569 value. In addition, such rules and regulations shall include provisions to prevent the
570 generation of multiple credits with respect to the same property.

571 (4) If a credit allowed to a certified life sciences project under this subsection, or
572 a credit as may be allowed under subsection (g) as limited in this subsection, exceeds the
573 tax otherwise due under chapter 62, 90 per cent of the balance of such credit shall, at the
574 option of the taxpayer, be refundable to the taxpayer for the taxable year in which
575 qualified property giving rise to that credit is placed in service. If such credit balance is
576 refunded to the taxpayer, the credit carryover provisions of paragraph (2) and of
577 paragraph (2) of subsection (g) shall not apply.

578 (n) (1) As used in this section, the following words shall, unless the context
579 clearly requires otherwise, have the following meanings:

580 “Primarily”, more than 50 per cent.

581 “Research and development costs”, in-house research expenses within the
582 meaning of section 41(b)(2) of the Internal Revenue Code.

583 “User fees”, the monetary amount actually paid by a certified life sciences project
584 to the U.S.F.D.A. that constitutes the fee due upon the submission of a human drug
585 application or supplement under 21 U.S.C. § 379h(a)(1) for a human drug, the research
586 and development costs of which, were primarily incurred in the commonwealth.

587 “U.S.F.D.A.”, the United States Food and Drug Administration.

588 (2) Except as otherwise limited by subsection (e) of section 31M of chapter 63,
589 there may be allowed to any certified life sciences project, as defined by section 63 of

590 chapter 23A, as a refundable credit against the tax liability imposed under this chapter an
591 amount equal to 100 per cent of the cost of user fees paid by such certified life sciences
592 project, to the extent provided in a certification under said section 63 of said chapter 23A.

593 (3) A certified life sciences project shall claim the credit in the taxable year in
594 which its application for the licensure of an establishment to manufacture the human drug
595 in the commonwealth is approved by the U.S.F.D.A.

596 (4) A credit allowed under this section may be taken only after the taxpayer
597 completes an application signed by an authorized representative of the applicant and files
598 the application with the department of business development within 1 year after the initial
599 project certification under section 63 of chapter 23A.

600 (5) In the event that such credit allowed to a certified life sciences project
601 exceeds the tax otherwise due under chapter 62, 90 per cent of the balance of that credit
602 shall be refundable to the taxpayer for the taxable year in which the credit is claimed.

603 (6) The deduction from gross income that may be taken with respect to any
604 expenditures qualifying for the credit under this section shall be disallowed to the extent
605 of the credit.

606 (7) Only user fees paid by a certified life sciences project to the U.S.F.D.A. on or
607 after the effective date of this section shall be eligible for the credit.

608

609 SECTION 23. Said section 6 of said chapter 62 is hereby further amended by
610 striking out subsections (m) and (n), as inserted by section 22 of this act.

611

612 SECTION 24. Chapter 63 of the General Laws is hereby amended by adding
613 after section 31L the following section:-

614 Section 31M. (a) As used in this section, the following words shall, unless the
615 context clearly requires otherwise, have the following meanings:

616 “Primarily”, more than 50 per cent.

617 “Research and development costs”, in-house research expenses within the
618 meaning of section 41(b)(2) of the Internal Revenue Code.

619 “User fees”, the monetary amount actually paid by a certified life sciences project
620 to the U.S.F.D.A. that constitutes the fee due upon the submission of a human drug
621 application or supplement under 21 U.S.C. § 379h(a)(1) for a human drug, the research
622 and development costs of which, were primarily incurred in the commonwealth.

623 “U.S.F.D.A.”, the United States Food and Drug Administration.

624 (b) Except as otherwise limited by subsection (e), there shall be allowed to any
625 certified life sciences project, as defined by section 63 of chapter 23A, as a refundable
626 credit against the tax liability imposed under this chapter an amount equal to 100 per cent
627 of the cost of user fees paid by such certified life sciences project, to the extent provided
628 in a certification under said section 63 of said chapter 23A.

629 (c) A certified life sciences project shall claim the credit in the taxable year in
630 which its application for the licensure of an establishment to manufacture the human drug
631 in the commonwealth is approved by the U.S.F.D.A.

632 (d) A credit allowed under this section may be taken only after the taxpayer
633 completes an application signed by an authorized representative of the applicant, and files

634 the application with the department of business development within 1 year after the initial
635 project certification under section 63 of chapter 23A.

636 (e) The credit allowed may reduce the excise due under subsection (b) of section
637 32 or subsection (b) of section 39. The credit allowed to a certified life sciences project
638 is not subject to section 32C. If the credit allowed to a certified life sciences project
639 exceeds the excise otherwise due under said subsection (b) of said section 32 or said
640 subsection (b) of said section 39, 90 per cent of the balance of that credit shall be
641 refundable to the taxpayer for the taxable year in which the credit is claimed.

642 If a certified life sciences project files as a member of a combined group and
643 applies its excess credit against the excise of another group member, the credit as applied
644 to corporations other than the certified life sciences project is not subject to section 32C
645 and may reduce to zero the excise due under subsection (b) of section 32 or subsection
646 (b) of section 39. If the credit allowed to a certified life sciences project that is applied
647 against the excise liability of such other corporations exceeds the excise otherwise due to
648 such corporations under this chapter, 90 per cent of the balance of that credit shall be
649 refundable to the taxpayer for the taxable year in which the credit is claimed.

650 (f) For purposes of section 30, the deduction from gross income that may be
651 taken with respect to any expenditures qualifying for the credit under this section is
652 disallowed to the extent of the credit.

653 (g) Only user fees paid by a certified life sciences project to the U.S.F.D.A. shall
654 be eligible for the credit.

655

656 SECTION 25. Said chapter 63 is hereby amended by striking out section 31M, as
657 inserted by section 24 of this act.

658

659 SECTION 26. Section 38 of said chapter 63, as appearing in the 2006 Official
660 Edition, is hereby amended by striking out in line 162, the word “and”.

661

662 SECTION 27. Said section 38 of said chapter 63, as so appearing, is hereby
663 further amended by inserting after the word “contracts”, in line 169, the following
664 words:- ; and (6) To the extent provided in a certification under section 63 of chapter
665 23A, a certified life sciences project, as defined in section 63 of chapter 23A, is deemed
666 to be taxable in the state of the purchaser if the property of the project is manufactured in
667 the commonwealth and delivered or shipped to a purchaser in another state.

668

669 SECTION 28. The third paragraph of subsection (f) of said section 38 of said
670 chapter 63 is hereby amended by striking out clause (6), inserted by section 27 of this act.

671

672 SECTION 29. The second paragraph of section 38C of said chapter 63, as
673 appearing in the 2006 Official Edition, is hereby amended by adding the following
674 sentence:- A certified life sciences project shall, to the extent provided in a certification
675 under section 63 of chapter 23A, be deemed to be a research and development
676 corporation for purposes of exemptions under chapters 64H and 64I.

677

678 SECTION 30. The second paragraph of said section 38C of said chapter 63 is
679 hereby amended by striking out the last sentence, inserted by section 29 of this act.

680

681 SECTION 31. Section 38M of said chapter 63, as appearing in the 2006 Official
682 Edition, is hereby amended by adding the following subsection:-

683 (j) To the extent provided in a certification under section 63 of chapter 23A, if
684 the credit allowed under this section is allowed with respect to a certified life sciences
685 project and the credit that may be claimed by a taxpayer under this section exceeds the
686 amount that may otherwise be allowed under this section for a taxable year, 90 per cent
687 of the balance of that credit attributable to a certified life sciences project shall, at the
688 option of the taxpayer and, to the extent provided in such certification, be refundable to
689 the taxpayer for the taxable year. If such credit balance is refunded to the taxpayer, the
690 credit carryover provision in subsection (f) shall not apply.

691

692 SECTION 32. Said chapter 63 is hereby further amended by inserting after
693 section 38T the following 2 sections:-

694 Section 38U. (a) As used in this section and section 38V the following words
695 shall, unless the context clearly requires otherwise, have the following meanings:

696 “Life sciences”, basic and applied sciences, including the research and
697 applications from core scientific fields such as biology, chemistry, engineering,
698 information technology, mathematics and physics that may be integrated to expand the
699 understanding of human physiology and have the potential to lead to medical advances or
700 therapeutic applications.

701 “Life sciences company”, a business corporation, partnership, firm, nonprofit
702 entity, unincorporated association or other entity engaged in life sciences research,
703 development, manufacturing or commercialization in the commonwealth, and any
704 affiliate thereof, which is, or of which the members are, subject to taxation under this
705 chapter.

706 “Person”, a natural person, corporation, association, partnership or other legal
707 entity.

708 “Taxpayer”, a life sciences company or person subject to taxation under this
709 chapter or chapters 62, 64H or 64I.

710 (b)(i) A taxpayer may, to the extent authorized under the life sciences tax
711 incentive program established in section 63 of chapter 23A, take a credit against the taxes
712 imposed under this chapter in an amount equal to 10 per cent of the cost of qualifying
713 property used exclusively in the commonwealth. Qualifying property shall be tangible
714 personal property and other tangible property, excluding property that is taxable under
715 chapter 60A but including buildings and structural components of buildings acquired by
716 purchase, as defined under section 179(d) of the Internal Revenue Code, as amended and
717 in effect for the taxable year, if the property is depreciable under section 167 of the Code
718 and has a useful life of 4 years or more. If such property is disposed of or ceases to be in
719 qualified use before the end of its useful life or before the end of the year in which the
720 credit is to be taken, the recapture and related provisions of subsection (e) of section 31A
721 shall apply.

722 (ii) A credit shall be allowed under this section only to the extent that the taxpayer
723 files an application with the department of business development, in a form as may be

724 determined by the department, within 1 year after the project certification under section
725 63 of chapter 23A.

726 (iii) The credit allowed under this section may be taken by an eligible corporation
727 if neither credit allowed by section 31A nor section 31H is taken by such corporation.

728 The credit allowed by section 38N shall not be taken except as may be provided in a
729 certification under section 63 of chapter 23A and shall not exceed 2 per cent of the cost
730 of any qualifying property.

731 (iv) Nothing in this section shall limit the authority of the commissioner to make
732 adjustments to a taxpayer's liability upon audit or limit any other legal remedies available
733 to the commissioner or the commonwealth against said taxpayer.

734 (c) The credit allowed by this section shall not be subject to section 32C.

735 (d) If a taxpayer is subject to a minimum excise under this chapter, the amount of
736 the credit allowed by this section shall not reduce the excise to an amount less than such
737 minimum excise.

738 (e) A taxpayer entitled to a credit under this section for any taxable year may, to
739 the extent authorized under the life sciences tax incentive program established in section
740 63 of chapter 23A, carry over and apply to its excise for any of the next succeeding 10
741 taxable years, that portion, as reduced from year to year, of those credits which were not
742 allowed by subsection (d) or which exceed the excise for the taxable year.

743 (f) In the case of corporations filing a combined return of income under section
744 32B, a credit generated by an individual member corporation under this section shall first
745 be applied against the separately determined excise attributable to that member, subject to
746 the limitations of said subsection (d). A member corporation with an excess credit may

747 apply its excess credit against the excise of another group member, to the extent that such
748 other member corporation can use additional credits under the limitation of said
749 subsection (d). Unused, unexpired credits generated by member corporations shall be
750 carried over from year to year by the individual corporation that generated the credit.

751 (g) The commissioner shall adopt regulations necessary to implement this
752 section. The regulations may provide for the adjustment of inter-company prices and
753 elimination of intercompany transactions to ensure that all amounts upon which the credit
754 is based reasonably reflect fair market value. In addition, such rules and regulations shall
755 include provisions to prevent the generation of multiple credits with respect to the same
756 property.

757 (h) If a credit allowed to a taxpayer under this section or a credit as may be
758 allowed under section 38N as limited in this subsection, exceeds the excise otherwise due
759 under this chapter, 90 per cent of the balance of such credit may, at the option of the
760 taxpayer and to the extent authorized under the life sciences tax incentive program
761 established in section 63 of chapter 23A, be refundable to the taxpayer for the taxable
762 year in which qualified property giving rise to that credit is placed in service. If such
763 credit balance is refunded to the taxpayer, the credit carryover provision in subsection (d)
764 and in said section 38N shall not apply.

765 Section 38V. A taxpayer which is a certified life sciences company under section
766 63 of chapter 23A shall be allowed a deduction under paragraph (4) of section 30 for that
767 portion of qualified clinical testing expenses paid or incurred for the taxable year equal to
768 the amount of the credit allowable for the taxable year under section 45C of the Internal

769 Revenue Code and otherwise disallowed as a deduction under section 280C(b) of said
770 Code.

771

772 SECTION 33. Said chapter 63 is hereby further amended by striking out sections
773 38U and 38V, inserted by section 32 of this act.

774

775 SECTION 34. The first paragraph of section 42B of said chapter 63, as appearing
776 in the 2006 Official Edition, is hereby amended by adding the following sentence:- A
777 certified life sciences project shall, to the extent provided in a certification under section
778 63 of chapter 23A, be deemed to be a research and development corporation for purposes
779 of exemptions under chapters 64H and 64I.

780

781 SECTION 35. Said section 42B of said chapter 63 is hereby further amended by
782 striking out the last sentence, inserted by section 34 of this act.

783

784 SECTION 36. Section 6 of chapter 64H of the General Laws is hereby amended
785 by inserting after paragraph (ww), as amended by section 12 of chapter 63 of the acts of
786 2007, the following paragraph:-

787 (xx) Sales of tangible personal property purchased for a certified life sciences
788 project, as defined by section 63 of chapter 23A, for use in connection with the
789 construction, alteration, remodeling, repair or remediation of the research, development
790 or manufacturing facilities and the utility support systems if the facilities and utility
791 support systems are constructed, altered, remodeled, repaired or remediated in

792 furtherance of a certified life sciences project. This section shall apply only to the extent
793 provided in a certification under said section 63 of said chapter 23A. For purposes of this
794 paragraph, the term “utility support systems” means all areas of utility support systems
795 including, but not limited to, site, civil, mechanical, electrical and plumbing systems.

796

797 SECTION 37. Said section 6 of said chapter 64H is hereby further amended by
798 striking out paragraph (xx), inserted by section 36 of this act.

799

800 SECTION 38. Section 63 of chapter 23A of the General Laws, inserted by
801 section 4 of this act, and subsection (c) of section 4 of chapter 23I of the General Laws,
802 as appearing in section 4 shall take effect on January 1, 2009 and shall expire on
803 December 31, 2018.

804

805 SECTION 39. The sales tax exemption in paragraph (xx) in section 6 of chapter
806 64H shall apply to sales of tangible personal property purchased for a certified life
807 sciences project on or after the effective date of this act.

808

809 SECTION 40. Eligibility for tax credit on user fees under paragraph (2) of
810 subsection (n) of section (6) of chapter 62 of the General Laws and under subsection (g)
811 of section 31M of chapter 63 of the General Laws shall apply to user fees paid on or after
812 the effective date of this act.

813

814 SECTION 41. The terms of all members appointed to the board of directors of
815 the Life Sciences Center in 2006, under of chapter 123 of the acts of 2006, shall terminate
816 on the effective date of this act. All appointed board members terminated under this
817 section shall be eligible to be reappointed by the governor. Such appointments shall be
818 made in accordance with section 3 of chapter 23I of the General Laws.

819

820 SECTION 42. Notwithstanding any general or special law to the contrary, the
821 Massachusetts Life Sciences Center, established in section 3 of chapter 23I of the General
822 Laws, in collaboration with the Massachusetts international trade council shall, subject to
823 appropriation, facilitate and support joint academic and industrial research and
824 development and commercial business exchanges between the commonwealth and Israel
825 in the area of life sciences; provided further, that, subject to appropriation, there shall be
826 established a trade and incubator facility in Israel and a trade and incubator facility in
827 Massachusetts facilitated by the Massachusetts international trade council in consultation
828 with the Massachusetts office of international trade and investment, established in section
829 24 of chapter 23A of the General Laws, for collaborative, joint and pilot projects with the
830 Government of the State of Israel, the Boston Haifa International Life Sciences Institute
831 and others.

832

833 SECTION 43. Sections 22, 24, 27, 29, 32 and 34 shall take effect on January 1,
834 2009.

835

836 SECTION 44. Sections 23, 25, 28, 30, 33, 35 and 37 shall take effect on
837 December 31, 2018.