

CORONAVIRUS (COVID-19) RESPONSE BILLS

SB2598 (SD2874) – An Act authorizing waiver of the one week waiting period for unemployment benefits

SECTION 1. Notwithstanding section 23 of chapter 151A of the General Laws, the director of unemployment assistance shall waive the one-week waiting period for any person making a claim for unemployment benefits who has become separated from work as a result of any circumstance relating to or resulting from the outbreak of the 2019 novel Coronavirus or “COVID-19” or the effects of the Governor’s March 10, 2020 declaration of a state of emergency.

This section will expire 90 days after termination of said state of emergency.

SECTION 2. Section 1 shall take effect on March 10, 2020.

HB4572 (HD4942) - An Act to address challenges in town governance resulting from COVID-19

SECTION 1. Section 9 of chapter 39 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 13 to 14, the word “thirtieth” and inserting in place thereof the following words:- 30th except in the event of an emergency that poses an immediate threat to the health or safety of persons or property which prevents the completion of the business of the delayed town meeting on or before June 30, but then only upon a declaration of a state of emergency by the governor with respect to such emergency.

SECTION 2. Subsection (a) of section 10A of said chapter 39, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Whenever the moderator determines that voters, or in a town having a representative town meeting form of government, the town meeting members, may be unable to attend a town meeting, called pursuant to a warrant issued pursuant to section 10, because of a weather-related, public safety or public health emergency, the moderator shall consult with local public safety or public health officials and members of the board of selectmen and then, upon the moderator's own declaration, the moderator shall recess and continue the town meeting to a time, date and place certain.

SECTION 3. Subsection (d) of said section 10A of said chapter 39, as so appearing, is hereby amended by inserting, in line 59, after the words “public safety” the following words:- or public health.

SECTION 4. The first paragraph of section 31 of chapter 44 of the General Laws, as so appearing, is hereby amended by inserting after the second sentence the following 2 sentences:- If the declared emergency prevents the adoption of an annual budget by a town by the June 30 preceding the start of the fiscal year, the treasurer shall notify the director and the director shall have authority to approve expenditure of an amount sufficient for the essential operations of the town during the month of July not less than 1/12 of the total budget approved by the town in the most recent fiscal year and such authority shall continue for each successive month while the emergency continues to prevent the adoption of a budget. The director may promulgate and revise rules or regulations regarding the approval of emergency expenditures described in this section and accounting with regard to such expenditures.

SECTION 5. (a) Notwithstanding section 13 of chapter 39 of the General Laws or any other general or special law or town by-law or town charter to the contrary, a town may act by vote of its select board to prescribe the number of voters necessary to constitute a quorum at any town meeting held during the state of emergency declared by the Governor on March 10, 2020 at a number that is lower than the number that would otherwise be required by law or town by-law or town charter.

(b) A select board shall publish notice of its intention to consider an adjustment of town meeting quorum requirements under this section at least 7 days prior to the vote of the select board. No vote of the select board to make such a quorum adjustment shall be valid if taken without such notice and without provision for adequate means of public access that will allow interested members of the public to clearly follow the deliberations of the select board as those deliberations are occurring.

(c) Within 10 days after an affirmative vote of the select board under this section, the town clerk shall notify the attorney general of the adjusted quorum requirement.

(d) This section will expire upon termination of the state of emergency declared by the Governor on March 10, 2020, but such expiration shall have no effect on the validity of any vote or action taken by a select board or town meeting in reliance on and pursuant to this section while effective.

SECTION 6. Notwithstanding any general or special law to the contrary, if the adoption of an annual budget in a town or district is delayed beyond June 30, 2020 as a result of the outbreak of the 2019 novel Coronavirus or "COVID-19" and the declaration of a state of emergency issued by the governor on March 10, 2020, the director of accounts may authorize the appropriation from the available balance of the town's or district's undesignated fund balance or "free cash" certified by the director under section 23 of chapter 59 of the General Laws as of July 1, 2019, as a funding source for the town's or district's fiscal year 2021 expenditures. The director of accounts is authorized to promulgate and revise rules or regulations regarding the implementation of this section.

SECTION 7. Notwithstanding section 31 of chapter 44 of the General Laws, section 23 of chapter 59 of the General Laws, or any other general or special law to the contrary, a city, town or district may amortize over fiscal years 2021 to 2023, inclusive, in equal installments or more rapidly, the amount of its fiscal year 2020 deficit pertaining to expenditures made to address the outbreak of the 2019 novel Coronavirus or "COVID-19" as described in the governor's declaration of a state of emergency issued on March 10, 2020. The local appropriating authority as defined in section 21C of chapter 59 and, in the case of a district, the prudential committee or commissioners, shall adopt a deficit amortization schedule in accordance with the preceding sentence before setting the city's, town's or district's fiscal year 2021 tax rate. The commissioner of revenue may issue guidelines or instructions for reporting the amortization of deficits authorized by this section.

SECTION 8. Notwithstanding any general or special law to the contrary, as a result of the outbreak of the 2019 novel Coronavirus or "COVID-19" and the declaration of a state of emergency issued by the governor on March 10, 2020, for fiscal year 2021, a city or town may expend from each revolving fund established under section 53E1/2 of chapter 44 of the General Laws an amount not to exceed the amount authorized to be expended in fiscal year 2020 until the city or town adopts an annual budget for fiscal year 2021 at which time, the legislative body of the city or town shall also vote on the total amount that may be expended from each revolving fund in fiscal year 2021.

SECTION 9. Sections 2 and 3 shall take effect on March 10, 2020.

SECTION 10. Except as otherwise specified, this act shall take effect upon its passage.

HB4571 (HD4941) - An Act designating September 14, 2020 as a legal holiday

The deferred operation of this act would tend to defeat its purposes, which are forthwith to make certain changes in law in response to a public health emergency, necessary to carry out to accomplish important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience. Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, September 14, 2020 shall be considered a "legal holiday" as defined in the Eighteenth clause of section 7 of chapter 4 of the General Laws, to be observed in the same manner as other legal holidays in the Commonwealth; provided, however, that sections 5 to 11, inclusive, of chapter 136 of the General Laws shall not apply to September 14, 2020. Furthermore, notwithstanding any general or special law to the contrary, for the purposes of sections 57A, 57D, and 57E of chapter 48 of the General Laws and sections 17A and 17F of chapter 147 of the General Laws, the phrase "the third Monday in April" shall also mean September 14, 2020.