
Chap. 229

and the Expense Fund, as provided in subdivision (7) of section 22 of chapter 32 of the General Laws. The regional retirement board advisory council, at a meeting specifically called for the purpose, shall elect 1 of its members, who shall be a member in service in the retirement system, as a member of the regional retirement board at the expiration of the current member's term, as provided in clause (2) of paragraph (b) of said section 19 of said chapter 34B.

Approved July 31, 2008.

Chapter 230. AN ACT RELATIVE TO EQUITABLE COVERAGE FOR ANNUITY POLICIES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 175 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word "commissioner", in line 112, the following words: - ; provided, however, that for any contract issued on or after January 1, 2009, a mortality table shall only be applied to an individual or group annuity or pure endowment contract on a gender-neutral or gender-blended so-called basis in accordance with regulations promulgated by the commissioner.

SECTION 2. Said section 9 of said chapter 175, as so appearing, is hereby further amended by inserting after the word "contracts", in line 118, the following words:— ; provided, however, that for any contract issued on or after January 1, 2009, a mortality table shall only be applied to an individual or group annuity or pure endowment contract on a gender-neutral or gender-blended so-called basis in accordance with regulations promulgated by the commissioner.

SECTION 3. Said section 9 of said chapter 175, as so appearing, is hereby further amended by inserting after the word "specified", in line 163, the following words: - ; provided, however, that for any contract issued on or after January 1, 2009, a mortality table shall only be applied to an individual or group annuity or pure endowment contract on a gender-neutral or gender-blended so-called basis in accordance with regulations promulgated by the commissioner.

SECTION 4. Said chapter 175 is hereby further amended by inserting after section 120E the following section:—

Section 120F. No company, officer or agent thereof shall make or permit a distinction, classification or discrimination, or otherwise recognize a difference in life expectancy, on the basis of race, color, religion, sex, marital status or national origin in the terms or conditions of a group or individual annuity, pure endowment contract or certificate covering residents of the commonwealth which is issued or delivered within or without the commonwealth on or after January 1, 2009, including, but not limited to, the amount or method of payment of premiums or rate charges or in the benefits payable. A violation of

Chap. 230

this section shall constitute an unfair method of competition or an unfair or deceptive act or practice in violation of chapter 176D.

SECTION 5. Section 132B of said chapter 175, as appearing in the 2006 Official Edition, is hereby amended by striking out, in line 25, the word “sex.”

Approved July 31, 2008.

Chapter 231. AN ACT ESTABLISHING AND FUNDING THE MASSACHUSETTS BROADBAND INSTITUTE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to establish and fund the Massachusetts Broadband Institute, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. To provide for a capital outlay program to achieve the deployment of affordable and ubiquitous broadband access for every citizen of the commonwealth, the sums set forth in section 2, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds.

SECTION 2.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

1599-7060 For a reserve to provide funds to the Massachusetts Broadband Incentive Fund established by section 6C of chapter 40J of the General Laws \$40,000,000

SECTION 3. Section 3 of chapter 23A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out, in line 24, the words “wireless broadband development council” and inserting in place thereof the following words:- Massachusetts Broadband Institute.

SECTION 4. Said section 3 of said chapter 23A, as so appearing, is hereby further amended by striking out, in lines 62 and 63, the words “wireless broadband development council, established pursuant to section 6A” and inserting in place thereof the following words:- Massachusetts Broadband Institute, established by section 6B.

SECTION 5. Said section 3 of said chapter 23A, as so appearing, is hereby further amended by striking out, in lines 87 and 88, the words “wireless broadband development council established pursuant to section 6A” and inserting in place thereof the following words:- Massachusetts Broadband Institute, established by section 6B.