

# HOUSE . . . . . No. 3333

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## The Commonwealth of Massachusetts

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The committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 28) of the House Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 65, amended), reported recommending passage of the accompanying bill (House, No. 3333) [Total Appropriation: \$363,553,451.00]. March 31, 2015.

Brian S. Dempsey	Karen E. Spilka
Stephen Kulik	Sal N. DiDomenico
Todd M. Smola	Viriato M. deMacedo

**HOUSE . . . . . No. 3333**

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The Commonwealth of Massachusetts

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In the One Hundred and Eighty-Ninth General Court  
(2015-2016)  
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An Act making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects.

*Whereas*, The deferred operation of this act would tend to defeat its purposes, which are to forthwith make supplemental appropriations for fiscal year 2015 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, 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. To provide for supplementing certain items in the general appropriation act and  
2 other appropriation acts for fiscal year 2015, the sums set forth in section 2 are hereby  
3 appropriated from the General Fund unless specifically designated otherwise in this act or in  
4 those appropriation acts, for the several purposes and subject to the conditions specified in this  
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public  
6 funds for the fiscal year ending June 30, 2015. These sums shall be in addition to any amounts  
7 previously appropriated and made available for the purposes of those items.

8 SECTION 2.

9 JUDICIARY

10 *Committee for Public Counsel Services*

11 0321-1510 .....\$34,708,792

12 SECRETARY OF THE COMMONWEALTH

13 0521-0000 .....\$585,590

14 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

15 *Office of the Secretary of Administration and Finance*

16 1599-4444 .....\$8,267,872

17 *Group Insurance Commission*

18 1108-5200 .....\$190,000,000

19 *Human Resources Division*

20 1750-0300 .....\$836,137

21 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

22 *Office of the Secretary*

23 4000-0005 .....\$2,200,000

24 *Department of Developmental Services*

25 5930-1000 .....\$3,365,693

26 *Department of Elder Affairs*

27 9110-1455 .....\$2,100,000

28 *Department of Public Health*

29 4590-0915 .....\$1,983,386

30 *Department of Children and Families*

31 4800-0038 .....\$7,622,823

32 4800-0041 .....\$27,384,824

33 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

34 *Department of Housing and Community Development*

35 7004-0101 .....\$51,500,000

36 7004-0108 .....\$3,000,000

37 EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

38 *Department of Transportation*

39 1595-6368 .....\$50,000,000

40 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

41 *Department of Correction*

42 8900-0001 .....\$5,691,913

43 OFFICE OF THE STATE COMPTROLLER

44

*Office of the State Comptroller*

45 1599-3384 .....\$6,000,000

46 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to  
 47 provide for an alteration of purpose for current appropriations and to meet certain requirements  
 48 of law, the sums set forth in this section are hereby appropriated from the General Fund unless  
 49 specifically designated otherwise in this section, for the several purposes and subject to the  
 50 conditions specified in this section and subject to the laws regulating the disbursement of public  
 51 funds for the fiscal year ending June 30, 2015. These sums shall be in addition to any amounts  
 52 previously appropriated and made available for the purposes of those items. These sums shall be  
 53 made available until June 30, 2015.

54 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

55 *Office of the Secretary of Administration and Finance*

56 1599-2015 For a reserve to reimburse state agencies for extraordinary expenses  
 57 incurred as a result of severe winter storms affecting the commonwealth in 2015; provided, that  
 58 the secretary of administration and finance may transfer from this item to other items of  
 59 appropriation and allocations thereof for fiscal year 2015 amounts necessary to meet these costs  
 60 where the amounts otherwise available are insufficient for the purpose, in accordance with a  
 61 transfer plan which shall be filed not less than 15 days in advance with the house and senate  
 62 committees on ways and means .....\$7,000,000

63 1599-4299 For a reserve to meet the fiscal year 2015 costs of salary adjustments and  
 64 other economic benefits authorized by collective bargaining agreements with the University of

65 Massachusetts that have not yet been ratified by the general court; provided, that no funds shall  
66 be expended from this item before ratification of the collective bargaining agreements by the  
67 general court; and provided further, that funding in this item shall be equitably distributed to the  
68 campuses of Amherst, Boston, Dartmouth and Lowell.....\$2,200,000

69 SECTION 3. Subsection (a) of section 172 of chapter 6 of the General Laws, is hereby  
70 amended by striking out clause (31), added by section 2 of chapter 284 of the acts of 2014, and  
71 inserting in place thereof the following clause:-

72 (32) A person licensed pursuant to section 122 of chapter 140 may obtain from the  
73 department data permitted under section 172M.

74 SECTION 4. Said chapter 6 is hereby further amended by striking out section 172L,  
75 inserted by section 3 of said chapter 284, and inserting in place thereof the following section:-

76 Section 172M. Notwithstanding section 172 or any other general or special law to the  
77 contrary, a person licensed pursuant to section 122 of chapter 140 shall obtain from the  
78 department all available criminal offender record information prior to accepting a person as an  
79 employee to determine the suitability of such employee who may have direct and unmonitored  
80 contact with firearms, shotguns or rifles. A person obtaining information pursuant to this section  
81 shall not disseminate such information for any purpose other than the further protection of public  
82 safety.

83 SECTION 5. The second sentence of subsection (a) of section 13 of chapter 17 of the  
84 General Laws, as appearing in section 2 of chapter 258 of the acts of 2014, is hereby amended by  
85 striking out the figure “10” and inserting in place thereof the following figure:- 13.

86 SECTION 6. Section 8A of chapter 19 of the General Laws, as appearing in the 2012  
87 Official Edition, is hereby amended by striking out the first sentence and inserting in place  
88 thereof the following sentence:- The governor shall appoint a board of trustees for the Taunton  
89 state hospital and for the Worcester recovery center and hospital.

90 SECTION 7. Section 14 of said chapter 19, as so appearing, is hereby amended by  
91 striking out, in line 4, the word "fifteen" and inserting in place thereof the following words:- not  
92 fewer than 15.

93 SECTION 8. Section 29D of chapter 29 of the General Laws, as so appearing, is hereby  
94 amended by striking out, in lines 16 and 17, the words "COMPASS system, so-called" and  
95 inserting in place thereof the following words:- "COMMBUYS system".

96 SECTION 9. Section 57 of chapter 59 of the General Laws, as so appearing, is hereby  
97 amended by adding the following paragraph:-

98 Notwithstanding the first paragraph, if the last day for making a tax payment without  
99 incurring interest on a bill for real estate or personal property taxes occurs on a Saturday, Sunday  
100 or legal holiday, or on a day on which a municipal office is closed as authorized by charter, by-  
101 law, ordinance or otherwise for a weather-related or public safety emergency, the payment may  
102 be made on the next day on which a municipal office is open, without penalty or interest.

103 SECTION 10. Section 57C of said chapter 59, as so appearing, is hereby amended by  
104 adding the following paragraph:-

105 Notwithstanding the preceding paragraphs, if the last day for making a tax payment  
106 without incurring interest on a bill for real estate or personal property taxes occurs on a Saturday,

107 Sunday or legal holiday, or on a day on which a municipal office is closed as authorized by  
108 charter, by-law, ordinance or otherwise for a weather-related or public safety emergency, the  
109 payment may be made on the next day on which a municipal office is open, without penalty or  
110 interest.

111 SECTION 11. Section 59 of said chapter 59, as amended by section 16 of chapter 62 of  
112 the acts of 2014, is hereby further amended by adding the following paragraph:-

113 Notwithstanding the foregoing provisions, if the last day for making an application for  
114 abatement of tax falls on a Saturday, Sunday, legal holiday or day on which municipal offices are  
115 closed as authorized by charter, by-law, ordinance or otherwise for a weather-related or public  
116 safety emergency, the application may be made on the next day on which a municipal office is  
117 open.

118 SECTION 12. Paragraph (a) of part B of section 3 of chapter 62 of the General Laws, as  
119 so appearing, is hereby amended by inserting after subparagraph (16), in line 171, the following  
120 subparagraph:-

121 (17) losses from wagering transactions, that were incurred at a gaming establishment  
122 licensed in accordance with chapter 23K or at any racing meeting licensee or simulcasting  
123 licensee, only to the extent of the gains from such transactions.

124 SECTION 13. The seventh paragraph of section 2 of chapter 62B of the General Laws, as  
125 appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and  
126 inserting in place thereof the following sentence:-



127 Every person, including the United States, the commonwealth or any other state, or any  
128 political subdivision or instrumentality of the foregoing, making any payment of lottery winnings  
129 which are subject to tax under chapter 62 and which are subject to withholding under section  
130 3402 of the Internal Revenue Code, without the exception for keno and bingo in subsections  
131 (q)(5) and (r) of said section 3402 of the Internal Revenue Code, shall deduct and withhold from  
132 such payment an amount equal to 5 per cent of such payment, except that such withholding for  
133 purposes of this chapter shall apply to payments of winnings of \$600 or greater notwithstanding  
134 any contrary provision of the Internal Revenue Code.

135 SECTION 14. Said section 2 of said chapter 62B, as so appearing, is hereby amended by  
136 inserting after the seventh paragraph the following paragraph:-

137 Every gaming establishment licensed in accordance with chapter 23K making a payment  
138 of winnings of \$1200 or more from slot machine play shall file a form W-2G with respect to  
139 such payment. Every person making a payment of winnings of \$600 or more from pari-mutuel  
140 wagering shall file a form W-2G with respect to such payment if the proceeds are at least 300  
141 times as large as the amount wagered. For purposes of this section, in determining whether such  
142 winnings equal or exceed the \$1200 or \$600 amounts, the amount of winnings shall not be  
143 reduced by the amount wagered. Every person making a payment of winnings from wagering at  
144 a gaming establishment or from pari-mutuel wagering which are subject to tax under chapter 62  
145 and subject to withholding under section 3402 of the Internal Revenue Code shall deduct and  
146 withhold from such payment an amount equal to 5 per cent of such payment. Every person who  
147 is to receive a payment of winnings which are subject to withholding shall furnish the person  
148 making such payment a statement, made under the penalties of perjury, containing the name,  
149 address, and taxpayer identification number of the person receiving the payment and of each

150 person entitled to any portion of such payment. Notwithstanding any general or special law to the  
151 contrary, any review or transmission of information required to be done by a gaming licensee  
152 relative to the disbursement of cash or prize winnings shall be administered consistent with this  
153 paragraph and based upon real-time information.

154 SECTION 15. The first sentence of section 3A of chapter 70B of the General Laws, as  
155 appearing in section 8 of chapter 284 of the acts of 2014, is hereby amended by inserting after  
156 the word “agency”, as appearing in section 8 of chapter 284 of the acts of 2014, the following  
157 words:- or a designee.

158 SECTION 16. Section 1 of chapter 75 of the General Laws, as appearing in the 2012  
159 Official Edition, is hereby amended by striking out, in lines 13 through 14, inclusive, the words  
160 “sections thirty-eight A½ to forty three I, inclusive, of chapter 7,” and inserting in place thereof  
161 the following:- sections 44 to 58, inclusive, of chapter 7C,.

162 SECTION 17. Section 25M of chapter 111 of the General Laws, as appearing in the 2012  
163 Official Edition, is hereby amended by striking out, in lines 22 to 24, inclusive, the words “; 1 of  
164 whom shall be a representative of the Massachusetts Center for Nursing, Inc.”.

165 SECTION 18. Said section 25M of said chapter 111, as so appearing, is hereby further  
166 amended by striking out, in line 31, the word “and”, the first time it appears.

167 SECTION 19. Said section 25M of said chapter 111, as so appearing, is hereby further  
168 amended by inserting after the word “professional”, in line 32, the following words:- ; and 1 of  
169 whom shall be appointed by the governor at the governor’s discretion.

170 SECTION 20. Section 229 of said chapter 111, added by section 1 of chapter 371 of the  
171 acts of 2012, is hereby repealed.

172 SECTION 21. Said chapter 111 is hereby further amended by adding the following  
173 section:-

174 Section 235. (a) For the purposes of this section, the following terms shall have the  
175 following meanings unless the context clearly requires otherwise:

176 “Health care practitioner”, a person licensed or registered under section 2, 16, 74 or 74A  
177 of chapter 112 who conducts or assists with the performance of surgery; provided, however, that  
178 “health care practitioner” shall also include an intern, resident, fellow or medical officer.

179 “Operating room circulator”, a licensed registered nurse who is educated, trained and  
180 experienced in perioperative nursing and who is immediately available to physically intervene in  
181 providing care to a surgical patient.

182 “Surgical facility”, an entity that provides surgical health care services, whether inpatient  
183 or outpatient and whether overnight or ambulatory, including, but not limited to, a hospital, clinic  
184 or private office of a health care practitioner, whether conducted for charity or for profit and  
185 whether or not subject to section 25C, and any organization, partnership, association,  
186 corporation, trust or the commonwealth, or any subdivision thereof.

187 “Surgical technologist”, a person who provides surgical technology services but is not a  
188 health care practitioner.

189 “Surgical technology”, surgical patient care including, but not limited to, any of the  
190 following: (i) collaboration with an operating room circulator prior to a surgical procedure to

191 carry out the plan of care by preparing the operating room, gathering and preparing sterile  
192 supplies, instruments and equipment, preparing and maintaining the sterile field using sterile and  
193 aseptic techniques and ensuring that surgical equipment is functioning properly and safely; (ii)  
194 intraoperative anticipation and response to the needs of a surgeon and other team members by  
195 monitoring the sterile field and providing the required instruments or supplies; and (iii)  
196 performance of tasks at the sterile field as directed in an operating room setting, including: (1)  
197 passing supplies, equipment or instruments; (2) sponging or suctioning an operative site; (3)  
198 preparing and cutting suture material; (4) transferring and irrigating with fluids; (5) transferring,  
199 but not administering, drugs within the sterile field; (6) handling specimens; (7) holding  
200 retractors; and (8) assisting in counting sponges, needles, supplies and instruments with an  
201 operating room circulator.

202 (b) A surgical facility shall not employ or otherwise retain the services of a person to  
203 perform surgical technology tasks or functions unless such person: (i) has successfully completed  
204 an accredited educational program for surgical technologists and holds and maintains a certified  
205 surgical technologist credential administered by a nationally-recognized surgical technologist  
206 certifying body accredited by the National Commission for Certifying Agencies and recognized  
207 by the American College of Surgeons and the Association of Surgical Technologists; (ii) has  
208 successfully completed an accredited school of surgical technology but has not, as of the date of  
209 hire, obtained the certified surgical technologist certification required by clause (i); provided,  
210 however, that such certification shall be obtained within 12 months of the graduation date; (iii)  
211 was employed as a surgical technologist in a surgical facility on or before July 1, 2013; (iv) has  
212 successfully completed a training program for surgical technology in the United States Army,  
213 Navy, Air Force, Marine Corps or Coast Guard or in the United States Public Health Service

214 which has been deemed appropriate by the commissioner; or (v) is performing surgical  
215 technology tasks or functions in the service of the federal government but only to the extent that  
216 such person is performing duties related to that service.

217 (c) A person employed or otherwise retained to practice surgical technology in a  
218 healthcare facility may assist in the performance of operating room circulator duties under the  
219 direct clinical supervision, limited to clinical guidance, of the operating room circulator if: (i) the  
220 operating room circulator is present in the operating room for the duration of the procedure; (ii)  
221 any such assistance has been assigned to such person by the operating room circulator; and (iii)  
222 such assistance is consistent with the education, training and experience of the person providing  
223 the assistance.

224 (d) Nothing in this section shall prohibit a registered nurse, licensed or registered health  
225 care provider or other health care practitioner from performing surgical technology tasks or  
226 functions if such person is acting within the scope of such person's license.

227 (e) Notwithstanding subsection (b), a surgical facility may employ a surgical technologist  
228 who does not meet the requirements of this section if the surgical facility receives a waiver from  
229 the department signifying that the surgical facility has: (i) made a diligent and thorough effort to  
230 employ qualified surgical technologists who meet the requirements of this section; and (ii) is  
231 unable to employ enough qualified surgical technologists for its needs. The department, in  
232 consultation with an advisory committee of clinicians, shall establish criteria for such waiver.

233 SECTION 22. The first paragraph of section 9 of chapter 112 of the General Laws, as  
234 appearing in the 2012 Official Edition, is hereby amended by adding the following clause:-

235 4. The applicant has applied to participate in the medical assistance program administered  
236 by the secretary of health and human services in accordance with chapter 118E and Title XIX of  
237 the Social Security Act and any federal demonstration or waiver relating to the medical  
238 assistance program for the limited purpose of ordering and referring services covered under the  
239 program if regulations governing such limited participation are promulgated under chapter 118E.

240 SECTION 23. Section 9F of said chapter 112, as so appearing, is hereby amended by  
241 inserting after the first paragraph the following paragraph:-

242 The board shall require as a condition of granting or renewing a physician assistant's  
243 certificate of registration that the physician assistant apply to participate in the medical assistance  
244 program administered by the secretary of health and human services in accordance with chapter  
245 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating  
246 to such medical assistance program for the limited purpose of ordering and referring services  
247 covered under the program if regulations governing such limited participation are promulgated  
248 under chapter 118E.

249 SECTION 24. Section 24B 1/2 of said chapter 112, as so appearing, is hereby amended  
250 by striking out, in lines 42 to 46, inclusive, the words “and (5) agree to complete, in each year of  
251 the agreement, at least 5 additional contact hours or 0.5 continuing education units of board-  
252 approved continuing education that addresses areas of practice generally related to collaborative  
253 practice agreements” and inserting in place thereof the following words:- (5) agree to complete,  
254 in each year of the agreement, at least 5 additional contact hours or 0.5 continuing education  
255 units of board-approved continuing education that addresses areas of practice generally related to  
256 collaborative practice agreements; and (6) apply to participate in the medical assistance program

257 administered by the secretary of health and human services in accordance with chapter 118E and  
258 Title XIX of the Social Security Act and any federal demonstration or waiver relating to such  
259 medical assistance program for the limited purpose of ordering and referring services covered  
260 under the program if regulations governing such limited participation are promulgated under  
261 chapter 118E.

262 SECTION 25. Section 119 of said chapter 112, as so appearing, is hereby amended by  
263 striking out, in line 12, the word “and”.

264 SECTION 26. Said section 119 of said chapter 112, as so appearing, is hereby further  
265 amended by inserting after the word “Association”, in line 15, the following words:- ; and

266 (e) has applied to participate in the medical assistance program administered by the  
267 secretary of health and human services in accordance with chapter 118E and Title XIX of the  
268 Social Security Act and any federal demonstration or waiver relating to such medical assistance  
269 program for the limited purpose of ordering and referring services covered under the program if  
270 regulations governing such limited participation are promulgated under chapter 118E; provided,  
271 however, that a psychologist who chooses to participate in a medical assistance program as a  
272 provider of services shall be deemed to have fulfilled this requirement.

273 SECTION 27. Section 131 of said chapter 112, as so appearing, is hereby amended by  
274 adding the following sentence:- Such individual shall also apply to participate in the medical  
275 assistance program administered by the secretary of health and human services in accordance  
276 with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or  
277 waiver relating to such medical assistance program for the limited purpose of ordering and

278 referring services covered under the program if regulations governing such limited participation  
279 are promulgated under chapter 118E.

280 SECTION 28. Section 252 of said chapter 112, as so appearing, is hereby amended by  
281 striking out, in line 52, the figure “239” and inserting in place thereof the following figure:- 255.

282 SECTION 29. Section 257 of said chapter 112, as so appearing, is hereby amended by  
283 striking out, in lines 2 and 14, in each instance, the figure “239” and inserting in place thereof the  
284 following figure:- 255.

285 SECTION 30. Section 39A of chapter 127 of the General Laws, inserted by section 4 of  
286 chapter 446 of the acts of 2014, is hereby amended by striking out subsection (b) and inserting in  
287 place thereof the following subsection:-

288 (b) Except in exigent circumstances that would create an unacceptable risk to the  
289 safety of any person or where no secure treatment unit bed is available, a segregated inmate  
290 diagnosed with a serious mental illness in accordance with clinical standards adopted by the  
291 department shall not be housed in a segregated unit for more than 30 days and shall be placed in  
292 a secure treatment unit. Any such segregated inmate awaiting transfer to a secure treatment unit  
293 shall be offered additional mental health services in accordance with clinical standards adopted  
294 by the department of correction.

295 SECTION 31. Section 5 of chapter 128A of the General Laws, as appearing in the 2012  
296 Official Edition, is hereby amended by inserting after the word “meetings”, in line 55, the  
297 following words:- and, with the approval of the appropriate horsemen’s association representing  
298 the horse owners racing at that meeting, for payment of administrative and horseracing  
299 operations.



300 SECTION 32. Section 2 of chapter 128C of the General Laws, as so appearing, is hereby  
301 amended by inserting after the word “purses”, in line 130, the following words:- or, with the  
302 approval of the appropriate horsemen’s association representing the horse owners racing at that  
303 meeting, used for payment of administrative and horseracing operations.

304 SECTION 33. Section 4 of said chapter 128C of the General Laws, as so appearing, is  
305 hereby amended by inserting after the word “meetings”, in line 45, the following words:- or, with  
306 the approval of the appropriate horsemen’s association representing the horse owners racing at  
307 that meeting, for payment of administrative and horseracing operations.

308 SECTION 34. Said section 4 of said chapter 128C, as so appearing, is hereby further  
309 amended by inserting after the word “purses”, in line 55, the following words:- or, with the  
310 approval of the appropriate horsemen’s association representing the horse owners racing at that  
311 meeting, for payment of administrative and horseracing operations.

312 SECTION 35. Said section 4 of said chapter 128C is hereby further amended by striking  
313 out, in lines 106 to 110, the words “not less than three and one-half percent shall be paid to the  
314 horse owners of the most recent live racing performance at the guest track, for purses, and the  
315 remaining portion shall be applied to the expenses as the racing meeting licensee is required to  
316 pay pursuant to contracts negotiated with the host track” and inserting in place thereof the  
317 following words:- in any year in which a running horse racing meeting of at least 1 day and not  
318 more than 50 days is conducted at a track owned by such licensee, such licensee and the  
319 appropriate horsemen’s association representing the horse owners racing at that meeting shall  
320 contract between themselves for not less than 0.5 per cent nor more than 2.5 per cent to be paid  
321 to said horse owners as purses.

322 SECTION 36. Section 44A of chapter 149 of the General Laws, as so appearing, is  
323 hereby amended by striking out, in line 67, the word "COMPASS" and inserting in place thereof  
324 the following word:- COMMBUYS.

325 SECTION 37. Section 44D½ of said chapter 149, as so appearing, is hereby amended by  
326 striking out, in line 124, the words "COMPASS system, so-called" and inserting in place thereof  
327 the following words:- COMMBUYS system.

328 SECTION 38. Section 44D¾ of said chapter 149, as so appearing, is hereby amended by  
329 striking out, in line 112, the words "COMPASS system, so-called" and inserting in place thereof  
330 the following words:- COMMBUYS system.

331 SECTION 39. Subsection (l) of section 190 of said chapter 149, as appearing in section 3  
332 of chapter 148 of the acts of 2014, is hereby amended by striking out clause (iii) and inserting in  
333 place there of the following clause:- (iii) if applicable, the provisions for days of rest, sick days,  
334 vacation days, personal days, holidays, transportation, health insurance, severance and yearly  
335 raises and whether or not earned vacation days, personal days, holidays, severance,  
336 transportation and health insurance are paid or reimbursed;.

337 SECTION 40. Section 5 of chapter 149A of the General Laws, as appearing in the 2012  
338 Official Edition, is hereby amended by striking out, in line 92, the words "COMPASS system,  
339 so-called" and inserting in place thereof the following words:- COMMBUYS system.

340 SECTION 41. Section 8 of said chapter 149A, as so appearing, is hereby amended by  
341 striking out, in line 66, the words "COMPASS system, so-called" and inserting in place thereof  
342 the following words:- COMMBUYS system.

343 SECTION 42. Section 22 of chapter 176O of the General Laws, as so appearing, is  
344 hereby amended by striking out, in line 4, the words "and nurse practicing in an advance practice  
345 nursing role" and inserting in place thereof the following words:- , nurse practicing in an  
346 advance practice nursing role, intern, resident, physician assistant, pharmacist with a  
347 collaborative practice agreement, psychologist and licensed independent clinical social worker.

348 SECTION 43. Section 2 of chapter 176Q of the General Laws, as so appearing, is hereby  
349 amended by striking out, in line 15, the words "for administration and finance, or a designee,  
350 who shall serve as chairperson; the director of medicaid" and inserting in place thereof the  
351 following words:- of health and human services or a designee who shall serve as chairperson; the  
352 secretary of administration and finance.

353 SECTION 44. Said section 2 of said chapter 176Q, as so appearing, is hereby further  
354 amended by striking out, in line 40, the word "annually" and inserting in place thereof the  
355 following word:- quarterly.

356 SECTION 45. The General Laws are hereby amended by inserting after chapter 277 the  
357 following chapter:-

358 CHAPTER 277B

359 Statewide Grand Jury

360 Section 1. Upon written application of the attorney general to the chief justice of the  
361 superior court department, with good cause stated therein, the chief justice may authorize the  
362 convening of a statewide grand jury with jurisdiction extending throughout the commonwealth.

363           Section 2. The chief justice of the superior court department shall, upon granting an  
364 application, receive recommendations from the attorney general as to the county in which the  
365 statewide grand jury shall sit. Upon receiving the attorney general’s recommendations, the chief  
366 justice shall choose 1 of those recommended locations as the site where the grand jury shall sit.  
367 Once a county has been selected, the chief justice shall direct the regional justice from the county  
368 selected to appoint, and reappoint as necessary, a superior court justice to preside over the  
369 statewide grand jury.

370           Section 3. The superior court justice appointed to preside over the grand jury shall  
371 consult with the attorney general and district attorney for the relevant district about the nature  
372 and scope of the investigation and shall thereafter designate and authorize an existing county  
373 grand jury to serve as a statewide grand jury for the purposes of the investigation specified in the  
374 written application or, alternatively, the superior court justice may convene and preside over a  
375 specially-empaneled statewide grand jury.

376           Section 4. A specially-empaneled statewide grand jury shall be drawn and selected in the  
377 same manner as the county grand jury in the county in which the specially-empaneled statewide  
378 grand jury is to sit. A specially-empaneled statewide grand jury may, at the discretion of the  
379 presiding superior court justice, draw jurors from counties adjoining the county in which the  
380 statewide grand jury is to sit.

381           Section 5. A specially-empaneled statewide grand jury convened pursuant to this chapter  
382 shall sit for a period not to exceed 18 months. The superior court justice presiding over the  
383 statewide grand jury may extend that period if, in accordance with section 41 of chapter 234A

384 and section 1A of chapter 277, public necessity requires further time by the statewide grand jury  
385 to complete an ongoing investigation.

386           Section 6. The attorney general or an assistant attorney general shall attend each session  
387 of a statewide grand jury and may prosecute any indictment returned by it. The attorney general  
388 or assistant attorney general shall have the same powers and duties in relation to a statewide  
389 grand jury that the attorney general or assistant attorney general has in relation to a county grand  
390 jury, except as otherwise provided by law.

391           Section 7. Indictments shall be returned in the county wherein the statewide grand jury  
392 sits and shall thereafter be transferred to the county specified by the statewide grand jury on the  
393 indictment. For the purposes of trial of offenses indicted by a statewide grand jury, venue shall  
394 be in any county in which venue would otherwise be proper.

395           Section 8. Nothing in this chapter shall limit the jurisdiction of county grand juries or  
396 district attorneys. Except as otherwise provided by law, an investigation by a statewide grand  
397 jury shall not preempt an investigation by any other grand jury or agency having jurisdiction  
398 over the same subject matter.

399           SECTION 46. Chapter 277B of the General Laws is hereby repealed.

400           SECTION 47. The first sentence of the second paragraph of subsection (c) of section  
401 21D of chapter 703 of the acts of 1963, as appearing in section 30 of chapter 193 of the acts of  
402 2004, is hereby amended by striking out the words “COMPASS system, so-called” and inserting  
403 in place thereof the following words:- COMMBUYS system.

404 SECTION 48. The first sentence of subsection (f) of section 21G of said chapter 703, as  
405 so appearing, is hereby amended by striking out the words “COMPASS system, so-called” and  
406 inserting in place thereof the following words:- COMMBUYS system.

407 SECTION 49. Section 5 of chapter 624 of the acts of 1986, as amended by section 184  
408 of chapter 165 of the acts of 2014, is hereby further amended by striking out the words “and use  
409 of Turtle Lane, a private way, and the use of a private driveway shall be restricted to emergency  
410 access, except that a temporary easement through Turtle lane shall be authorized for  
411 rehabilitation of Elm Bank”.

412 SECTION 50. The penultimate sentence of section 30 of chapter 79 of the acts of 2014 is  
413 hereby amended by striking out the words “October 31, 2014” and inserting in place thereof the  
414 following words:- November 30, 2015.

415 SECTION 51. Item 3000-1000 of section 2 of chapter 165 of the acts of 2014, is hereby  
416 amended by striking out the words “; provided further, that the total transfers from any 1 item  
417 shall not exceed 3 per cent of the item’s total funding”.

418 SECTION 52. The last paragraph of section 236 of chapter 165 of the acts of 2014 is  
419 hereby amended by striking out the figure " 2014" and inserting in place thereof the following  
420 figure:- 2015.

421 SECTION 53. The last paragraph of section 272 of said chapter 165 is hereby amended  
422 by striking out the words “December 31, 2014” and inserting in place thereof the following  
423 words:- June 30, 2015.

424 SECTION 54. Subsection (a) of section 36 of chapter 465 of the acts of 1956, as  
425 appearing in section 55 of chapter 46 of the acts of 2013, is hereby amended by striking out, in  
426 line 4, the word “Bedford” and inserting in place thereof the following words:- Arlington,  
427 Bedford, Belmont.

428 SECTION 55. Said subsection (a) of said section 36 of said chapter 465, as so appearing,  
429 is hereby further amended by striking out, in line 5, the word “Cambridge” and inserting in place  
430 thereof the following words:- Cambridge, Canton.

431 SECTION 56. Said subsection (a) of said section 36 of said chapter 465, as so appearing,  
432 is hereby further amended by striking out, in line 6, the word “Malden” and inserting in place  
433 thereof the following words:- Lynn, Malden, Marblehead.

434 SECTION 57. Said subsection (a) of said section 36 of said chapter 465, as so appearing,  
435 is hereby further amended by striking out, in said line 6, the words “Revere, Scituate,  
436 Somerville” and inserting in place thereof the following words:- Randolph, Revere, Salem,  
437 Scituate, Somerville, Swampscott, Watertown.

438 SECTION 58. Notwithstanding section 23 of chapter 59 of the General Laws, section  
439 31D of chapter 44 of the General Laws or any other general or special law to the contrary, a city  
440 or town may amortize over fiscal years 2016 to 2018, inclusive, in equal installments or more  
441 rapidly, the amount of its fiscal year 2015 snow and ice removal deficit. The local appropriating  
442 authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule  
443 in accordance with the preceding sentence before setting the municipality’s fiscal year 2016 tax  
444 rate. The commissioner of revenue may issue guidelines or instructions for reporting the  
445 amortization of deficits authorized by this section.

446 SECTION 59. Notwithstanding section 2 of chapter 128A of the General Laws and  
447 sections 1, 2, 2A, and 4 of chapter 128C of the General Laws or any other general or special law,  
448 rule or regulation to the contrary, the running horse meeting licensee located in Suffolk county  
449 licensed to conduct live racing pursuant to said chapter 128A and simulcast wagering pursuant to  
450 said chapter 128C in calendar year 2014 shall remain licensed as a running horse racing meeting  
451 licensee until July 31, 2016, and said licensee shall remain authorized to conduct simulcast  
452 wagering pursuant to said chapter 128C for the entirety of any year in which at least 1 day and  
453 not more than 50 days of live running horse racing is conducted at said licensee's facility;  
454 provided, that the days between January 1 and December 31 of each year shall be dark days  
455 pursuant to said chapter 128C, and said licensee shall be precluded from conducting live racing  
456 during that period, unless it applies for and is granted a supplemental live racing license pursuant  
457 to chapter 128A; provided further, that all simulcasts shall comply with the Interstate Horse  
458 Racing Act of 1978, 15 U.S.C. Sec. 3001 et seq. or other applicable federal law; provided  
459 further, that all simulcasts from states which have racing associations that do not require  
460 approval in compliance with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec.  
461 3004(a)(1)(A), except simulcasts during the month of August, shall require the approval of the  
462 New England Horsemen's Benevolent & Protective Association prior to being simulcast to a  
463 racing meeting licensee within the commonwealth; and provided further, that if the association  
464 agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for  
465 all otherwise eligible racing meeting licensees.

466 SECTION 60. (a) Notwithstanding any general or special law to the contrary, the  
467 University of Massachusetts, Lowell, through its chancellor or the chancellor's designee, may,  
468 for the purpose of establishing a satellite campus in the city of Haverhill, enter into a lease



469 agreement for real property and any structures thereon, or to be constructed thereon, with the  
470 owner of the real property at the following locations: 2-18 Merrimack Street, 20-22 & 24-26  
471 Merrimack Street, 32 Merrimack Street, 42-54 Merrimack Street, 56-66 Merrimack Street, 68-70  
472 Merrimack Street and 72-74 Merrimack Street in the city of Haverhill. Said lease shall be exempt  
473 from sections 44 to 58, inclusive, of chapter 7C, section 39M of chapter 30, sections 44A to  
474 44M, inclusive, of chapter 149 and chapter 149A of the General Laws or any other general or  
475 special law, rule or regulation. The term of the lease shall not exceed 10 years; provided,  
476 however, that the University may opt to renew or extend the lease for 2 additional 5 year terms.

477 (b) The lease agreement shall provide that the lessee be responsible for the build out of  
478 the leased property to suit the needs of the lessee and that the cost of construction,  
479 reconstruction, alteration, remodeling, repair and maintenance or improvements to the property  
480 and the design services relative to said build out shall be the obligation of the lessee and shall be  
481 subject to all general and special laws relative to public building projects including, without  
482 limitation, sections 44 to 58, inclusive, of chapter 7C, section 39M of chapter 30, sections 26 to  
483 27F, inclusive, and sections 44A to 44M, inclusive, of chapter 149 and chapter 149A of the  
484 General Laws.

485 SECTION 61. Notwithstanding section 11 of chapter 211D of the General Laws, for  
486 fiscal year 2015, the chief counsel of the committee for public counsel services may waive the  
487 annual cap on billable hours for private counsel appointed or assigned to cases undertaken by the  
488 children and family law program established by the committee provided that the chief counsel  
489 finds that: (i) there is limited availability of qualified counsel in that practice area; (ii)  
490 requirements for expertise rendering assignment to certain service providers would be more cost  
491 effective or (iii) demonstrated efficiency of the service provider shows that shifting the service to

492 other providers shall reduce the quality and increase the cost of the service; provided, however,  
493 that counsel appointed or assigned to such cases within the private counsel division shall not be  
494 paid for any time billed in excess of 1800 billable hours. It shall be the responsibility of private  
495 counsel to manage their billable hours.

496 SECTION 62. Notwithstanding section 57, section 57C or section 59 of chapter 59 of the  
497 General Laws, an owner of property subject to tax under chapter 59 of the General Laws who  
498 was required under said sections to make a payment or file an abatement application on February  
499 2, 2015, and who made such payment on or before February 6, 2015, shall have any interest or  
500 other penalty waived.

501 SECTION 63. Notwithstanding any general or special law to the contrary, not later than  
502 60 days after the effective date of this act, the sex offender registry board, as established under  
503 section 178K of chapter 6 of the General Laws, shall initiate revisions to the board's regulations  
504 to reflect recent supreme judicial court or appeals court decisions that have resulted in remands  
505 or reversals of the sex offender registry board's final classification decisions.

506 SECTION 64. The secretary of elder affairs and the undersecretary of consumer affairs  
507 and business regulation in consultation with relevant stakeholders, shall review the necessity and  
508 desirability of in-person and telephonic methods with respect to reverse mortgage counseling to  
509 ensure proper protections for eligible seniors. Such review shall include, but shall not be limited  
510 to, the advisability and overall protections for seniors, availability, costs and convenience of  
511 counseling opportunities and full compliance with all federal lending laws.

512           The secretary of elder affairs and the undersecretary of consumer affairs and business  
513 regulation shall file the report with the clerks of the house and senate and the house and senate  
514 committees on ways and means not later than 60 days of the effective date of this act.

515           SECTION 65. The salary adjustments and other economic benefits authorized by the  
516 following collective bargaining agreements shall be effective for the purposes of section 7 of  
517 chapter 150E of the General Laws:

518           (1)     between the University of Massachusetts and the Massachusetts Society of  
519 Professors MTA/NEA, Amherst & Boston Campuses, Units A50 & B40;

520           (2)     between the commonwealth and the Massachusetts Nurses Association, Unit 7;

521           (3)     between the University of Massachusetts and the International Brotherhood of  
522 Police Officers, Local 432, Amherst Campus, Unit A06;

523           (4)     between the University of Massachusetts and the New England Police Benevolent  
524 Protection Organization, Amherst Campus, Unit A07;

525           (5)     between the University of Massachusetts and the University Staff  
526 Association/MTA/NEA, Amherst Campus, Unit A08;

527           (6)     between the University of Massachusetts and the Classified Staff  
528 Union/MTA/NEA, Boston Campus, Units B31 and B32;

529           (7)     between the University of Massachusetts and the AFT Massachusetts Maintainers  
530 AFL-CIO, Local 6350, Dartmouth Campus, Unit D83;

531 (8) between the University of Massachusetts and the International Brotherhood of  
532 Teamsters, Local 25, Lowell Campus, Unit L94;

533 (9) between the University of Massachusetts and the Classified and Technical Union,  
534 Lowell Campus, Unit L92;

535 (10) between the University of Massachusetts and the Maintenance and Trades  
536 Unit/MTA/NEA, Lowell Campus, Unit L93;

537 (11) between the University of Massachusetts and the American Federation of  
538 Teachers, Faculty, Librarians and Technical Staff, Dartmouth Campus, Units D80 and D81;

539 (12) between the University of Massachusetts and the International Brotherhood of  
540 Teamsters, Local 25, Boston Campus, Unit B33; and

541 (13) between the sheriff of the county of Dukes County and the Massachusetts  
542 Correction Officers Federated Union, Units A and B.

543 SECTION 66. Notwithstanding any general or special law to the contrary, the dog racing  
544 meeting licensee in Suffolk County and the dog racing meeting licensee in Bristol County shall  
545 not be required to pay the running horse racing meeting licensee in Suffolk county the 3 per cent  
546 premium with respect to interstate running horse simulcasts received otherwise required by  
547 section 2 of chapter 128C of the General Laws.

548 SECTION 67. Section 66 shall take effect upon commencement of gaming operations by  
549 the category 2 licensee whose license was issued pursuant to chapter 23K of the General Laws as  
550 certified by the Massachusetts Gaming Commission.

551 SECTION 68. Sections 66 and 67 are hereby repealed.

552 SECTION 69. Sections 9, 10 and 11 shall take effect as of January 26, 2015.

553 SECTION 70. Section 39 shall take effect on April 1, 2015.

554 SECTION 71. Section 46 shall take effect on December 31, 2020.

555 SECTION 72. Section 50 shall take effect as of October 31, 2014.

556 SECTION 73. Sections 52 and 53 shall take effect as of December 31, 2014.

557 SECTION 74. Section 68 shall take effect on July 31, 2016.