

HOUSE No. 4514

Text of a further amendment, offered by Mr. Dempsey of Haverhill, to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2383) of the House Bill making appropriations for the fiscal year 2014 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4508). October 23, 2014.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

By striking out all after the enacting clause and inserting in place thereof the following:-

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2014, 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, 2014. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. Notwithstanding
8 any general or special law to the contrary, appropriations made in section 2 shall not revert and
9 shall be available for expenditure until June 30, 2015.

10 SECTION 2.

11 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

12 *Department of Revenue.*

13 1232-0100\$1,500,000

14 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

15 *Department of Veterans Services*

16 1410-0010\$500,000

17 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

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EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7010-0005.....\$100,000
7061-9412\$1,000,000

SECTION 2A. To provide for uncertain unanticipated obligations of the commonwealth, to provide for alterations of purpose for current appropriations and to meet certain requirements of law, the following sum is hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the purposes and subject to the conditions specified in this section and subject to the laws regulations the disbursement of public funds for the fiscal year ending June 30, 2014. This sum shall be in addition to any amounts previously appropriated and made available for the purposes of this item. This sum shall be made available until June 30, 2015.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance.

1599-3765 For a reserve to reimburse municipalities’ share of costs related to extreme or severe weather events, including tornadoes; provided, that municipalities shall first submit a plan to the secretary of administration and finance on how the funds will be used;; provided further, that the comptroller shall transfer funds made available in this tem to municipalities for this purpose upon the written request of the secretary of administration and finance.....\$5,000,000

1599-6732 For a reserve for the executive office for administration and finance, which shall continue for a period of 3 years to audit Other Post Employment Benefit Trust Funds or other similar funds of certain cities and towns as otherwise provided in law; provided, that funds from this item shall be used for said audits by the public employee retirement administration commission pursuant to section 21 of chapter 32 of the General Laws.....\$25,000

1599-8910 For a reserve for operations at the sheriffs’ facilities; provided, that any spending from this account shall be used solely for costs associated with the annual operations of the sheriffs’ departments and not for capital projects; and provided further, that the secretary of administration and finance may transfer amounts from the reserve to a sheriff’s department only if the secretary of administration and finance (a) has verified a deficiency in fiscal year 2014 for that department’s operations with the office of the comptroller and (b) has determined, in consultation with the house and senate committees on ways and means, that the amounts transferred to the sheriff’s department are necessary to support its operations.....\$6,813,877

51 SECTION 2C.I. For the purpose of making available in fiscal year 2015 balances of
 52 appropriations which otherwise would revert on June 30, 2014, the unexpended balances of the
 53 maintenance appropriations listed below, not to exceed the amount specified below for each
 54 item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the
 55 corresponding item in section 2 of chapter 38 of the acts of 2013. However, for items which do
 56 not appear in section 2 of the general appropriation act, the amounts in this section are re-
 57 appropriated for the purposes of and subject to the conditions stated for the corresponding item
 58 in section 2 in prior appropriation acts. The unexpended balances of all appropriations in the
 59 Massachusetts management accounting and reporting system with a secretariat code of 01 or 17,
 60 are hereby re-appropriated for the purposes of and subject to the conditions stated for the
 61 corresponding item in said section 2 of said chapter 38. The sums re-appropriated in this section
 62 shall be in addition to any amounts available for said purposes.

63 TREASURER AND RECEIVER GENERAL

64 0612-0105\$650,000

65 OFFICE OF THE STATE COMPTROLLER

66 1599-0024\$320,000

67 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

68 *Office of the Secretary of Administration and Finance.*

69 1599-0026\$1,757,095

70 1599-0027\$2,000,000

71 1599-1705\$399,034

72 1599-2013\$341,623

73 1599-3557\$250,000

74 1599-7104\$4,000,000

75 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

76 *Department of Environmental Protection.*

77 2200-0100\$970,000

78 *Department of Fish and Game.*

79 2330-0100\$124,517

80 CENTER FOR HEALTH INFORMATION AND ANALYSIS
81 4100-0060\$1,200,000

82 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT
83 *Office of the Secretary of Housing and Economic Development.*
84 7002-0035\$69,000
85 7002-0040\$2,000,000

86 EXECUTIVE OFFICE OF EDUCATION
87 Office of the Secretary of Education.
88 7009-6402\$127,849

89 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
90 *Office of the Chief Medical Examiner.*
91 8000-0106\$600,000
92 *Military Division.*
93 8700-0001\$100,000

94 SECTION 2C.II. For the purpose of making available in fiscal year 2015 balances of
95 retained revenue and intragovernmental chargeback authorizations which otherwise would revert
96 on June 30, 2014, the unexpended balances of the authorizations listed below, not to exceed the
97 amount specified below for each item, are hereby re-authorized for the purposes of and subject to
98 the conditions stated for the corresponding item in section 2 or 2B of the general appropriation
99 act for fiscal year 2014. However, for items which do not appear in section 2 or 2B of the
100 general appropriation act, the amounts in this section are re-authorized for the purposes of and
101 subject to the conditions stated for the corresponding item in section 2, 2A or 2B in prior
102 appropriation acts. Amounts in this section are re-authorized from the funds designated for the
103 corresponding item in section 2 or 2B of the general appropriation act; provided, however, that
104 for items which do not appear in section 2 or 2B of the general appropriation act, the amounts in
105 this section are re-authorized from the fund or funds designated for the corresponding item in
106 section 2, 2A or 2B of this act or in prior appropriation acts. The sums re-authorized in this
107 section shall be in addition to any amounts available for those purposes.

108 JUDICIARY
109 *Committee for Public Counsel Services.*

110 0321-1518\$650,000

111 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

112 *Human Resources Division.*

113 1750-0102\$250,000

114 1750-0601\$300,000

115 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

116 *Office of the Chief Medical Examiner.*

117 8000-0122\$200,000

118 SECTION 3. Subsection (a) of section 216 of chapter 6 of the General Laws, added by
119 section 3 of chapter 48 of the acts of 2014, is hereby amended by striking out the second and
120 third sentences and inserting in place thereof the following 2 sentences:- The task force shall also
121 be co-chaired by up to 4 current or former elected officials to be appointed by the governor and
122 shall include at least 1 member of the federal congressional delegation, who shall serve on the
123 task force through at least the first full year of a new gubernatorial administration. The task force
124 shall consist of the following members: the secretary of public safety and security or a designee;
125 the adjutant general of the Massachusetts national guard or a designee; the commander of the
126 Massachusetts army national guard or a designee; the commander of the Massachusetts air
127 national guard or a designee; the secretary of housing and economic development or a designee;
128 the secretary of labor and workforce development or a designee; the secretary of energy and
129 environmental affairs or a designee; the secretary of education or a designee; the secretary of
130 administration and finance or a designee; the secretary of the Massachusetts Department of
131 Transportation or a designee; the chief executive officer of the Massachusetts Port Authority or a
132 designee; the secretary of health and human services or a designee; the secretary of the
133 department of veterans services or a designee; the president and chief executive officer of
134 Massachusetts Development Finance Agency or a designee; 2 representatives from the defense
135 sector appointed by the governor; 2 representatives from institutions of higher education
136 appointed by the governor; 2 members of the senate, 1 of whom shall be the chair of the joint
137 committee on veterans and federal affairs and 1 of whom shall be appointed by the minority
138 leader; and 2 members of the house of representatives, 1 of whom shall be the chair of the joint
139 committee on veterans and federal affairs and 1 of whom shall be appointed by the minority
140 leader.

141 SECTION 4. The introductory paragraph of section 4A of chapter 7 of the General Laws,
142 as appearing in section 19 of chapter 165 of the acts of 2014, is hereby amended by adding the
143 following sentence:- The executive office shall also include an office of access and opportunity.

144 SECTION 5. Said section 4A of said chapter 7, as appearing in the 2012 Official Edition,
145 is hereby further amended by inserting after paragraph (e) the following paragraph:-

146 (f) The office of access and opportunity shall be headed by an assistant secretary for
147 access and opportunity who shall be appointed by the secretary with the approval of the
148 governor. The assistant secretary shall be a person who has at least 5 years experience in the area
149 of civil rights or diversity and inclusion efforts. The office shall: (1) promote non-discrimination
150 and equal opportunity in all aspects of executive agency decision-making and operations,
151 including but not limited to, employment activity, procurement activity, policymaking and
152 implementation and access to executive agency services; (2) review and recommend
153 improvements to executive agency programs, activities and services to ensure that said programs,
154 activities and services are administered in a non-discriminatory manner; (3) review and
155 recommend improvements to executive agency programs, activities and services to foster
156 economic opportunity for all persons; and (4) with the approval of the secretary, take
157 administrative actions, including but not limited to, promulgating administrative bulletins and
158 other policy guidance to promote and ensure nondiscrimination and equal opportunity in the
159 policies, services, programs and activities of executive agencies. The office shall report annually
160 the results of its effort to the chairs of the joint committee on state administration and regulatory
161 oversight.

162 SECTION 6. Chapter 9 of the General Laws, as so appearing, is hereby amended by
163 adding the following section:-

164 Section 32. The state secretary, acting on behalf of the commonwealth, may sell, transfer
165 or license the corporation division's software and related documents pertaining to its web based
166 searching and filing applications, including the business entity and uniform commercial code
167 software, developed by the department of the secretary and copyrighted by it to other states,
168 multi-state or regional associations or other sovereign governments on such terms and conditions
169 as in the secretary's sole discretion reasonably compensates the commonwealth for its interests.
170 The secretary may retain and expend revenues collected from such sales, licensure or user
171 agreements in an amount 50 per cent for technical activities of the corporations division, the
172 remaining 50 per cent to be deposited in the General Fund. The secretary may provide
173 webhosting, and ongoing support and maintenance to other states, provinces or territories of
174 Canada relative to their UCC and corporate applications. The department of the state secretary
175 may accept credit and debit cards from individuals and corporations filing documents with the
176 division.

177 SECTION 7. Section 22 of chapter 13 of the General Laws, as appearing in section 2 of
178 chapter 159 of the acts of 2014, is hereby amended by striking out, in lines 13, 19, 25, 28, 31 and
179 35, the words "at least".

180 SECTION 8. Subsection (i) of said section 22 of said chapter 13, as so appearing, is
181 hereby amended by adding the following sentence:- The registered pharmacist as defined in
182 subsection (g) shall not constitute an appointment of an independent pharmacist, chain
183 pharmacist, hospital pharmacist, long-term care pharmacist, or academic pharmacist as defined
184 in subsections (c), (d), (e), (f), and (h) for the purposes of this paragraph.

185 SECTION 9. Subsection (d) of section 8 of chapter 15D of the General Laws, as
186 amended by section 31 of chapter 165 of the acts of 2014, is hereby further amended by adding
187 after the words “information check” the following:- every 3 years in accordance with regulations
188 established by the department, provided that applicants for employment in any department
189 licensed, funded or approved program who are subject to a fingerprint-based check of the state
190 and national criminal history databases for the same employer that is approved or licensed under
191 chapter 19B or chapter 71B shall submit to a fingerprint-based check in accordance with
192 regulations established by the department; provided further, that no person who is deemed
193 suitable by the department shall be subject to more than 1 fingerprint-based check every 3 years
194 for the purpose of maintaining employment with the same employer that is licensed, approved or
195 funded under this chapter or chapters 19B and 71B, and shall not be subject to duplicative
196 fingerprint-based checks for the same employer unless an exception described in the
197 department's regulations applies. The department will only determine whether an applicant is
198 suitable for association with a department licensed, funded or approved program.

199 SECTION 10. Subsection (a) of section 13 of chapter 17 of the General Laws, as
200 amended by section 2 of chapter 258 of the acts of 2014, is hereby further amended by striking
201 out the figure “10” and inserting in place thereof the following figure:- 13.

202 SECTION 11. Section 1 of chapter 23 of the General Laws, as appearing in the 2012
203 Official Edition, is hereby amended by inserting after the word “director”, in line 11, the
204 following words:- and each department may, with the approval of the secretary of labor and
205 workforce development, adopt regulations under chapter 30A.

206 SECTION 12. The first sentence of section 21A of chapter 24 of the General Laws,
207 inserted by section 42 of chapter 165 of the acts of 2014, is hereby amended by inserting after
208 the word “affairs”, the second time it appears, the following words:- and the chancellor of the
209 University of Massachusetts at Amherst.

210 SECTION 13. The second sentence of said section 21A of said chapter 24, as so inserted,
211 is hereby amended by striking out the words “and the chancellor of the University of
212 Massachusetts at Amherst” and inserting in place thereof the following words:- shall be housed
213 at the University of Massachusetts at Amherst and.

214 SECTION 14. Chapter 29 of the General Laws is hereby amended by adding the
215 following section:-

216 Section 2QQQQ. There shall be established upon the books of the commonwealth a
217 separate fund to be known as the Logan Airport Health Study Trust Fund to be expended,
218 without prior appropriation, by the department of public health. The fund shall consist of monies
219 allocated by the Massachusetts Port Authority or any other public or private entity to the
220 department of public health for the purpose of conducting public health activities associated with
221 the Logan Airport Health Study, conducted pursuant to chapter 159 of the acts of 2000. The
222 commissioner shall make necessary expenditures from the fund for administration and project
223 management activities as well as for direct support to community health centers within the study
224 area. The department may incur expenses and the comptroller may certify for payment amounts
225 in anticipation of expected receipts, but no expenditure shall be made from the fund that would
226 cause the fund to be in deficit at the close of a fiscal year. Monies deposited in the fund that are
227 unexpended at the end of the fiscal year shall not revert to the General Fund.

228 SECTION 15. Section 4 of chapter 30B of the General Laws, as so appearing, is hereby
229 amended by striking out, in line 9, the figure “\$25,000” and inserting in place thereof the
230 following figure:- \$35,000.

231 SECTION 16. Chapter 32B of the General Laws is hereby amended by striking out
232 section 20, as appearing in the 2012 Official Edition, and inserting in place thereof the following
233 2 sections:-

234 Section 20. (a) As used in this section and section 20A, the following words shall have
235 the following meanings, unless the context clearly requires otherwise:

236 “Chief executive officer”, the mayor in a city and the board of selectmen in a town unless
237 some other municipal office is designated to be the chief executive officer under a local charter,
238 the county commissioners in a county and the governing board, commission or committee in a
239 district or other governmental unit.

240 “Commission”, the public employee retirement administration commission established
241 pursuant to section 49 of chapter 7.

242 “GASB”, the Governmental Accounting Standards Board.

243 “Governing body”, the legislative body in a city or town, the county commissioners in a
244 county, the regional district school committee in a regional school district, or the district meeting
245 or other appropriating body in any other governmental unit.

246 "Governmental unit", any political subdivision of the commonwealth, which for the
247 purposes of this section shall include a local housing or redevelopment authority, regional
248 council of government established under section 20 of chapter 34B, a municipal lighting plant
249 and educational collaborative as defined by section 4E of chapter 40.

250 “Other Post-Employment Benefits Liability Trust Fund” or “OPEB Fund”, a trust fund
251 established by a governmental unit under this section for the deposit of gifts, grants and
252 appropriations and other funds for the benefit of retired employees and their dependents, the
253 payment of required contributions of the unit to the group health insurance benefits provided to
254 employees and their dependents after retirement and the reduction and elimination of the
255 unfunded liability of the unit for such benefits.

256 “OPEB Fund board of trustees”, an independent board of trustees selected by the
257 governmental unit with investing authority for the OPEB Fund.

258 “OPEB investing authority” or “investing authority”, the trustee or board of trustees
259 designated by the governmental unit to invest and reinvest the OPEB Fund using the investment
260 standard or investment vehicle established under this section.

261 “State Retiree Benefits Trust Fund board of trustees”, the board of trustees established by
262 section 24A of chapter 32A.

263 (b) A governmental unit that accepts this section shall establish on its books and accounts
264 the Other Post-Employment Benefits Liability Trust Fund, the assets of which shall be held
265 solely to meet the current and future liabilities of the governmental unit for group health
266 insurance benefits for retirees and their dependents. The governmental unit may appropriate
267 amounts to be credited to the fund and the treasurer of the governmental unit may accept gifts,
268 grants and other contributions to the fund. The fund shall be an expendable trust subject to
269 appropriation and shall be managed by a trustee or a board of trustees as provided in subsection
270 (d). Any interest or other income generated by the fund shall be added to and become part of the
271 fund. Amounts that a governmental unit receives as a sponsor of a qualified retiree prescription
272 drug plan under 42 U.S.C. section 1395w-132 may be dedicated to and become part of the fund
273 by vote of the governing body of the governmental unit. All monies held in the fund shall be
274 accounted for separately from other funds of the governmental unit and shall not be subject to the
275 claims of any general creditor of the governmental unit.

276 (c) The treasurer of the governmental unit shall be the custodian of the OPEB Fund and
277 shall be bonded in any additional amounts necessary to protect fund assets.

278 (d) The governing body of the governmental unit shall designate a trustee or board of
279 trustees, which shall have general supervision of the management, investment and reinvestment
280 of the OPEB Fund. The governing body may designate as the trustee or board of trustees: (i) the
281 custodian; or (ii) an OPEB Fund board of trustees established by the governmental unit under
282 subsection (e). If no designation is made, the custodian of the fund shall be the trustee and shall
283 manage and invest the fund. The duties and obligations of the trustee or board of trustees with
284 respect to the fund shall be set forth in a declaration of trust to be adopted by the trustee or board,
285 but shall not be inconsistent with this section. The declaration of trust and any amendments
286 thereto shall be filed with the chief executive and the clerk of the governing body of the

287 governmental unit and take effect 90 days after the date filed unless the governing body votes to
288 disapprove any such declaration or amendment within that period. The trustee or board of
289 trustees may employ reputable and knowledgeable investment consultants to assist in
290 determining appropriate investments and pay for those services from the fund, if authorized by
291 the governing body of the governmental unit. The trustee or trustees may, with the approval of
292 the State Retiree Benefits Trust Fund board of trustees, invest the OPEB Fund in the State
293 Retiree Benefits Trust Fund established in section 24 of chapter 32A.

294 (e) The governing body of the governmental unit may vote to establish a separate OPEB
295 Fund board of trustees to be the investing authority. The board of trustees shall consist of 5 to 13
296 individuals, including a person or persons with the investment experience desired by the
297 governmental unit, a citizen or citizens of the governmental unit, an employee of the
298 governmental unit, a retiree or retirees of the governmental unit, and a governmental unit officer
299 or officers. The governmental unit employee trustee or trustees shall be selected by current
300 employees of the unit by ballot, and the retiree trustee or trustees shall be selected by current
301 retirees of the unit by ballot. The remainder of the trustees shall be appointed by the chief
302 executive officer of the governmental unit. The trustees shall serve for terms of 3 or 5 years as
303 determined by the governing body of the governmental unit, and if a vacancy occurs, a trustee
304 may be elected or selected in the same manner to serve for the remainder of the term. Trustees
305 shall be eligible for reappointment.

306 (f) The trustee or board of trustees shall act in a fiduciary capacity and shall discharge its
307 duties for the primary purpose of enhancing the value of the OPEB Fund and shall act with the
308 care, skill, prudence and diligence under the circumstances then prevailing that a prudent person
309 acting in a like capacity and familiar with such matters would use in the conduct of an enterprise
310 with like character and with like aims and by diversifying the investments in the fund so as to
311 minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so.

312 In any civil action brought against a trustee or the board of trustees, acting within the
313 scope of official duties, the defense or settlement of which is made by legal counsel for the
314 governmental unit, such trustee or employee shall be indemnified from the OPEB Fund for all
315 expenses incurred in the defense thereof and for damages to the same extent as provided for
316 public employees in chapter 258. No trustee or employee shall be indemnified for expenses in an
317 action or damages awarded in such action in which there is shown to be a breach of fiduciary
318 duty, an act of willful dishonesty or an intentional violation of law by such trustee or employee.

319 (g) Monies in the OPEB Fund not required for expenditures or anticipated expenditures
320 within the investment period, shall be invested and reinvested by the custodian as directed by the
321 investing authority from time to time; provided such investment is made in accordance with: (i)
322 section 54 of chapter 44, in the case of the treasurer or OPEB Fund board of trustees as investing
323 authority, unless the governing body of the governmental unit authorizes investment under the

324 prudent investor rule established in chapter 203C; or (ii) sections 24 and 24A of chapter 32A, if
325 the OPEB Fund is invested in the State Retiree Benefits Trust Fund.

326 (h) Amounts in the OPEB Fund may be appropriated by a two thirds vote of the
327 governing body of the governmental unit to pay the unit's share of health insurance benefits for
328 retirees and their dependents upon certification by the trustee or board of trustees that such
329 amounts are available in the fund. The treasurer of the governmental unit after consulting with
330 the chief executive officer of the unit shall determine the amount to be appropriated from the
331 fund to the annual budget for retiree health insurance and notify the trustee or board of trustees
332 of that amount at the earliest possible opportunity in the annual budget cycle. Upon notification,
333 the trustee or board of trustees shall take diligent steps to certify those funds as available for
334 appropriation by the governmental unit, or will be available by the time the appropriation would
335 become effective or provide an explanation why the funds are or will not be available or should
336 not be made available.

337 (i) In a regional school district, appropriations of amounts to the OPEB Fund may be
338 made only in the annual budget submitted to the member cities and towns for approval. The
339 annual report submitted to the member cities and towns pursuant to clause (k) of section 16 of
340 chapter 71 shall include a statement of the balance in the fund and all additions to and
341 appropriations from the fund during the period covered by such report.

342 (j) A governmental unit that accepts this section may participate in the OPEB Fund
343 established by another governmental unit under this section upon authorization of the governing
344 boards of both units and in accordance with the procedures and criteria established by the trustee
345 or board of trustees of the fund. Each governmental unit shall remain responsible for all costs
346 attributable for the health care and other post-employment obligations for its retired employees
347 and their dependents and for completing an actuarial valuation of its liabilities and funding
348 schedule that conforms to GASB requirements.

349 The participating governmental unit may appropriate or otherwise contribute amounts to
350 the OPEB Fund as provided in subsection (b). Amounts from the fund may be appropriated by
351 the participating unit for its retiree health insurance expenses in the manner authorized in
352 subsection (h) upon a determination by the treasurer of the governmental unit, after consulting
353 with the chief executive officer of the governmental unit, of the necessary amount and
354 notification of the treasurer of the governmental unit maintaining the fund and the trustee or
355 board of trustees of that amount. The trustee or board of trustees shall certify those funds
356 available for appropriation, as provided in subsection (h), and the treasurer of the governmental
357 unit maintaining the fund shall transfer the amounts certified to the participating governmental
358 unit.

359 The participating governmental unit shall be separately credited for any contributions
360 made to and appropriations from the OPEB Fund, and interest or other income generated by the

361 fund, in the accounting of the relative liabilities of each governmental unit for its retirees and
362 their dependents.

363 (k) This section may be accepted in a city or town in the manner provided in section 4 of
364 chapter 4; in a county, by vote of the county commissioners; in a regional school district, by vote
365 of the regional school committee; and in a district or other governmental unit, by vote of the
366 district meeting or other appropriating body.

367 (l) This section shall also apply to the OPEB Fund established by a governmental unit
368 under a special law, notwithstanding any provision to the contrary, upon the acceptance of this
369 section by the governmental unit.

370 Section 20A. Whenever a governmental unit obtains an actuarial valuation report in
371 accordance with GASB statements of the liabilities of the unit for health care and other post-
372 employment benefits for its retired employees and their dependents, it shall submit a copy to the
373 commission no later than 90 days after receipt of such report. The commission may require that
374 the governmental unit provide additional information related to such liabilities, normal cost and
375 benefit payments, as specified by the executive office for administration and finance in
376 consultation with the commission. The governmental unit shall file the report and the additional
377 information with the commission and the division of local services. The commission shall file a
378 summary report of the information received under this section with the chairs of the house and
379 senate committees on ways and means, the secretary of administration and finance and the board
380 of trustees of the State Retiree Benefits Trust Fund established under section 24A of chapter 32.

381 SECTION 17. Section 3 of chapter 44B of the General Laws, as appearing in the 2012
382 Official Edition, is hereby amended by striking out subsection (c) and inserting in place thereof
383 the following subsection:-

384 (c) All exemptions and abatements of real property authorized by said chapter 59 or any
385 other law for which a taxpayer qualifies as eligible shall not be affected by this chapter. The
386 surcharge to be paid by a taxpayer receiving an exemption or abatement of real property
387 authorized by said chapter 59 of any other law shall be reduced in proportion to the amount of
388 such exemption or abatement.

389 SECTION 18. Section 6 of chapter 62 of the General Laws is hereby amended by
390 striking out, in line 169, as appearing in the 2012 Official Edition, the figure “\$25,000,000” and
391 inserting in place thereof the following figure:- \$30,000,000.

392 SECTION 19. Paragraph (4) of subsection (r) of said section 6 of said chapter 62 is
393 hereby amended by striking out the figure “\$30,000,000”, inserted by section 49 of chapter 287
394 of the acts of 2014, and inserting in place thereof the following figure:- \$25,000,000.

395 SECTION 20. Section 71 of chapter 62C of the General Laws, as so appearing, is hereby
396 amended by inserting after the word “commissioner”, in lines 4 and 5, the following words:- , or
397 may be given as the parties otherwise agree, including by electronic notification as provided in
398 chapter 110G.

399 SECTION 21. Section 38R of chapter 71 of the General Laws, as amended by section 7
400 of chapter 77 of the acts of 2013, is hereby amended in the second sentence of the second
401 paragraph by adding after the words “contact with children” the following:- ; provided, that no
402 person who is deemed suitable by the department of early education and care shall be subject to
403 more than 1 fingerprint-based check every 3 years for the purposes of maintaining employment
404 with the same employer operating programs licensed, funded or approved under chapter 15D and
405 chapter 71B, and provided further that the department of early education and care shall conduct
406 said background record check in accordance with section 8 of chapter 15D.

407 SECTION 22. Section 25M of chapter 111 of the General Laws, as appearing in the 2012
408 Official Edition, is hereby amended by striking out, in lines 22 to 24, inclusive, the words “1 of
409 whom shall be a representative of the Massachusetts Center for Nursing, Inc.,” and inserting in
410 place thereof the following words:- 1 of whom shall be appointed by the governor at his
411 discretion.

412 SECTION 23. Section 229 of chapter 111 of the General Laws, as inserted by section 1
413 of chapter 371 of the acts of 2012, is hereby repealed.

414 SECTION 24. Chapter 111 of the General Laws is hereby amended by adding the
415 following section:-

416 Section 230. (a) For purposes of this section, the following terms shall have the following
417 meanings:

418 “Health care practitioner”, any person licensed or registered under section 2, 16, 74 or
419 74A of chapter 112, including any intern, resident, fellow or medical officer who conducts or
420 assists with the performance of surgery.

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

424 “Surgical facility”, any entity that provides surgical health care services, whether
425 inpatient or outpatient and whether overnight or ambulatory including, but not limited to, any
426 hospital, clinic or private office of a health care practitioner, whether conducted for charity or for
427 profit and whether or not subject to section 25C, as well as any organization, partnership,
428 association, corporation, trust or the commonwealth, or any subdivision thereof.

429 “Surgical technologist”, any person who provides surgical technology services who is not
430 a health care practitioner.

431 “Surgical technology”, surgical patient care including, but not limited to, 1 or more of the
432 following:

433 (i) collaboration with an operating room circulator prior to a surgical procedure to carry
434 out the plan of care by preparing the operating room, gathering and preparing sterile supplies,
435 instruments and equipment, preparing and maintaining the sterile field using sterile and aseptic
436 technique and ensuring that surgical equipment is functioning properly and safely;

437 (ii) intraoperative anticipation and response to the needs of a surgeon and other team
438 members by monitoring the sterile field and providing the required instruments or supplies;

439 (iii) performance of tasks at the sterile field, as directed in an operating room setting,
440 including: (1) passing supplies, equipment or instruments; (2) sponging or suctioning an
441 operative site; (3) preparing and cutting suture material; (4) transferring and irrigating with
442 fluids; (5) transferring, but not administering, drugs within the sterile field; (6) handling
443 specimens; (7) holding retractors; and (8) assisting in counting sponges, needles, supplies and
444 instruments with an operating room circulator.

445 (b) A surgical facility shall not employ or otherwise retain the services of any person to
446 perform surgical technology tasks or functions unless such person: (1) has successfully
447 completed an accredited educational program for surgical technologists and holds and maintains
448 a certified surgical technologist credential administered by a nationally recognized surgical
449 technologist certifying body accredited by the National Commission for Certifying Agencies and
450 recognized by the American College of Surgeons and the Association of Surgical Technologists;
451 (2) has successfully completed an accredited school of surgical technology but has not, as of the
452 date of hire, obtained the certified surgical technologist certification required in clause (1);
453 provided, however, that such certification shall be obtained within 12 months of the graduation
454 date; (3) was employed as a surgical technologist in a surgical facility on or before July 1, 2013;
455 (4) has successfully completed a training program for surgical technology in the Army, Navy,
456 Air Force, Marine Corps or Coast Guard of the United States or in the United States Public
457 Health Service which has been deemed appropriate by the commissioner; or (5) is performing
458 surgical technology tasks or functions in the service of the federal government, but only to the
459 extent the person is performing duties related to that service.

460 (c) A person employed or otherwise retained to practice surgical technology in a
461 healthcare facility may assist in the performance of operating room circulator duties under the
462 direct clinical supervision, limited to clinical guidance, of the operating room circulator if: (1)
463 the operating room circulator is present in the operating room for the duration of the procedure;
464 (2) any such assistance has been assigned to such person by the operating room circulator; and

465 (3) such assistance is consistent with the education, training and experience of the person
466 providing such assistance.

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

470 (e) Notwithstanding subsection (b), a surgical facility may employ a surgical technologist
471 who does not meet the requirements of this section if the surgical facility receives a waiver from
472 the department signifying that the surgical facility has: (1) made a diligent and thorough effort to
473 employ qualified surgical technologists who meet the requirements of this section; and (2) is
474 unable to employ enough qualified surgical technologists for its needs. The department, in
475 consultation with an advisory committee of clinicians, shall establish criteria for said waiver.

476 SECTION 25. Section 1B of chapter 112 of the General Laws, as amended by section 23
477 of chapter 62 of the acts of 2014, is hereby further amended by adding the following subsection:-

478 (g) The commissioner of public health and each of the boards of registration and
479 examination under the commissioner's supervision shall waive the commonwealth's portion of
480 the initial application fee and the initial fee for a license application or certification granted
481 pursuant to this section.

482 SECTION 26. Subsection (c) of section 39F of chapter 112 of the General Laws, as so
483 appearing, is hereby amended by striking out the word "pharmacies" and inserting in place
484 thereof the following word:- entities.

485 SECTION 27. Section 252 of chapter 112 of the General Laws, as appearing in the 2012
486 Official Edition, is hereby amended by striking out, in line 52, the figure "239" and inserting in
487 place thereof the following figure:- 255.

488 SECTION 28. Section 257 of chapter 112 of the General Laws, as so appearing, is hereby
489 amended by striking out, in lines 2 and 14, in each instance, the figure "239" and inserting in
490 place thereof the following figure:- 255.

491 SECTION 29. Section 26A of chapter 119 of the General Laws, as amended by section
492 152 of chapter 165 of the acts of 2014, is hereby further amended by inserting after the words
493 "42 U.S.C. § 16962", in each instance, the following words:- and Public Law 92-544.

494 SECTION 30. Section 63 of chapter 152 of the General Laws, as amended by section
495 168 of chapter 165 of the acts of 2014, is hereby amended by striking out the words "insured
496 pays" and inserting in place thereof the following words:- insurer receives.

497 SECTION 31. Section 5 of chapter 624 of the acts of 1986, as amended by chapter 165 of
498 the acts of 2014, is hereby amended by striking out the words "and use of Turtle Lane, a private

499 way, and the use of a private driveway shall be restricted to emergency access, except that a
500 temporary easement through Turtle Lane shall be authorized for rehabilitation of Elm Bank.

501 SECTION 32. Section 21 of chapter 137 of the acts of 2003, as appearing in section 131
502 of chapter 68 of the acts of 2011, is hereby amended by striking out the first sentence and
503 inserting in place thereof the following sentence:- Section 1 shall expire on September 11, 2017.

504 SECTION 33. Subsection (c) of section 190 of chapter 68 of the acts of 2011 is hereby
505 amended by striking out the words “December 31, 2012” and inserting in place thereof the
506 following words:- November 1, 2014.

507 SECTION 34. Section 2 of chapter 287 of the acts of 2012 is hereby amended by striking
508 out the words “June 30” and inserting in place thereof the following words:- November 1, 2014.

509 SECTION 35. The fourth sentence of section 73 of chapter 36 of the acts of 2013, as
510 amended by section 13 of chapter 52 of the acts of 2014, is hereby further amended by striking
511 out the words “June 16, 2014” and inserting in place thereof the following words:- December 15,
512 2014.

513 SECTION 36. Item 0321-1518 of section 2 of chapter 38 of the acts of 2013 is hereby
514 amended by adding the following words:- ; and provided further, that funds made available
515 through June 30, 2015 in this item may be expended through items 0321-1500 and 0321-1504.

516 SECTION 37. Item 4800-0015 of section 2 of chapter 38 of the acts of 2013, as amended
517 by section 7 of chapter 119 of the acts of 2014, is hereby further amended by striking out the
518 words “among items 4800-0038, 4800-0040, 4800-0041, and 4800-0015; provided further, that
519 the commissioner may transfer funds from items 4800-0038, 4800-0040, 4800-0041 and 4800-
520 0015 to item 4800-1100” and inserting in place thereof the following words: - among items
521 4800-0038, 4800-0040, 4800-0041, 4800-0015 and 4800-1100; provided further, that up to
522 \$2,000,000 in funds unexpended in fiscal year 2014 in items 4800-0038, 4800-0040, 4800-0041,
523 4800-0015 and 4800-1100, collectively, shall not revert and shall be made available for the
524 purposes of these items until June 30, 2015.

525 SECTION 38. Subsection (c) of section 165 of chapter 38 of the acts of 2013 is hereby
526 amended by striking out the words “June 30” and inserting in place thereof the following words:-
527 November 1.

528 SECTION 39. The last sentence of section 64 of chapter 46 of the acts of 2013 is hereby
529 amended by striking out the figure “2014” and inserting in place thereof the following figure:-
530 2015.

531 SECTION 40. Item 1595-6368 of section 2E of chapter 52 of the acts of 2014 is hereby
532 amended by striking out the figure “\$30,115,915” and inserting in place thereof the following
533 figure:- \$62,115,915.

534 SECTION 41. Chapter 144 of the acts of 2014 is hereby amended by striking out section
535 51 and inserting in place thereof the following section:-

536 Section 51. Said paragraph (1) of said subsection (i) of said section 14 of said chapter
537 151A, as so appearing, is hereby = amended by striking out paragraph (1) and inserting in place
538 thereof the following paragraph:-

539 With respect to calendar years beginning on or after January 1, 2015, the experience rate
540 of any employer qualifying therefor under subsection (b) shall be the rate which appears in the
541 column headed by the unemployment compensation reserve percentage as of the applicable
542 computation date and on the line with the applicable employer account reserve percentage as set
543 forth in the experience rate table:

EXPERIENCE RATE TABLE							
Unemployment Compensation Fund Reserve Percentage							
	A	B	C	D	E	F	G
	1.65% and over	1.5% or more less than 1.65%	1.2% or more less than 1.5%	0.9% or more less than 1.2%	0.6% or more less than 0.9%	0.3% or more less than 0.6%	less than 0.3%
Employer Account Reserve Percentages							
Negative Percentage							
23 or more	8.62	9.79	11.13	12.65	14.37	16.33	18.55
21.0 but less than 23.0	8.25	9.37	10.65	12.11	13.76	15.63	17.76
19.0 but less than 21.0	7.88	8.96	10.18	11.57	13.15	14.94	16.97
17.0 but less than 19.0	7.52	8.54	9.71	11.03	12.53	14.24	16.18
15.0 but less than 17.0	7.15	8.13	9.24	10.49	11.93	13.55	15.39
13.0 but less than 15.0	6.78	7.71	8.76	9.95	11.31	12.85	14.60
11.0 but less than 13.0	6.42	7.29	8.29	9.42	10.70	12.16	13.81
9.0 but less than 11.0	6.05	6.87	7.81	8.88	10.09	11.46	13.02
7.0 but less than 9.0	5.68	6.46	7.34	8.34	9.48	10.77	12.23
5.0 but less than 7.0	5.32	6.04	6.86	7.80	8.86	10.07	11.44
3.0 but less than 5.0	4.95	5.63	6.39	7.27	8.26	9.38	10.66
1.0 but less than 3.0	4.58	5.21	5.92	6.72	7.64	8.68	9.86
0.0 but less than 1.0	4.22	4.79	5.45	6.19	7.03	7.99	9.08
Positive Percentage							
0.0 but less than 0.5	3.14	3.57	4.06	4.61	5.24	5.96	6.77
0.5 but less than 1.0	3.06	3.48	3.96	4.50	5.11	5.81	6.60
1.0 but less than 1.5	2.98	3.39	3.85	4.38	4.98	5.65	6.43
1.5 but less than 2.0	2.90	3.30	3.75	4.26	4.84	5.50	6.25
2.0 but less than 2.5	2.82	3.21	3.65	4.14	4.71	5.35	6.08
2.5 but less than 3.0	2.75	3.12	3.54	4.02	4.57	5.20	5.90
3.0 but less than 3.5	2.67	3.03	3.44	3.91	4.44	5.05	5.74
3.5 but less than 4.0	2.58	2.93	3.33	3.79	4.30	4.89	5.56
4.0 but less than 4.5	2.50	2.84	3.23	3.67	4.17	4.74	5.38
4.5 but less than 5.0	2.42	2.75	3.13	3.55	4.04	4.59	5.21
5.0 but less than 5.5	2.34	2.66	3.02	3.43	3.90	4.43	5.04
5.5 but less than 6.0	2.25	2.56	2.91	3.31	3.76	4.28	4.86
6.0 but less than 6.5	2.17	2.47	2.81	3.20	3.63	4.13	4.69
6.5 but less than 7.0	2.09	2.38	2.71	3.08	3.50	3.97	4.51
7.0 but less than 7.5	2.02	2.30	2.61	2.96	3.37	3.82	4.35
7.5 but less than 8.0	1.94	2.20	2.50	2.84	3.23	3.67	4.17
8.0 but less than 8.5	1.85	2.10	2.39	2.72	3.09	3.51	3.99
8.5 but less than 9.0	1.78	2.02	2.29	2.61	2.96	3.37	3.82
9.0 but less than 9.5	1.70	1.93	2.19	2.49	2.82	3.21	3.65
9.5 but less than 10.0	1.61	1.83	2.08	2.36	2.69	3.05	3.47
10.0 but less than 10.5	1.53	1.74	1.98	2.25	2.56	2.91	3.30
10.5 but less than 11.0	1.45	1.65	1.87	2.13	2.42	2.75	3.12
11.0 but less than 11.5	1.37	1.56	1.77	2.01	2.29	2.60	2.96
11.5 but less than 12.0	1.29	1.47	1.67	1.89	2.15	2.45	2.78
12.0 but less than 12.5	1.21	1.37	1.56	1.77	2.01	2.29	2.60
12.5 but less than 13.0	1.13	1.28	1.46	1.66	1.89	2.14	2.43
13.0 but less than 13.5	1.05	1.19	1.35	1.54	1.75	1.99	2.26
13.5 but less than 14.0	0.97	1.10	1.25	1.42	1.61	1.83	2.08
14.0 but less than 15.0	0.81	0.92	1.04	1.18	1.34	1.53	1.73
15.0 but less than 16.0	0.73	0.83	0.94	1.07	1.21	1.38	1.57
16.0 but less than 17.0	0.64	0.73	0.83	0.95	1.08	1.22	1.39
17.0 or more	0.56	0.64	0.73	0.83	0.94	1.07	1.21

544

545 SECTION 42. Said chapter 144 of the acts of 2014 is hereby further amended by striking
546 out sections 52, 53 and 54.

547 SECTION 43. Section 77 of said chapter 144 of the acts of 2014 is hereby amended by
548 striking out the figures “52, 53 and 54”.

549 SECTION 44. Item 0330-0300 of section 2 of chapter 165 of the acts of 2014 is hereby
550 amended by striking out the words “provided further, that not less than \$30,000 shall be
551 expended for the Grandparents Raising Grandchildren Project to provide legal services to such
552 grandparents in the areas of family law and public benefits, and further requiring the chief justice
553 of administration and management to make a report to the general court on or before January 1,
554 2015, of all grandparents who requested legal services, their eligibility for such services and
555 whether or not they were denied due to insufficient resources, including the legal problem for
556 which they sought assistance; provided further, that not less than \$50,000 shall be expended for
557 the creation of a special commission on the Grandparents Raising Grandchildren Project;” and
558 inserting in place thereof the following:- provided further, that not less than \$80,000 shall be
559 expended for the purpose of hiring staff and administering a program for the commission on the
560 Status of Grandparents Raising Grandchildren.

561 SECTION 45. Item 1410-0010 of said section 2 of said chapter 165 is hereby amended
562 by inserting after the words “dogs for veterans” the following words:- ; provided further, that not
563 less than \$500,000 shall be expended for the Statewide Housing Advocacy of Reintegration and
564 Prevention program, so called.

565 SECTION 46. Item 1599-0026 of said section 2 of said chapter 165 is hereby amended
566 by striking out the words “to mitigate student overcrowding in the city of Haverhill” and
567 inserting in place thereof the following words:- for a technology grant to Haverhill public
568 schools;

569 SECTION 47. Item 4110-3010 of said section 2 of said chapter 165 is hereby amended
570 by striking out the words “; and provided further, that an additional \$300,000 shall be made
571 available to expand the contract for vocational rehabilitation services provided by The Carroll
572 Center for the Blind, Inc”.

573 SECTION 48. Item 7004-9024 of said section 2 of said chapter 165 is hereby amended
574 by striking out the words “prior appropriation continued” and inserting in place thereof the
575 following words:- provided further, that any unexpended funds in fiscal year 2014 shall not
576 revert to the General Fund but instead up to \$6,000,000 shall be deposited in the Housing
577 Preservation and Stabilization Trust Fund established in section 60 of chapter 121B of the
578 General Laws; and provided further, that any balance of unexpended funds in fiscal year 2014
579 not deposited in the Housing Preservation and Stabilization Trust Fund shall be made available
580 for the purposes of this item until June 30, 2015.

581 SECTION 49. Item 7010-0005 of said section 2 of said chapter 165 is hereby amended
582 by inserting after the word “Pohelo” the following words:- ; provided further, that no less than

583 \$100,000 shall be expended to retain a consultant to assist with the work of the foundation
584 budget review commission established in section 4 of chapter 70 of the General Laws.

585 SECTION 50. Item 1000-0005 of section 2B of said chapter 165 is hereby amended by
586 striking out the figure “\$1,000,000” and inserting in place thereof the following figure:-
587 \$1,200,000.

588 SECTION 51. Section 2D of said chapter 165 is hereby amended by striking out item
589 1100-1702 and inserting in place thereof the following 3 items:-

590 1100-1702 For the purposes of a federally funded grant entitled Implementation of the
591 Federal Developmental Disabilities Act; provided, that in order to qualify for the grant, the
592 account shall be exempt from the first \$270,000 of fringe benefits and indirect cost charges
593 pursuant to section 6B of chapter 29 of the General Laws.....\$1,400,096

594 1100-1703 For the purposes of a federally funded grant entitled, Implementation of the
595 Federal Developmental Disabilities Act.....\$323,415

596 1100-1704 For the purposes of a federally funded technical assistance grant entitled,
597 Maintain and Further Development of Developmental Disabilities Suite; provided, that in order
598 to qualify for the grant, the account shall be exempt from the first \$40,000 of fringe benefits and
599 indirect cost charges pursuant to section 6B of chapter 29 of the General Laws.....\$231,706

600 SECTION 52. Item 1595-1067 of section 2E of said chapter 165 is hereby amended by
601 striking out the figure “\$22,426,667” and inserting in place thereof the following figure:-
602 \$22,423,677.

603 SECTION 53. Said item 1595-1067 of said section 2E of said chapter 165 is hereby
604 further amended by striking out the figure “\$11,213,334” and inserting in place thereof the
605 following figure:- \$11,211,839.

606 SECTION 54. Said item 1595-1067 of said section 2E of said chapter 165 is hereby
607 further amended by striking out the figure “\$210,261,307” and inserting in place thereof the
608 following figure:- \$232,979,059.

609 SECTION 55. Item 1595-1068 of said section 2E of said chapter 165 is hereby amended
610 by adding the following words:- ; and provided further, that up to \$243,000,000 in payments
611 made for federal fiscal year 2014 shall be made from the Medical Assistance Trust Fund of
612 which \$31,000,000 shall be made to the Cambridge public health commission for dates of
613 service in state and federal fiscal year 2014 only after the Cambridge public health commission
614 transfers up to \$15,500,000 of its funds to the Medical Assistance Trust Fund using a federally
615 permissible source of funds which shall fully satisfy the non-federal share of that payment.

616 SECTION 56. Said item 1595-1068 of said section 2E of said chapter 165 is hereby
617 further amended by striking out the figure “\$412,000,000” and inserting in place thereof the
618 following figure:- \$639,500,000.

619 SECTION 57. Section 239 of said chapter 165 is hereby amended by striking out the
620 words “September 30” and inserting in place thereof the following words:- December 1.

621 SECTION 58. Section 272 of said chapter 165 is hereby amended by striking out the
622 words “December 31, 2014” and inserting in place thereof the following words:- June 30, 2015.

623 SECTION 59. Section 4 of chapter 188 of the acts of 2014 is hereby amended by striking
624 out the figure “4000-0890” and inserting in place thereof the following figure:- 4000-0885.

625 SECTION 60. Section 1 of chapter 234 of the acts of 2014 is hereby amended by striking
626 out, in each instance, the words “28 CFR 20.33 and”.

627 SECTION 61. Chapter 236 of the acts of 2014 is hereby amended by striking out section
628 6 and inserting in place thereof the following section:-

629 Section 6. Chapter 13 of the General Laws is hereby amended by striking out section 32
630 and inserting in place thereof the following section:-

631 Section 32. The state examiners of electricians, hereinafter, called the board, shall consist
632 of the state fire marshal, the office of private occupational school education in the division of
633 professional licensure, ex officiiis, and 9 persons to be appointed for terms of 3 years each by the
634 governor. One of said appointees shall be a representative of the public, subject to section 9B and
635 1 shall be a local wiring inspector who is an electrician licensed under chapter 141. One of the
636 appointees shall be a vocational-technical electrical educator or administrator, who shall be
637 selected from a group of 3 nominees, to be nominated by the Massachusetts Association of
638 Vocational Administrators. Six of said appointees shall be citizens of the commonwealth: 1 shall
639 be a master electrician who holds a certificate A license issued under said chapter 141 and has at
640 least 10 years’ experience as an employing master electrician; 1 shall be a master electrician who
641 holds certificate A and certificate B licenses issued under said chapter 141, is actively engaged in
642 such business and has at least 10 years’ experience as an employing master electrician; 1 shall be
643 a journeyman electrician who holds a certificate B license issued under said chapter 141, is a
644 wage earner and has at least 10 years’ practical experience in the installation of wires and
645 appliances for carrying electricity for light, heat or power purposes; 1 shall be a systems
646 contractor who holds a certificate C license issued under said chapter 141, is actively engaged in
647 the business of fire warning and security systems as a principal business and has at least 10
648 years’ experience as an employing systems contractor; 1 shall be a systems technician who holds
649 a certificate D license issued under said chapter 141, is a wage earner and has at least 10 years’
650 practical experience in the installation, repair and maintenance of systems; and 1 shall be a
651 representative of the New England Section of the International Municipal Signal Association

652 who holds at least a level I competency certificate from said association, is a municipal employee
653 and has at least 10 years' practical experience in the installation, repair and maintenance of fire
654 warning or signaling systems. The state fire marshal shall be chairman. The members of the
655 board shall serve without compensation but shall be reimbursed for actual and necessary
656 expenses reasonably incurred in the performances of their duties as members or on behalf of the
657 board.

658 SECTION 62. Section 34 of chapter 286 of the acts of 2014 is hereby amended by
659 striking out the figure "1100-2510" and inserting in place thereof the following figure:- 6720-
660 1350.

661 SECTION 63. Notwithstanding any general or special law to the contrary, the department
662 of housing and community development may provide not more than \$20,000,000 to eligible
663 entities that administer the federal Low Income Home Energy Assistance Program, described in
664 item 7004-2033 of section 2D of chapter 165 of the acts of 2014, to allow such eligible entities to
665 begin start-up operations of the program and to provide advanced funding, not later than 30 days
666 after the start of the fiscal year; provided, however, that the department and such eligible entities
667 may expend a portion of these funds for approved administrative costs consistent with the current
668 or prior year's state plan submitted by the department under the federal program; provided
669 further, that the department and such eligible entities may, after November 1, 2014, expend a
670 portion of these funds in accordance with the state plan; provided further, that funds expended
671 for this purpose shall be transferred from the General Fund; and provided further, that such
672 advanced funding shall be subject to the federal reimbursement of funds under said item 7004-
673 2033 of said section 2D of said chapter 165.

674 SECTION 64. Notwithstanding any general or special law to the contrary, the secretary
675 of health and human services, with the written approval of the secretary of administration and
676 finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500,
677 4000-0600, 4000-0700, 4000-0875, 4000-0880, 4000-0890, 4000-0940, 4000-0950, 4000-0990,
678 4000-1400, 4000-1405 and 4000-1420 of section 2 of chapter 38 of the acts of 2013 to reduce
679 any deficiency in these items; provided, however, that the transfer shall be made not later than
680 November 1, 2014.

681 SECTION 65. Notwithstanding any general or special law to the contrary, any
682 unexpended balances, not exceeding a total of \$20,000,000, in items 4000-0600 and 4000-0700
683 of section 2 of chapter 38 of the acts of 2013, shall not revert to the General Fund until
684 November 1, 2014 and may be expended by the executive office of health and human services to
685 pay for services enumerated in said items 4000-0600 and 4000-0700 of said section 2 of said
686 chapter 38 provided during fiscal year 2014.

687 SECTION 66. Not less than \$5,468,000 shall be expended in fiscal year 2015 from the
688 Community First Trust Fund established in section 35AAA of chapter 10 of the General Laws to

689 expand access to services under items 5920-2025, 5920-3000, 5911-2000, 5911-1003, and 5920-
690 3010 of section 2, as required by chapter 226 of the acts of 2014.

691 SECTION 67. Notwithstanding any general or special law or collective agreement
692 provision to the contrary, the salary adjustments and other economic benefits authorized by the
693 following collective bargaining agreements shall be effective for the purposes of section 7 of
694 chapter 150E of the General Laws:

695 (1) between the commonwealth and National Association of Government Employees,
696 Units 1, 3 and 6;

697 (2) between the commonwealth and American Federation of State, County and
698 Municipal Employees, Unit 2;

699 (3) between the Plymouth sheriff and the Association of County Employees;

700 (4) between the Barnstable sheriff and the American Federation of State, County and
701 Municipal Employees, Local 1462C, AFL-CIO Council 93, Unit S2B;

702 (5) between the Middlesex sheriff and the Middlesex Sheriff's Superior Officers
703 Association, Unit SM4;

704 (6) between the Worcester sheriff and the New England Police Benevolent
705 Association, Local 275, Unit SW2;

706 (7) between the trial court and the National Association of Government
707 Employees/Service Employees International Union Local 5000, Units J2C and J2P;

708 (8) between the Barnstable sheriff and the National Association of Government
709 Employees, Local 220, Unit S5B;

710 (9) between the Barnstable sheriff and the Barnstable County Correctional Officers
711 Union, Unit S1B;

712 (10) between the Barnstable sheriff and the National Correctional Employees Union
713 Local 119, Unit S4B;

714 (11) between the Barnstable sheriff and the National Association of Government
715 Employees – International Brotherhood of Correctional Officers, Local 217 Public Safety,
716 Groups A,B, C, Unit S3B;

717 (12) between the Berkshire sheriff and the Berkshire County Sheriff's Office
718 Employees Association, Unit SB3;

719 (13) between the Berkshire sheriff's Office Communication Center and the I.U.E.-
720 C.W.A, Unit SB2;

- 721 (14) between the Essex sheriff and the International Brotherhood of Corrections
722 Officers, Local R1-71, Unit SE9;
- 723 (15) between the Berkshire sheriff and the International Brotherhood of Corrections
724 Officers Local R1-297, Unit SB1;
- 725 (16) between the Hampshire sheriff and the National Correctional Employees Union,
726 Unit SH9;
- 727 (17) between the Hampshire sheriff and the Hampshire Sherriff's Office Non-Uniform
728 Correctional Association, Unit SH7;
- 729 (18) between the Hampshire sheriff and the Hampshire Sherriff's Office Jail and
730 House of Correction Supervisory Correctional Officers' Association, Unit SH8;
- 731 (19) between the Hampshire sheriff and the Hampshire Sherriff's Office Jail and
732 Hampshire Sheriff's Office Treatment Association, Unit SH6;
- 733 (20) between the Norfolk sheriff and the National Association of Government
734 Employees /Service Employees International Union R1-202, Unit SN1;
- 735 (21) between the Plymouth sheriff and the National Correctional Employees Union,
736 Unit SP7;
- 737 (22) between the Plymouth sheriff and the Massachusetts Correctional Officers
738 Federated Union Bureau of Criminal Investigation Officers Unit, Unit SP3;
- 739 (23) between the Plymouth sheriff and the Massachusetts Correctional Officers
740 Federated Union Communication Officers Unit, Unit SP5;
- 741 (24) between the Plymouth sheriff and the National Correctional Employees Union,
742 Unit SP1;
- 743 (25) between the Suffolk sheriff and the National Association of Government
744 Employees, Local 298, Unit SS2;
- 745 (26) between the Suffolk sheriff and the Jail Officers and Employees Association of
746 Suffolk County, Unit SS4;
- 747 (27) between the Suffolk sheriff and the American Federation of State, County and
748 Municipal Employees, Council 93, Local 419, Unit SS0;
- 749 (28) between the Suffolk sheriff and the American Federation of State, County and
750 Municipal Employees, Council 93, Local 3643, Unit SS5;

- 751 (29) between the Suffolk sheriff and the American Federation of State, County and
752 Municipal Employees, Council 93, Local 3967, Unit SS6;
- 753 (30) between the Suffolk sheriff and the American Federation of State, County and
754 Municipal Employees, Council 93, Local RN, Unit SS3;
- 755 (31) between the Hampden sheriff and the National Correctional Employees Union,
756 Unit SH4;
- 757 (32) between the Hampden sheriff and the Hampden County Superior Correctional
758 Officer Association, Unit SH3;
- 759 (33) between the Hampden sheriff and the Non-Uniformed Correctional Association,
760 Unit SH2;
- 761 (34) between the Franklin sheriff and the National Correctional Employees Union,
762 Unit SF1;
- 763 (35) between the Franklin sheriff and the Local R1-045, International Brotherhood of
764 Corrections Officers , Unit SF3;
- 765 (36) between the trial court and the OPEIU Local 6, Units J6C and J6P;
- 766 (37) between the Worcester sheriff and the United Auto Workers (UAW), Local 422,
767 Unit SW5;
- 768 (38) between the Bristol sheriff and the Bristol Superior Officers, National
769 Correctional Employees Union, Unit SA3;
- 770 (39) between the Bristol sheriff and the Massachusetts Correctional Officers Federated
771 Union, Unit SA4;
- 772 (40) between the commonwealth and the Service Employees International Union,
773 Local 509, Units 8 & 10;
- 774 (41) between the Worcester Sheriff and the National Association of Government
775 Employees, Local 255, Unit SW4;
- 776 (42) between the Massachusetts Department of Transportation and DOT Unit A -
777 clerical and administrative workers, unit D01, National Association of Government Employees;
- 778 (43) between the Massachusetts Department of Transportation and DOT Unit C -
779 Skilled Trades and Crafts, Units D02, National Association of Government Employees, IBEW
780 Local 103, Teamsters Local 127, and Teamsters Local 25;

- 781 (44) between the Massachusetts Department of Transportation and DOT Unit D –
782 Professional Admin, Units D06, National Association of Government Employees, IBEW Local
783 103, Teamsters Local 127, Clerical, Audit, and Support Employees, and USW Local 596;
- 784 (45) between the Massachusetts Department of Transportation and DOT Unit E –
785 Engineers and Scientists, Unit D09 including Massachusetts Organization of State Engineers and
786 Scientists and USW Local 596;
- 787 (46) between the commonwealth and Massachusetts Organization of State Engineers
788 and Scientists, Unit 9;
- 789 (47) between the Berkshire Middle, North, and South Registry of Deeds and the
790 Service Employees International Union, Local 888;
- 791 (48) between the Essex North and South Registry of Deeds and The American
792 Federation of State, County, and Municipal Employees, Local 653;
- 793 (49) between the Middlesex South Registry of Deeds and The American Federation of
794 State, County, and Municipal Employees, Local 414;
- 795 (50) between the Suffolk Registry of Deeds and the Service Employees International
796 Union, Local 888;
- 797 (51) between the Worcester North Registry of Deeds and the Service Employees
798 International Union, Local 888;
- 799 (52) between the Middlesex North Registry or Deeds and OPEIU, Local 6;
- 800 (53) between the Hampden Registry of Deeds and OPEIU, Local 6;
- 801 (54) between the Middlesex South Registry of Deeds and OPEIU, Local 6;
- 802 (55) between the Norfolk Sheriff and the County Correctional Officers Association,
803 Local 296, Unit SN3;
- 804 (56) between the Norfolk Sheriff and County Correctional Officers Association, Local
805 295, Unit SN2;
- 806 (57) between the Bristol Sheriff and the National Correctional Employees Union, Unit
807 SA7;
- 808 (58) between the Franklin Sheriff and the FCSO non-unit Association, Unit SF2;
- 809 (59) between the Middlesex Sheriff and the New England Police Benevolent
810 Association, Local 500, Unit SM5;

811 (60) between the Middlesex Sheriff and the National Correctional Employees Union,
812 Local 116, Civil Process Unit;

813 (61) between the Bristol Sheriff and the National Association of Government
814 Employees, Units A & C;

815 (62) between the University of Massachusetts and the Massachusetts Society of
816 Professors Lowell, MTA/NEA, Unit L90;

817 (63) between the University of Massachusetts and the Service Employees International
818 Union, Local 888, Unit L95;

819 (64) between the University of Massachusetts and the International Brotherhood of
820 Police Office, Local 339, Unit D84;

821 (65) between the University of Massachusetts and the American Federation of State,
822 County, and Municipal Employees, Local 507, Unit D82;

823 (66) between the Board of Higher Education and the Massachusetts State College
824 Association/MTA/NEA;

825 (67) between the Board of Higher Education and the Association of Professional
826 Administrators, MTA/NEA;

827 (68) between the Board of Higher Education and the American Federation of State and
828 County and Municipal Employees, Local 1067/Council 93; and

829 (69) between the Massachusetts State Lottery Commission and the Service Employees
830 International Union, Local 888.

831 (70) between the Essex County Sheriffs and the National Corrections Employees Union,
832 Local 121.

833 SECTION 68. (a) Notwithstanding any general or special law to the contrary, the
834 trustees of the Worcester City Campus Corporation are authorized to convey by quitclaim deed
835 to the Massachusetts Department of Transportation, fee title in and to all or a portion of a parcel
836 of land located off Plantation Parkway in the City of Worcester, Massachusetts, and shown as
837 Parcel 2A on a plan entitled "Subdivision Plan of Land," prepared by Vanasse Hangen Brustlin,
838 Inc., dated July 17, 2014, which plan shall be duly recorded with the Worcester District Registry
839 of Deeds.

840 (b) The deed conveying the parcel in subsection (a) shall transfer said parcel to the
841 department for highway purposes, and for all purposes consistent with the provisions of chapter
842 6C of the General Laws.

843 (c) The consideration for said conveyance shall be the conveyance by said department by
844 quitclaim deed to the Worcester City Campus Corporation, that parcel of land on the northerly
845 side of Belmont Street, known as and numbered 403 Belmont Street in said Worcester, which
846 currently serves as the District 3 headquarters, comprising approximately 6.625 acres and shown
847 as Parcel 66-M-1 on a plan of land entitled “Massachusetts Department of Transportation Plan of
848 Land in the City of Worcester, Worcester County, Showing Location of Maintenance Area”,
849 prepared by Vanesse Hangen Brustlin, Inc., dated October 23, 2013, and recorded with the
850 Worcester District Registry of Deeds in Plan Book 904, Plan 10.

851 (d) The conveyance described in subsection (c) shall occur only after the conveyance in
852 subsection (a) has occurred and said conveyances shall also occur prior to the construction of a
853 new District 3 headquarters by the department of transportation.

854 SECTION 69. (a) Notwithstanding sections 32 to 38, inclusive, of chapter 7C of the
855 General Laws or any other general or special law to the contrary, the commissioner of capital
856 asset management and maintenance, in this section called the commissioner, may sell or
857 otherwise grant, convey or transfer those certain parcels of land located at 10 Park Plaza in the
858 city of Boston, together with the buildings and structures on those parcels, known as the
859 “transportation building”, and may assign all interests of the commonwealth under a master lease
860 and garage operating agreement with Theatre District Limited Partnership, as amended,
861 occupancy agreements and licenses at the transportation building, to the Massachusetts
862 Department of Transportation, in this section called the department. The exact boundaries of the
863 transportation building shall be determined by the commissioner. No monetary consideration
864 shall be required for the conveyance and assignments authorized by this act except as provided in
865 this section. The state conveyance and assignments shall be without warranties or
866 representations by the commonwealth.

867 (b) The commissioner may retain or grant rights of way or easements for access, egress,
868 utilities and drainage across the transportation building and across other commonwealth property
869 contiguous to the transportation building, and may accept from the department such rights of
870 way or easements in roadways or across the transportation building for access, egress, drainage
871 and utilities as the commissioner considers necessary or appropriate to carry out this section.

872 (c) Notwithstanding any general or special law to the contrary, the department shall be
873 responsible for all costs and expenses including, but not limited to, costs associated with any
874 engineering, surveys, appraisals, title examinations, recording fees and deed preparation related
875 to the transactions authorized by this section as such costs may be determined by the
876 commissioner.

877 SECTION 70. (a) Any municipal lighting plant board that established an Other Post-
878 Employment Benefits Liability Trust Fund under section 20 of chapter 32B of the General Laws
879 before the effective date of this section shall continue it under the terms originally established,

880 unless it elects to merge it with any Other Post-Employment Benefits Liability Trust Fund
881 established by the municipality.

882 (b) Any city, town, district or county that established an Other Post-Employment Benefits
883 Liability Trust Fund under section 20 of chapter 32B of the General Laws before the effective
884 date of this act shall continue it under the terms originally established unless it reaccepts section
885 20 of chapter 32B after the effective date of this act.

886 SECTION 71. Sections 15 and 16 shall take effect as of August 13, 2014.

887 SECTION 72. Section 3 shall take effect as of September 11, 2014.