

Commission on LGBTQQ Youth

1 SECTION 4. Section 67 of chapter 3 of the General Laws, as appearing in the
2 2012 Official Edition, is hereby amended by striking out, in lines 1 and 2, the words “gay
3 and lesbian” and inserting in place thereof the following words:- lesbian, gay, bisexual,
4 transgender, queer and questioning.

STEAM Council 1

5 SECTION 5. Chapter 6 of the General Laws is hereby amended by adding the
6 following section:-

7 Section 217. (a) There shall be a science, technology, engineering, arts and math,
8 or STEAM, advisory council. The council shall advise the governor and assist in
9 informing the work of the secretaries of education, labor and workforce development and
10 housing and economic development on issues relating to STEAM education and STEAM
11 careers.

12 (b) The council shall:

13 (1) confer with participants and parties from the public and private sectors
14 involved with STEAM planning and programming;

15 (2) assess how to increase student interest in, and preparation for, careers in
16 STEAM; and

17 (3) advise on the creation, implementation of and updates to a statewide STEAM
18 plan that contains clear goals and objectives to guide future STEAM efforts, including the
19 creation of benchmarks for improvements.

20 (c) The council shall consist of at least 20 but not more than 30 members, not
21 including members serving ex officio. The members of the council shall be appointed by
22 the governor for a term of 2 years and shall serve without compensation. Council
23 members shall be persons with demonstrated interest, experience and expertise in
24 STEAM education and shall include: a senator in congress from the commonwealth; a
25 representative in congress from the commonwealth; a member of the Massachusetts
26 Technology Collaborative; a member of the Massachusetts Clean Energy Center; a
27 member of the Massachusetts Life Sciences Center; the president of the University of
28 Massachusetts or a designee; a president of a state university or a designee; a president of
29 a private university or a designee; a president of a public community college or a
30 designee; a superintendent of a public school district or a designee; a superintendent of a
31 vocational technical school or a designee; a chamber of commerce executive or a
32 designee; a representative of a regional STEAM network; an early education provider; a
33 science or mathematics department chair from a public school district; an out-of-school
34 time or informal educator with expertise in the STEAM fields; a parent representative; a

35 member of organized labor; a member of the Massachusetts cultural council; and a
36 member from a not-for-profit organization.

37 The following members or their designees shall serve as members of the council,
38 ex officio: the senate and house chairs of the joint committee on education; the senate
39 and house chairs of the joint committee on labor and workforce development; the
40 secretary of education; the secretary of labor and workforce development; the secretary of
41 housing and economic development; the commissioner of higher education; the
42 commissioner of elementary and secondary education; and the commissioner of early
43 education and care.

44 (d) The council shall establish an executive committee comprised of 7 members
45 who shall provide guidance on the recommendations of the council and plan future
46 meetings and initiatives. The governor shall appoint a chair, who shall determine the
47 membership of the executive committee and shall designate subcommittees to focus on
48 particular challenges facing STEAM education and the STEAM fields. The council and
49 its executive committee shall meet at such times and places as determined by the chair.
50 The council shall submit its findings and recommendations, together with drafts of
51 legislation or regulations necessary to carry those recommendations into effect, to the
52 governor and the clerks of the house of representatives and senate at such periods as
53 determined by the chair.

Health Planning Advisory Committee 1

54 SECTION 6. Section 16T of chapter 6A of the General Laws, as appearing in the
55 2012 Official Edition, is hereby amended by striking out, in line 13, the figure "13" and
56 inserting in place thereof the following figure:- 15.

Health Planning Advisory Committee 2

57 SECTION 7. The second paragraph of subsection (a) of said section 16T of said
58 chapter 6A, as so appearing, is hereby amended by inserting after the first sentence the
59 following sentence:- Not less than 2 members of the advisory committee shall have
60 expertise in rural health matters and rural health needs in the commonwealth.

Snow and Ice Spending 1

61 SECTION 8. The second paragraph of section 4 of chapter 6C of the General
62 Laws is hereby amended by striking out clause (e), as appearing in the 2012 Official
63 Edition, and inserting in place thereof the following clause:-

64 (e) for expenditure by the department for engineering services and expenses, for
65 care, repair, storage, replacement and purchase of road building machinery and tools, for
66 the erection and maintenance of direction signs and warning signs, for the care of shrubs
67 and trees on state highways, for snow and ice removal and for expenses incidental to the
68 foregoing or incidental to the purposes specified in clause (b), (c) or (d); provided,
69 however, that the department may incur liabilities and make expenditures in excess of

70 funds available to the department for snow and ice removal; provided further, that
71 expenditures for snow and ice removal shall be approved by the secretary of
72 transportation in consultation with the secretary of administration and finance; provided
73 further, that no expenses shall be made in excess of funds available in any fiscal year
74 until \$40,000,000 has been expended for snow and ice removal in that fiscal year; and
75 provided further, that the negative balance of funds available for snow and ice removal
76 shall not exceed \$50,000,000 at any time during any fiscal year and the state comptroller
77 may certify for payment invoices in excess of funds available to the department.

Snow and Ice Spending 2

78 SECTION 9. Said section 4 of said chapter 6C, as most recently amended by
79 section 4 of chapter 79 of the acts of 2014, is hereby further amended by adding the
80 following paragraph:-

81 Annually, not later than May 1, the department shall report to the executive office
82 for administration and finance and the house and senate committees on ways and means
83 the total amounts budgeted and expended for snow and ice removal. The department
84 shall seek appropriations, as required, to cure deficiencies resulting from snow and ice
85 removal in each fiscal year that expenses are made in excess of funds available.

Authority to Terminate and Renegotiate Leases

86 SECTION 10. Chapter 7C of the General Laws is hereby amended by inserting
87 after section 35 the following section:-

88 Section 35A. (a) The commissioner, after consulting with the head of the leasing
89 state agency or the court administrator, may exercise any contractual right to terminate a
90 lease for nonappropriation or nonallotment if, in the determination of the agency head or
91 the court administrator, insufficient funds are available within the agency's or the court's
92 appropriation or allotment to maintain the lease consistent with maintaining core
93 governmental functions.

94 (b) The commissioner may, on behalf of a state agency or the administrative
95 office of the trial court, renegotiate an existing facility's lease by that agency or office,
96 which was procured under this chapter, to obtain a reduced lease rate or other valuable
97 consideration in consideration of an extension of that lease beyond the 10-year limitation
98 in section 35; provided, however, that no lease shall be extended to a date that is more
99 than 15 years after the original commencement date of the lease. Before executing an
100 extension of the lease under this section, the commissioner shall make a written
101 determination that the renegotiated lease provisions are favorable to the commonwealth
102 based on a cost-benefits analysis.

Community First Trust Fund

103 SECTION 11. Chapter 10 of the General Laws is hereby amended by inserting
104 after section 35ZZ the following section:-

105 Section 35AAA. There shall be established upon the books of the commonwealth
106 a Community First Trust Fund. Monies deposited in the fund shall be subject to
107 appropriation for non-institutionally-based long-term services and supports. All
108 expenditures from the fund shall be subject to certification by the secretary of health and
109 human services that the use of any expenditure is consistent with the state balancing
110 incentive payment program under section 10202 of the Patient Protection and Affordable
111 Care Act. There shall be credited to the fund an amount equal to the increase in revenues
112 from federal reimbursements resulting from the increased percentage points attributable
113 to participation in the state balancing incentive payment program. There shall be credited
114 to the fund an amount equal to the revenues received from federal financial participation
115 earned on any qualifying expenditures sourced from the fund. The secretary of health
116 and human services may incur expenses and the comptroller may certify for payments
117 amounts in anticipation of expected receipts, but no expenditure shall be made from the
118 fund which shall cause the fund to be in deficit at the close of a fiscal year. Any
119 remaining balance in the fund at the end of a fiscal year shall not revert to the General
120 Fund but shall remain in the fund and be available for expenditure during the next fiscal
121 year. Expenditures from the fund may be made for services provided in prior fiscal
122 years.

Water Supply Protection Program

123 SECTION 12. Said chapter 10 is hereby further amended by adding the following
124 section:-

125 Section 75. (a) There shall be established a water supply protection program to be
126 administered by a Water Supply Protection Trust. Monies in the trust shall be deposited
127 with the state treasurer in such a manner as to secure the highest interest rate available
128 consistent with the safety of the trust and with the requirement that all amounts on
129 deposit shall be available for immediate use.

130 (b) There shall be a board of trustees of the trust which shall consist of the
131 executive director of the Massachusetts Water Resources Authority, the secretary of
132 energy and environmental affairs or a designee, the president of the Swift River Valley
133 Historical Society, the chairperson of the Massachusetts Water Resources Authority
134 advisory board or a designee and a member jointly selected by the North Worcester
135 County Quabbin Anglers Association and the Quabbin Fisherman's Association.

136 (c) The board of trustees shall meet at least quarterly and shall serve without
137 compensation. For the purposes of board meetings and voting, a quorum shall be
138 comprised of 3 members. The board shall choose a chairperson by majority vote and
139 shall make all decisions by majority vote. At a meeting held annually, the board shall

140 review and approve the operating plan, the operating budget, the capital budgets and
141 other aspects of the annual work plan prepared jointly by the department of conservation
142 and recreation and the Massachusetts Water Resources Authority pursuant to the
143 interagency memorandum of understanding between the department and the authority
144 dated April 27, 2004, as it may be amended from time to time, which memorandum and
145 the annual work plan prepared thereunder shall provide for the watershed and water
146 supply protection responsibilities established for the authority and department under
147 chapter 372 of the acts of 1984 and chapters 92 and 92A 1/2 to be satisfactorily
148 discharged. No amendment to the memorandum of understanding shall include an
149 authorization to enter into any agreement to acquire, purchase or transfer any property,
150 the title to which is vested in the commonwealth or is considered to be watershed
151 property by Massachusetts law, as of July 1, 2004. The restriction in the preceding
152 sentence shall not be construed to be inconsistent with the terms and conditions of this
153 section as they relate to the operation and governance of the trust or any other provisions
154 of this section.

155 Any provisions in the memorandum of understanding regarding the operation and
156 governance of the trust shall be consistent with this section. In the event of an
157 inconsistency between that memorandum of understanding and the terms and conditions
158 of this section as they relate to the operation and governance of the trust, the terms and
159 conditions of this section shall be dispositive.

160 (d) There shall be credited to the trust:

161 (i) all assessments against the authority established pursuant to section 11 of
162 chapter 92A 1/2, except for amounts to be paid in trust by the authority to the division of
163 water supply protection for application to payments in lieu of taxes pursuant to chapter
164 59, and against any other public or private entity by the commissioner of conservation
165 and recreation to support the watershed and water supply activities set forth in subsection
166 (e);

167 (ii) all revenues generated by the division of water supply protection required to
168 be offset from assessments against the authority pursuant to said section 11 of said
169 chapter 92A 1/2 shall include, but not be limited to, the sale of hydroelectricity, and
170 recreational or permits fees and shall also include any access fees established pursuant to
171 chapter 436 of the acts of 1990;

172 (iii) all revenues from the sale of wood products harvested on those watershed
173 lands under the management of the division of water supply protection;

174 (iv) all payments from the authority for debt service under section 12 of said
175 chapter 92A 1/2;

176 (v) all interest earned on monies in the trust; and

177 (vi) any gifts, grants, donations or other contributions made for the purpose of
178 supporting the watershed and water supply activities set forth in subsection (e).

179 (e) Notwithstanding any general or special law or any restriction to the contrary,
180 expenditures from the trust shall not be subject to appropriation and balances remaining
181 at the end of a fiscal year shall not revert to the General Fund and expenditures from the
182 trust shall be made only for the purposes set forth in the memorandum of understanding
183 and annual work plan as approved by the board pursuant to subsection (c), including:

184 (i) the maintenance and operating costs of the division of water supply protection,
185 pursuant to chapter 92A 1/2, including the costs of capital improvements necessary to
186 ensure the safety and purity of the water supply and the protection of watershed lands
187 pursuant to state and federal standards, capital costs and the costs of the purchase or
188 leasing of vehicles and other equipment as considered necessary by the division and any
189 other authorized charges of the division as set forth in the annual work plan's operating
190 plan, operating budget and capital budgets prepared jointly by the department and the
191 authority and reviewed and approved by the board of trustees pursuant to subsection (c);
192 provided, however, that no expenditure shall be made for operating, maintenance, and
193 capital costs of the division that were previously budgeted as expenses of the former
194 department of environmental management that were nonreimbursable by the authority;

195 (ii) department salaries, staffing levels, other employee expenses, operational
196 expenses, acquisition of capital equipment and all other expenses, as set forth in the
197 annual work plan's operating plan, operating budget and capital budgets prepared jointly
198 by the department and the authority and reviewed and approved by the board of trustees
199 pursuant to subsection (c); and

200 (iii) debt service payments for bonds authorized by the general court for the
201 acquisition of fee simple, development and other rights or interests in land in the areas
202 regulated by the division if the bonds were authorized and bonded indebtedness incurred
203 before the establishment of the trust.

204 (f) For the purpose of accommodating timing discrepancies between the trust's
205 receipt of revenues and related expenditures, the trust may incur expenses and the
206 comptroller may certify payments from the trust in anticipation of trust receipts. The
207 board of trustees shall annually certify to the comptroller that expenditures for the
208 previous fiscal year did not exceed related assessments and trust receipts. No
209 expenditures from the trust shall cause the trust to be in deficiency at the close of a fiscal
210 year.

211 (g) The board of trustees shall not enter into any agreement to acquire, purchase,
212 or transfer any assets or property the title to which is vested in the commonwealth, or
213 considered to be watershed property by Massachusetts law as of July 1, 2004. This
214 restriction shall not be construed to be inconsistent with the terms and conditions of this
215 section as they relate to the operation and governance of the trust or any other provision
216 of this section.

STEAM Council 2

217 SECTION 13. Section 4A of chapter 15A of the General Laws is hereby repealed.

University of Massachusetts Tuition Retention 1

218 SECTION 14. Section 9 of said chapter 15A, as appearing in the 2012 Official
219 Edition, is hereby amended by striking out, in lines 71 to 74, inclusive, the words “In the
220 case of the university, the council shall review the recommendations of the board of
221 trustees relative to tuition rates at said university and its campuses. Said tuition rates
222 shall be subject to the approval of the council.” and inserting in place thereof the
223 following words:- Tuition rates shall be subject to the approval of the council; provided,
224 however, that tuition rates at the University of Massachusetts shall be subject to sections
225 1A and 1B of chapter 75 and shall not require the approval of the council.

University of Massachusetts Tuition Retention 2

226 SECTION 15. Said section 9 of said chapter 15A, as so appearing, is hereby
227 further amended by striking out, in line 79, the words “public institution of higher
228 education” and inserting in place thereof the following words:- state university and
229 community college.

Substance Abuse Helpline

230 SECTION 16. Subsection (b) of section 18 of chapter 17 of the General Laws, as
231 so appearing, is hereby amended by inserting after the first sentence the following 2
232 sentences:- The toll-free helpline shall inform adult and juvenile callers on: (i) acute
233 treatment service facilities and transitional support service facilities that have open beds;
234 (ii) outpatient resources; and (iii) community-based services. The helpline shall be a
235 resource for emergency departments, health centers, families, social workers and medical
236 professionals to obtain information about how to get treatment for an individual who is
237 addicted to drugs or alcohol.

Treatment Facility Website

238 SECTION 17. Said section 18 of said chapter 17, as so appearing, is hereby
239 further amended by adding the following subsection:-

240 (c) The bureau shall establish a website that informs the public of acute treatment
241 service facilities and transitional support service facilities that have open beds. The
242 bureau shall update the website daily. The website shall provide the following
243 information about each facility that has an open bed: (i) the name, address, telephone
244 number and website of the facility; (ii) information about the types of payment that are
245 accepted; and (iii) a description of the types of programs and services provided at the
246 facility. The website shall also provide information about services available in each

247 region of the commonwealth including, but not limited to, alcohol and drug free housing
248 as defined in section 18A, outpatient services and community-based services.

Sober Homes 1

249 SECTION 18. Said chapter 17 is hereby further amended by inserting after
250 section 18 the following section:-

251 Section 18A. (a) As used in this section, the following words shall have the
252 following meanings unless the context clearly requires otherwise:

253 “Alcohol and drug free housing”, a residence, commonly known as a sober home,
254 that provides or advertises as providing, an alcohol and drug free environment for people
255 recovering from substance use disorders; provided, however, that, “Alcohol and drug free
256 housing” shall not include a halfway house, treatment unit or detoxification facility or
257 any other facility licensed pursuant to section 7 of chapter 111E.

258 “Bureau”, the bureau of substance abuse services established in section 18.

259 “Certified alcohol and drug free housing”, alcohol and drug free housing that has
260 been accredited by the bureau pursuant to this section.

261 “Director”, the director of substance abuse services.

262 “Operator”, the lawful owner of alcohol and drug free housing or a person
263 employed and designated by the owner to have primary responsibility for the daily
264 operation of the housing and for maintaining standards and conditions therein that create
265 an environment supportive of substance use disorder recovery.

266 (b) The bureau shall establish and provide for the administration of a voluntary
267 training and accreditation program for operators of alcohol and drug free housing seeking
268 certification under subsection (d).

269 (c) The accreditation program established pursuant to this section shall maintain
270 nationally-recognized standards and practices that:

271 (i) uphold industry best practices and support a safe, healthy and effective
272 recovery environment;

273 (ii) evaluate the ability to assist persons in achieving long-term recovery goals;

274 (iii) provide for appropriate training for the operators and staff and ensure
275 satisfactory completion of such training;

276 (iv) protect occupants of alcohol and drug free housing against unreasonable and
277 unfair practices in setting and collecting rent payments; and

278 (v) verify good standing with regard to local, state and federal laws, regulations
279 and ordinances including, but not limited to, building, maximum occupancy, fire safety
280 and sanitation codes.

281 (d) The bureau shall include a residence on a list of certified alcohol and drug free
282 housing as described in subsection (f) upon receipt and review of:

283 (i) the completion of training as described in subsection (c);

284 (ii) a deed, trust document, articles of incorporation, lease or other document
285 acceptable to the director evidencing that the individual or entity seeking certification is
286 the lawful owner or lessee of the parcel where the housing is or will be located; and

287 (iii) a certificate issued pursuant to section 23 of chapter 60 indicating that there
288 are no taxes or other assessments that constitute liens on the parcel of real estate upon
289 which the housing is located or will be located.

290 (e) The director shall periodically evaluate the quality of training being provided
291 to operators seeking certification and the integrity and efficacy of the accreditation
292 program.

293 (f) The bureau shall prepare, publish and disseminate a list of alcohol and drug
294 free housing certified pursuant to this section; provided, however, that the list shall be
295 updated bimonthly. The list shall be disseminated to the director of drug rehabilitation
296 and to each state agency or vendor with a statewide contract that provides substance use
297 disorder treatment services. The commissioner of probation shall inform all district and
298 superior court probation officers and the chief justice of the trial court shall inform all
299 district and superior court judges on how to access the list. The list shall also be posted
300 on the website established under section 18.

301 (g) The department, in consultation with the bureau, shall promulgate rules and
302 regulations to implement this section that shall include a process for receiving complaints
303 against certified alcohol and drug free housing and criteria by which the director may
304 exclude a residence from the list prepared under subsection (f) if the frequency and
305 severity of complaints received supports a determination that the alcohol and drug free
306 housing in question does not maintain standards or provide an environment that
307 appropriately supports the recovery goals of its residents.

308 (h) A state agency or vendor with a statewide contract that is providing treatment
309 or services to a person, or a state agency or officer setting terms and conditions for the
310 release, parole or discharge of a person from custody or treatment, shall not refer that
311 person to alcohol and drug free housing and shall not otherwise include in such terms and
312 conditions a referral to alcohol and drug free housing unless the alcohol and drug free
313 housing is certified pursuant to this section. Nothing in this section shall prohibit a
314 residence that has not received certification from operating or advertising as alcohol and
315 drug free housing, or from offering residence to persons recovering from substance use
316 disorders.

Sober Homes 2

317 SECTION 19. Section 19 of said chapter 17, as appearing in the 2012 Official
318 Edition, is hereby amended by adding the following sentence:- A discharge plan shall
319 not include a referral or recommendation to alcohol and drug free housing unless such
320 housing is certified pursuant to section 18A.

Agricultural Preservation Restrictions

321 SECTION 20. Section 23 of chapter 20 of the General Laws, as so appearing, is
322 hereby amended by striking out subsection (b) and inserting in place thereof the
323 following 2 subsections:-

324 (b) Notwithstanding any general or special law to the contrary, the department of
325 agricultural resources, with the approval of the co-holder, if any, shall grant to any owner
326 of land subject to an agricultural preservation restriction held by the commonwealth a
327 nonassignable special permit allowing a nonagricultural activity to occur on the
328 agricultural preservation restriction land if: (i) the activity is deemed to not permanently
329 or significantly impact the quality or availability of future use of the soil as provided, in
330 writing, by a licensed engineer, a designated representative from the Center for
331 Agriculture at the University of Massachusetts at Amherst or a designated representative
332 of the United States Department of Agriculture National Resource Conservation Service
333 that a proposed activity will not permanently or significantly impact the soil; provided,
334 however, that the engineer or representative may recommend mitigation measures; and
335 (ii) a minimum of 75 per cent of the land is being actively utilized for full-time
336 commercial agriculture or was in the preceding season or is fallow pursuant to the United
337 States Department of Agriculture National Resource Conservation Service Conservation
338 Plan.

339 If mitigation measures are recommended under clause (i), the owner of land
340 subject to an agricultural preservation restriction held by the commonwealth shall ensure
341 that mitigation measures are appropriately employed to ensure the activity does not
342 permanently or significantly impact the quality or availability of soil for future use. For
343 the purpose of this subsection and subsection (c), the term “nonagricultural activity” shall
344 mean the use of land for purposes other than agricultural or horticultural uses as provided
345 in sections 1 and 2 of chapter 61A.

346 All costs associated with the special permit shall be borne by the owner of the
347 land. The special permit shall be for a maximum of 10 years which may, at the discretion
348 of the department, be renewed.

349 (c) Notwithstanding any general or special law to the contrary, the department of
350 agricultural resources, with the approval of the co-holder, if any, shall grant to an owner
351 of land subject to an agricultural preservation restriction held by the commonwealth a
352 special permit allowing for the movement of soil for non-agricultural activity; provided,
353 however, that the owner of land subject to an agricultural preservation restriction held by

354 the commonwealth shall demonstrate, as determined by the department, that: (i) all soil
355 is kept on the agricultural restriction preservation parcel; (ii) soil is appropriately
356 stabilized to prevent runoff and loss; (iii) the value and usability of soil is not degraded or
357 significantly altered; and (iv) the location from which soil is removed can be returned to
358 its previous state. The owner of the land shall not require a special permit for the
359 movement of soil as conducted through normally accepted agricultural practices
360 developed by the relevant agricultural industry.

Massachusetts Environmental Police Trust Fund 1

361 SECTION 21. Chapter 21A of the General Laws is hereby amended by inserting
362 after section 10H the following section:-

363 Section 10I. There shall be a surcharge of 20 per cent on a fine assessed against a
364 person convicted of or found responsible for a violation under this chapter or a violation
365 of a special regulation made under the authority of this chapter if the complaining officer
366 was an environmental police officer or deputy environmental police officer.
367 Notwithstanding the provisions relative to the distribution of fines, penalties and
368 forfeitures in the ninth paragraph of section 10G, such surcharge shall be deposited into
369 the Massachusetts Environmental Police Trust Fund established in section 2LLLL of
370 chapter 29.

State Climatologist

371 SECTION 22. Said chapter 21A is hereby further amended by adding the
372 following section:-

373 Section 24. There shall be within the executive office of energy and
374 environmental affairs an office of the state climatologist, which shall be under the
375 supervision and control of a state climatologist to be appointed by the secretary of energy
376 and environmental affairs. The office of the state climatologist shall: (i) gather and
377 archive data on climate conditions in the commonwealth; (ii) conduct and foster research
378 concerning the climate in the commonwealth and look for opportunities for sponsored
379 research concerning climate issues in the commonwealth; (iii) coordinate with the
380 Northeast Regional Climate Center housed at the University of Massachusetts at Amherst
381 by the United States Department of the Interior; and (iv) educate and inform citizens on
382 matters related to climate. The office of the state climatologist shall advise all other
383 branches of state and local government concerning the climate in the commonwealth and
384 its implications for both economic and scientific needs in conjunction with existing and
385 future environmental factors relating to the climate in the commonwealth. The office of
386 the state climatologist shall maintain a liaison with federal and other state and academic
387 institutions and join federal and international climate interest groups. The state
388 climatologist shall serve for a term of 5 years, but may be reappointed. The office of the
389 state climatologist shall be funded by the executive office.

Department of Public Safety Enforcement of Civil Fines 1

390 SECTION 23. Clause (7) of subsection (a) of section 22 of the
391 General Laws, as appearing in section 37 of chapter 38 of the acts of 2013, is hereby
392 amended by inserting after the word “inclusive”, the first time it appears, the following
393 words:- , section 46.

Department of Public Safety Enforcement of Civil Fines 2

394 SECTION 24. Said clause (7) of said subsection (a) of said section 22 of said
395 chapter 22, as so appearing, is hereby further amended by striking out the word “and”.

Department of Public Safety Enforcement of Civil Fines 3

396 SECTION 25. Said subsection (a) of said section 22 of said chapter 22, as so
397 appearing, is hereby further amended by striking out clause (8) and inserting in place
398 thereof the following 2 clauses:-
399 (8) sections 57 and 60 of chapter 147; and
400 (9) section 20.

Gateway Cities Population Threshold

401 SECTION 26. Section 3A of chapter 23A of the General Laws, as appearing in
402 the 2012 Official Edition, is hereby amended by striking out, in line 139, the figure
403 “35,000” and inserting in place thereof the following figure:- 20,000.

Gaming Commission Meal and Travel Policy

404 SECTION 27. Section 3 of chapter 23K of the General Laws, as so appearing, is
405 hereby amended by adding the following subsection:-

406 (y) The commission shall establish a comprehensive employee accountability and
407 internal control system that closely aligns with the human resources division’s rules and
408 policies established pursuant to section 28 of chapter 7 for employees and managers not
409 subject to collective bargaining under chapter 150E. The system shall take into account
410 rates set by the United States General Services Administration for similar services when
411 determining the maximum reimbursable rate and shall include specific policies related to
412 travel expenses and meal reimbursement, including a requirement that the commission
413 shall not reimburse employees for alcoholic beverages.

One-Time Settlements and Judgments

414 SECTION 28. The last paragraph of section 2H of chapter 29 of the General
415 Laws, as so appearing, is hereby amended by adding the following sentence:- Prior to the
416 close of each fiscal year, an amount not greater than the median total revenue received by

417 the commonwealth through 1-time settlements and judgments in excess of \$10,000,000 in
418 each of the previous 5 fiscal years shall be transferred from the Stabilization Fund to the
419 General Fund.

STEAM Council 3

420 SECTION 29. Subsection (a) of section 2MMM of said chapter 29, as so
421 appearing, is hereby amended by striking out the last 2 sentences and inserting in place
422 thereof the following 2 sentences:- The department of higher education shall hold the
423 Pipeline Fund in an account separate and apart from all other accounts. Amounts
424 credited to the Pipeline Fund shall be used by the commissioner of higher education, in
425 consultation with the STEAM advisory council established in section 217 of chapter 6.

STEAM Council 4

426 SECTION 30. Said section 2MMM of said chapter 29, as so appearing, is hereby
427 further amended by striking out, in line 74, the word “board” and inserting in place
428 thereof the following word:- department.

STEAM Council 5

429 SECTION 31. Said section 2MMM of said chapter 29, as so appearing, is hereby
430 further amended by striking out, in lines 76 and 83, the word “chancellor” and inserting
431 in place thereof, in each instance, the following word:- commissioner.

Massachusetts Environmental Police Trust Fund 2 & Home and Community-Based Services Policy Lab 1

432 SECTION 32. Said chapter 29 is hereby further amended by inserting after
433 section 2KKKK the following 2 sections:-

434 Section 2LLLL. There shall be established and set up on the books of the
435 commonwealth a separate fund to be known as the Massachusetts Environmental Police
436 Trust Fund which shall be administered by the secretary of energy and environmental
437 affairs. The fund shall be credited with: (i) all revenues collected from the administrative
438 fees and surcharges imposed by section 10I of chapter 21A and section 39 of chapter
439 90B; (ii) a 10 per cent maintenance fee charged on all office of law enforcement private
440 details which shall be separate from any other administrative fees charged on private
441 details; (iii) any appropriations, bond proceeds or other monies authorized by the general
442 court and specifically designated to be credited thereto; (iv) interest or investment
443 earnings on any such funds; and (v) all other amounts credited or transferred to the fund
444 from any other fund or service. Amounts credited to the fund may be expended, without
445 further appropriation, by the secretary on programs and costs related to the office of law
446 enforcement including, but not limited to: (i) the expenses of hiring, equipping and
447 training environmental police recruits; and (ii) maintenance expenses of the office. The
448 unexpended balance in the fund at the end of a fiscal year shall not revert to the General

449 Fund but shall remain available for expenditure in subsequent fiscal years. No
450 expenditure made from the fund shall cause the fund to become deficient at any point;
451 provided, however, that the secretary of energy and environmental affairs shall report
452 annually, not later than January 15, to the house and senate committees on ways and
453 means and the joint committee on environment, natural resources and agriculture relative
454 to the source and amount of funds deposited into the fund, the amounts distributed and
455 the purpose of any expenditures from the fund.

456 Section 2MMMM. (a) There shall be established and set up on the books of the
457 commonwealth a separate fund to be known as the Home and Community-based Services
458 Policy Lab Fund into which shall be credited any appropriations authorized by the
459 general court and specifically designated to be credited to that fund and any additional
460 nonstate-sourced funds identified and awarded for the purposes of the fund and
461 designated by the secretary of elder affairs for deposit into the fund including, but not
462 limited to, federal or private grants or donations made available to the executive office of
463 elder affairs for deposit into the fund. Amounts credited to the fund shall be available for
464 the purposes of the fund and the secretary of elder affairs shall direct and authorize the
465 expenditure of funds from the fund.

466 (b) The fund shall be used to support research and analysis which, in the
467 determination of secretary of elder affairs in consultation with those agencies under the
468 executive office of health and human services serving elders and persons with chronic
469 illnesses or disabilities, would enhance the development, evaluation, design and
470 continued improvement of programs rendering home and community-based services to
471 individuals who need long-term services and supports. Research shall focus on the
472 outcomes and effectiveness of public investments made in home and community-based
473 care and services. All research, analysis and deliverables funded by the fund shall be
474 dedicated to the improvement of the overall administration of publicly-funded programs
475 of home and community-based care and services. In furtherance of this purpose, the
476 secretary of elder affairs, in consultation with the chancellor of the University of
477 Massachusetts Medical School and the chancellor's designees, shall employ the fund to
478 develop, direct and fund a research agenda to be executed and overseen by the
479 commonwealth medicine division of the University of Massachusetts Medical School;
480 provided, however, that the University of Massachusetts Medical School on its own or in
481 concert with other University of Massachusetts' campus departments shall seek other
482 nonstate sources of funding for the purposes of this section.

483 (c) The secretary of elder affairs shall file an annual report with the house and
484 senate committees on ways and means, the joint committee on elder affairs and the joint
485 committee on health care financing not later than September 30 on the following: (i) an
486 inventory of program support and development initiatives, detailing the administrative
487 and programmatic benefit of each initiative; (ii) a list of research initiatives, detailing the
488 public policy benefit and potential program application of each initiative; (iii) a summary
489 and assessment of the ongoing work and progress of the research and analytics done by
490 the home and community-based services policy lab which is not primarily resourced by
491 the fund; and (iv) an annual statement of cash inflows and outflows.

State Retiree Benefits Trust Fund 1

492 SECTION 33. Section 5G of said chapter 29, as appearing in the 2012 Official
493 Edition, is hereby amended by striking out the third paragraph and inserting in place
494 thereof the following paragraph:-

495 Fifty per cent of any amount transferred to the Commonwealth Stabilization Fund
496 under this section shall then be transferred from the Commonwealth Stabilization Fund to
497 the State Retiree Benefits Trust Fund established in section 24 of chapter 32A.

Authorization to Transfer Fund Balances 1

498 SECTION 34. Said chapter 29 is hereby further amended by inserting after
499 section 13 the following section:-

500 Section 13A. Notwithstanding any general or special law to the contrary, upon
501 receiving a written request from the secretary, the comptroller shall transfer to the
502 General Fund all or part of the unexpended balance of a fund, trust fund or other separate
503 account, whether established administratively or by law, including a separate account
504 established under section 6 of chapter 6A; provided, however, that the authority to
505 transfer unexpended balances shall not apply to any judgments or settlements received
506 and held in trust by the attorney general. The secretary and comptroller shall report to the
507 house and senate committees on ways and means 45 days before any such transfer. The
508 request shall certify that the secretary, in consultation with the comptroller, has
509 determined that this balance, or the specified part of it, is not necessary for the purposes
510 for which it was made available.

State Retiree Benefits Trust Fund 2

511 SECTION 35. Chapter 29D of the General Laws is hereby repealed.

Internet Procurement Notice

512 SECTION 36. Section 5 of chapter 30B of the General Laws, as appearing in the
513 2012 Official Edition, is hereby amended by inserting after the word "body", in line 32,
514 the following words:- or, in the alternative, on a public internet website of either the
515 governmental body or the commonwealth.

Updated Pension Schedule

516 SECTION 37. Section 22C of chapter 32 of the General Laws, as so appearing, is
517 hereby amended by striking out, in lines 60 and 61, the words "\$1,727,000,000 in fiscal
518 year 2015, \$1,831,000,000 in fiscal year 2016 and \$1,941,000,000" and inserting in place
519 thereof the following words:- \$1,793,000,000 in fiscal year 2015, \$1,972,000,000 in
520 fiscal year 2016 and \$2,169,000,000.

State Retiree Benefits Trust Fund 3

521 SECTION 38. Paragraph (a) of section 24 of chapter 32A of the General Laws, as
522 amended by section 7 of chapter 36 of the acts of 2013, is hereby further amended by
523 striking out the words “Health Care Security Trust board of trustees established in section
524 4 of chapter 29D” and inserting in place thereof the following words:- State Retiree
525 Benefits Trust Fund board of trustees established in section 24A.

State Retiree Benefits Trust Fund 4

526 SECTION 39. Subsection (b) of said section 24 of said chapter 32A, as appearing
527 in the 2012 Official Edition, is hereby amended by adding the following 2 paragraphs:-

528 There shall be an annual supplemental payment to the State Retiree Benefits Trust
529 Fund, established in section 24 of chapter 32A in addition to amounts transferred through
530 item 1599-6152. In fiscal year 2015, the amount of the supplemental payment shall be
531 equal to 30 per cent of all payments received by the commonwealth in fiscal year 2015
532 under the master settlement agreement in Commonwealth of Massachusetts v. Philip
533 Morris, Inc. et. al., Middlesex Superior Court, No. 95-7378. The amount of the
534 supplemental payment to be deposited in the State Retiree Benefits Trust Fund shall be
535 increased by 10 percentage points in fiscal year 2016 and in each subsequent fiscal year
536 until the amount to be deposited reaches \$230,000,000. The following sources shall be
537 credited to the supplemental payment, in the following order to satisfy the required
538 supplemental payment amount for each fiscal year: (i) transfers to the State Retiree
539 Benefits Trust Fund made under section 5G of chapter 29; (ii) unexpended balances in
540 items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 that would otherwise revert to
541 the General Fund; and (iii) payments received by the commonwealth under the master
542 settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al.

State Retiree Benefits Trust Fund 5

543 SECTION 40. Said section 24 of said chapter 32A, as amended by section 7 of
544 chapter 36 of the acts of 2013, is hereby further amended by adding the following 3
545 subsections:-

546 (i) All transactions affecting the fund including, but not limited to, all amounts
547 credited to and all expenditures, transfers or allocations made from the fund, shall be
548 recorded by a subsidiary on the Massachusetts management accounting and reporting
549 system.

550 (j) The fund shall be classified by the comptroller as a nonbudgeted fund of the
551 commonwealth. Amounts credited to the fund, including both principal and earnings,
552 shall not be subject to the calculation of the consolidated net surplus under sections 2H
553 and 5C of chapter 29.

554 (k) The attorney general shall file a quarterly report with the state comptroller, the
555 secretary of administration and finance and the house and senate committees on ways and
556 means which shall include, but not be limited to: (i) an updated schedule of payments due
557 to the commonwealth under the master settlement agreement referenced in subsection
558 (b); (ii) an analysis of any imminent factors that may affect the industry's ability to
559 generate those payments to the commonwealth; (iii) a detailed account of the analysis and
560 methodology used to determine the variations associated with the schedule of payments;
561 (iv) an explanation of the financial impact that those variations in the schedule of
562 payments shall have upon the amount due to the commonwealth and the industry's
563 obligation to the commonwealth; and (v) an itemized account of all amendments that
564 have been made to the master settlement agreement.

State Retiree Benefits Trust Fund 6

565 SECTION 41. Said chapter 32A is hereby further amended by inserting after
566 section 24 the following section:-

567 Section 24A. (a) The State Retiree Benefits Trust Fund shall be managed by a
568 board of trustees which shall have general supervision of the trust. The duties and
569 obligations of the board shall be set forth in a declaration of trust to be adopted by the
570 board. The declaration of trust and any amendments to it shall be filed with the general
571 court, but if the general court takes no final action on the declaration or any amendments
572 to it within 60 days after the date of the filing of the declaration or any amendments with
573 the clerks of the senate and house of representatives, the declaration or amendments shall
574 be considered to be approved.

575 (b) The board of trustees shall consist of 7 trustees, including the secretary of
576 administration and finance or a designee, the executive director of the group insurance
577 commission or a designee, the executive director of the public employee retirement
578 administration commission or a designee, the state treasurer or a designee, the
579 comptroller or a designee, 1 person to be appointed by the governor and 1 person to be
580 appointed by the state treasurer. The appointed trustees shall serve for terms of 5 years
581 and shall be experienced in the fields of investment, financial management, law and
582 public management. Trustees shall be eligible for reappointment. The members of the
583 board shall elect 1 of the trustees to serve as the chair.

584 (c) A trustee shall disclose in advance to the board any interest or involvement in
585 any matter that is before the board. The disclosure shall be contemporaneously recorded
586 in the minutes of the board. A trustee having such an interest or involvement shall not
587 participate in any such matter.

588 (d) The board may select an executive director who shall serve at the pleasure of
589 the board. Sections 9A, 45, 46 and 46C of chapter 30, chapter 31 and chapter 150E shall
590 not apply to the executive director or any other employees of the board. The executive
591 director shall, with the approval of the board: (i) plan, direct, coordinate and execute
592 administrative and investment functions in conformity with the policies and directives of

593 the board; (ii) employ professional and clerical staff as necessary; (iii) report to the board
594 on all operations under the director's control and supervision; (iv) prepare an annual
595 budget and manage the administrative expenses of the trust; and (v) undertake any other
596 activities necessary to implement the powers and duties set forth in this section. If the
597 board does not select an executive director, the chair shall perform all duties and
598 functions of the executive director set forth in this section or, with the approval of the
599 board, the chair may delegate duties to others.

600 (e) In addition to the other powers and duties defined in this section, the board
601 shall approve or ratify decisions of the executive director or other person designated to
602 carry out the powers and duties of an executive director, formulate policies and
603 procedures considered necessary and appropriate to carry out the purposes of the fund,
604 maintain a record of its proceedings and undertake any other activities necessary to
605 implement the powers and duties set forth in this section.

606 (f) All records of the fund, including the transactions of the fund, shall be a public
607 record as defined in clause Twenty-sixth of section 7 of chapter 4.

608
609 (g) In any civil action brought against a trustee or employee of the fund, acting
610 within the scope of the official duties of the trustee or employee, the defense or
611 settlement of which is made by the attorney general or by an attorney employed by the
612 board, the trustee or employee shall be indemnified for all expenses incurred in the
613 defense of the action and shall be indemnified for damages to the same extent as provided
614 for public employees in chapter 258. No trustee or employee shall be indemnified for
615 expenses in an action or damages awarded in an action in which there was shown to be a
616 breach of fiduciary duty, an act of willful dishonesty or an intentional violation of law by
617 the trustee or employee.

Death Benefits for Surviving Spouses of Call and Volunteer Emergency Service Personnel

618 SECTION 42. Chapter 32B of the General Laws is hereby amended by inserting
619 after section 9C the following section:-

620 Section 9C1/2. Upon the death of a call, volunteer, intermittent, part-time or
621 reserve firefighter, emergency medical services provider or police officer who, while in
622 the performance of duties and as a result of incident, accident or violence, is killed or
623 sustains injuries which are the direct and proximate cause of death, the surviving spouse
624 and dependents, including children under the age of 26, may continue to participate in
625 group hospital, surgical, medical, dental and other health insurance until the remarriage
626 or death of the surviving spouse. Application for such insurance shall be filed with the
627 appropriate public authority and a method for the payment of premiums shall be
628 determined in accordance with its rules and regulations. The surviving spouse shall also
629 file in the office of the city auditor, town accountant or officer having similar duties, a
630 copy of the marriage certificate of the surviving spouse. The municipality shall charge
631 the surviving spouse 100 per cent of the premium for such hospital, surgical, medical,
632 dental and other health insurance.

633 This section shall take effect in a city, town or district upon its acceptance in the
634 following manner: in a city having a Plan D or Plan E charter, by a majority vote of its
635 city council; in any other city, by a vote of the city council and approval by the mayor; in
636 a district, by a vote of the registered voters of the district at a district meeting and in a
637 town, by a vote of the registered voters at a town meeting.

State Retiree Benefits Trust Fund 7

638 SECTION 43. Section 20 of said chapter 32B, as appearing in the 2012 Official
639 Edition, is hereby amended by striking out, in line 15, the words “Health Care Security
640 Trust board of trustees established in section 4 of chapter 29D” and inserting in place
641 thereof the following words:- State Retiree Benefits Trust Fund board of trustees
642 established in section 24A of chapter 32A.

State Retiree Benefits Trust Fund 8

643 SECTION 44. Said section 20 of said chapter 32B, as so appearing, is hereby
644 further amended by striking out, in lines 20 and 21, and in line 44, the words “Health
645 Care Security Trust” and inserting in place thereof, in each instance, the following
646 words:- State Retiree Benefits Trust Fund.

Appellate Tax Board Small Claims Process 1

647 SECTION 45. Subsection (a) of section 7B of chapter 58A of the General Laws,
648 as so appearing, is hereby amended by striking out the second sentence and inserting in
649 place thereof the following sentence:- Unless the appellant affirmatively requests that the
650 case be heard under the formal procedure provided in section 7, the small claims
651 procedure shall govern any case in which the amount of tax placed in dispute by the
652 petition does not exceed (i) \$25,000 for any taxable year, in the case of a tax imposed by
653 taxable year; (ii) \$25,000 for any calendar year, in the case of a tax imposed by calendar
654 year; (iii) \$25,000 for any calendar year, in the case of a tax imposed by chapters 64A to
655 64J, inclusive, and section 21 of chapter 138; (iv) \$25,000 in the case of a tax imposed by
656 chapter 65C; or (v) \$25,000 for any taxable event or transaction in the case of any other
657 tax.

Appellate Tax Board Small Claims Process 2

658 SECTION 46. Said section 7B of said chapter 58A, as so appearing, is hereby
659 further amended by striking out, in line 18, the figure “\$5,000” and inserting in place
660 thereof the following figure:- \$25,000.

Appellate Tax Board Small Claims Process 3

661 SECTION 47. Said section 7B of said chapter 58A, as so appearing, is hereby
662 further amended by striking out subsection (c) and inserting in place thereof the
663 following subsection:-

664 (c) An appellant filing an appeal under the small claims procedure shall pay to the
665 clerk an entry fee as determined annually by the secretary of administration and finance
666 under section 3B of chapter 7 and shall file a written statement of the facts of the case and
667 of the amount claimed in abatement together with any additional information as the clerk
668 may require. The appellant shall also file a written waiver of the right to appeal to any
669 court. Within 5 business days after receipt of the petition, the clerk shall notify the
670 parties to confirm the scheduling of the appeal and serve a copy of the small claims
671 procedure petition and accompanying information upon the commissioner of revenue.
672 Within 25 business days after the service of the statement or at another time as the board
673 may order, the commissioner of revenue shall file with the board an answer similar to that
674 required under the formal procedure provided by section 7.

Appellate Tax Board Small Claims Process 4

675 SECTION 48. Said section 7B of said chapter 58A, as so appearing, is hereby
676 further amended by striking out, in line 42, the word “subsection” and inserting in place
677 thereof the following words:- subsections (a) and.

Appellate Tax Board Small Claims Process 5

678 SECTION 49. Subsection (e) of said section 7B of said chapter 58A, as so
679 appearing, is hereby further amended by striking out the third and fourth sentences and
680 inserting in place thereof the following 4 sentences:- The commissioner may also request
681 that a matter be removed from the small claims procedure if: (i) there is a recurring issue
682 of law and the impact of the issue on similarly situated taxpayers carries an aggregate
683 value of over \$250,000; or (ii) the board determines that the issue to be addressed is not
684 suitable for small claims resolution due to its complexity, unique nature or other
685 compelling reason as determined by the board in good faith. Upon any removal or
686 discontinuance, proceedings in the case shall be transferred to the formal docket and
687 conducted under the formal procedure provided by section 7. The date on which the
688 board received the appellant’s initial petition shall be considered the date of filing for the
689 subsequent appeal under the formal procedure. The board shall allow sufficient time for
690 the parties to modify their small claims submissions as needed to comply with the
691 documentary requirements of the formal procedure and the waiver of the right of appeal
692 shall be void.

Historic Rehabilitation Tax Credit 1

693 SECTION 50. Section 6J of chapter 62 of the General Laws, as so appearing, is
694 hereby amended by striking out, in lines 36 and 37, the words “12-year period beginning

695 January 1, 2006, and ending December 31, 2017” and inserting in place thereof the
696 following words:- period beginning January 1, 2006 and ending December 31, 2022.

Historic Rehabilitation Tax Credit 2

697 SECTION 51. Section 38R of chapter 63 of the General Laws, as so appearing, is
698 hereby amended by striking out, in lines 35 and 36, the words “12-year period beginning
699 January 1, 2006, and ending December 31, 2017” and inserting in place thereof the
700 following words:- period beginning January 1, 2006 and ending December 31, 2022.

Public School Military Mitigation & Substance Abuse School Policy

701 SECTION 52. Chapter 71 of the General Laws is hereby amended by adding the
702 following 2 sections:-

703 Section 95. (a) As used in this section, the following terms shall have the
704 following meanings unless the context clearly requires otherwise:

705 “Federal military reservation”, the Joint Base Cape Cod and Hanscom Air Force
706 Base.

707 “Federal military reservation students”, children who are dependents of military
708 or other federal personnel who reside on a federal military reservation and who attend
709 public schools in any district.

710 “Reimbursement aid”, funds from the commonwealth paid to municipalities to
711 defray costs incurred by a municipality for federal military reservation students;
712 provided, however, that reimbursement aid shall supplement funds already received by
713 municipalities for the costs of educating federal military reservation students, including
714 federal impact aid under 20 U.S.C. § 7701 et seq., and state aid under chapter 70.

715 (b) Notwithstanding any general or special law to the contrary, the commonwealth
716 shall pay reimbursement aid to qualifying municipalities. The total amount of
717 reimbursement aid paid to qualifying municipalities shall be at least \$1,300,000. The
718 minimum payment made to a municipality for federal military reservation students shall
719 equal the amount paid to the municipality in fiscal year 2014. Any increase in funding
720 shall be disbursed through a ratio established by the department. The ratio shall be based
721 on the proportionate amount of reimbursement aid paid to the municipality in fiscal year
722 2014.

723 Section 96. Each public school shall have a policy regarding substance use
724 prevention and the education of its students about the dangers of substance abuse. The
725 school shall notify the parents or guardians of all students attending the school of the
726 policy and shall post the policy on the school’s website, if a website exists. The policy
727 and any standards and rules enforcing the policy shall be prescribed by the school

728 committee in conjunction with the superintendent or the board of trustees of a
729 commonwealth charter school.

University of Massachusetts Tuition Retention 3

730 SECTION 53. Section 1A of chapter 75 of the General Laws, as appearing in the
731 2012 Official Edition, is hereby amended by striking out, in lines 142 and 143, the words
732 “; (p) submit recommendations to the council for approval for tuition rates at the
733 university”.

University of Massachusetts Tuition Retention 4

734 SECTION 54. Said chapter 75 is hereby further amended by inserting after
735 section 1A the following section:-

736 Section 1B. (a) For the purposes of this section, the following words shall have
737 the following meanings unless the context clearly requires otherwise:

738 “Student charges”, in-state and out-of-state tuition and fees that are charged to
739 students for general attendance at the university; provided, however, that “student
740 charges” shall not include any fee or other charge established by the university that is
741 specific to a particular course, program or activity or any charges for room, board or
742 student health insurance.

743 “Student tuition credit”, a reduction in student charges for an eligible student.

744 (b) The board of trustees shall fix and establish student charges for the university.
745 In-state tuition and mandatory student charges shall preserve affordability for residents of
746 the commonwealth. Out-of-state student charges shall appropriately balance the financial
747 needs of the university with the need to be competitive with peer institutions and, to the
748 extent possible, cover, at a minimum, the actual cost of the student’s education. Tuition
749 shall comprise the majority portion of student charges. In establishing student charges,
750 the board of trustees shall consider factors including, but not limited to: (i) the Consumer
751 Price Index, as published by the United States Department of Labor; (ii) Bureau of Labor
752 Statistics; (iii) the Higher Education Price Index, as calculated by the Commonfund; (iv)
753 tuition and fee rates at peer institutions; (v) collective bargaining costs; and (vi) total
754 support from the commonwealth, including direct appropriations along with other
755 relevant data and measures.

756 (c) All student charges received by the university under this section shall be
757 retained by the university in a revolving trust fund and shall be expended as the board of
758 trustees directs for the operation and support of the university. Any balance remaining in
759 the trust fund established under this section at the end of a fiscal year shall continue to be
760 held in the trust fund, shall remain available for expenditure in subsequent fiscal years
761 and shall not revert to the General Fund. All such trust funds shall be subject to audit by
762 the state auditor.

763 The university shall provide to each student a detailed statement of all student
764 charges. The statement of student charges shall be in a form approved by the board of
765 trustees. The statement of student charges shall break down the student charges, display
766 the discount rate for in-state students and display the discount for any student that is
767 eligible for a tuition credit.

768 (d) For employees of the university who are paid from tuition retained under
769 subsection (c), fringe benefits and collective bargaining shall be funded as if those
770 employees' salaries were supported by state appropriations and the funds shall not be
771 assessed as fringe benefits. This section shall apply only to fringe benefits and collective
772 bargaining costs associated with salaries paid from retained tuition.

773 (e) All tuition waivers, grants and scholarships identified in chapter 15A or in
774 other laws or in reductions collectively bargained for that are in the form of a tuition or
775 fee waiver shall be student tuition credits. Students who are eligible for a tuition credit
776 shall have their student charges reduced by the amount of the tuition credit.

777 (f) The board of trustees shall not accept any future tuition waivers, grants or
778 scholarships identified in chapter 15A or in other laws or in reductions collectively
779 bargained for that are in the form of a tuition or fee waiver unless the reduction is
780 accompanied by an appropriation that fully supports them or the reduction is approved by
781 the board of trustees.

782 (g) The university shall annually report not later than March 1 to the senate and
783 house committees on ways and means, the joint committee on higher education, the
784 secretary of administration and finance and the secretary of education: (i) the status of the
785 percentage of student education costs placed upon the student and subsidized by the
786 commonwealth; and (ii) a comprehensive document articulating the efficiencies and
787 effectiveness of initiatives and programs at the university that save the commonwealth
788 and students money and make the 5-campus system more efficient.

Massachusetts Environmental Police Trust 3

789 SECTION 55. Section 35 of chapter 90B of the General Laws, as appearing in the
790 2012 Official Edition, is hereby amended by adding the following sentence:- The
791 distribution of fines shall not apply to the surcharge amount imposed by section 39 or by
792 section 10I of chapter 21A.

Massachusetts Environmental Police Trust 4

793 SECTION 56. Said chapter 90B is hereby further amended by adding the
794 following section:-

795 Section 39. (a) There shall be a 10 per cent administrative fee charged on all
796 registration, title and permit fees collected by the office of law enforcement under this

797 chapter. The surcharge shall be deposited into the Massachusetts Environmental Police
798 Trust Fund established in section 2LLLL of chapter 29.

799 (b) There shall be a surcharge of 20 per cent on a fine assessed against a person
800 convicted of or found responsible for a violation under this chapter or a violation of a
801 special regulation made under this chapter. Notwithstanding the distribution of fines,
802 penalties and forfeitures under section 10G of chapter 21A, the surcharge shall be
803 deposited into the Massachusetts Environmental Police Trust Fund established in section
804 2LLLL of chapter 29.

Expanding Prescription Drug Monitoring to Physician Assistants and Advanced Practice Registered Nurses

805 SECTION 57. Section 7A of chapter 94C of the General Laws, as appearing in
806 the 2012 Official Edition, is hereby amended by inserting after the word “veterinarian”,
807 in line 7, the following words:- ; provided however, a practitioner shall include a
808 physician assistant or a registered nurse authorized by the board of registration in nursing
809 to practice in an advanced practice nursing role.

Naloxone Standing Order

810 SECTION 58. Said chapter 94C is hereby further amended by inserting after
811 section 19A the following section:-

812 Section 19B. (a) As used in this section and unless the context clearly requires
813 otherwise, “opioid antagonist” shall mean naloxone or any other drug approved by the
814 United States Food and Drug Administration as a competitive narcotic antagonist used in
815 the reversal of overdoses caused by opioids.

816 (b) Notwithstanding any general or special law to the contrary, a licensed
817 pharmacist may dispense an opioid antagonist in accordance with written, standardized
818 procedures or protocols developed by an actively practicing physician registered with the
819 commissioner to distribute or dispense a controlled substance in the course of
820 professional practice pursuant to section 7 if such procedures or protocols are filed at the
821 pharmacist’s place of practice and with the board of registration in pharmacy before
822 implementation.

823 (c) Before dispensing an opioid antagonist authorized pursuant to this section, a
824 pharmacist shall complete a training program approved by the commissioner on opioid
825 antagonists. The training program shall include, but not be limited to, proper
826 documentation and quality assurance.

827 (d) A pharmacist dispensing an opioid antagonist under this section shall annually
828 provide to the department of public health the number of times an opioid antagonist is
829 dispensed. Reports made pursuant to this section shall not identify an individual patient,
830 shall be confidential and shall not be public records as defined in clause Twenty-sixth of
831 section 7 of chapter 4.

832 (e) The department of public health, the board of registration in medicine and the
833 board of registration in pharmacy shall adopt regulations to implement this section.

Substance Abuse Services Fund

834 SECTION 59. Chapter 111 of the General Laws is hereby amended by inserting
835 after section 2H the following section:-

836 Section 2I. (a) There shall be established and set up on the books of the
837 commonwealth a Substance Abuse Services Fund to be expended, without further
838 appropriation, by the department of public health. The commissioner of public health
839 shall, as trustee, administer the fund. The fund shall consist of revenues collected by the
840 commonwealth including: (i) any revenue from appropriations or other monies authorized
841 by the general court and specifically designated to be credited to the fund; (ii) any funds
842 from public and private sources, including gifts, grants and donations to provide
843 substance use disorder treatment services; (iii) any interest earned on such revenues; and
844 (iv) any funds provided from other sources. Money remaining in the fund at the end of a
845 fiscal year shall not revert to the General Fund.

846 (b) All expenditures from the fund shall support the expansion of substance use
847 disorder treatment services, including, but not limited to: (i) detoxification services, (ii)
848 clinical stabilization services; (iii) residential treatment services; (iv) outpatient treatment
849 services; (v) counseling; (vi) promoting the access of primary care providers, including
850 nurse practitioners and physician assistants, to available, trained and certified addiction
851 physician specialists for consultation or referral; and (vii) educating primary care
852 providers, including nurse practitioners and physician assistants, about addiction
853 prevention and treatment and encouraging primary care physicians, nurse practitioners
854 and physician assistants to screen for signs of substance abuse.

855 (c) In making expenditures from the fund, the commissioner shall prioritize: (i)
856 treatment methods that are evidence-based and cost effective; (ii) ensuring substance use
857 disorder treatment access to historically underserved populations; and (iii) availability of
858 a continuum of services and care for clients entering substance use disorder treatment at
859 any level.

860 (d) The commissioner of public health shall report quarterly to the executive
861 office for administration and finance, the joint committee on mental health and substance
862 abuse and the house and senate committees on ways and means on: (1) the way funds
863 were spent in the previous quarter, including, but not limited to, an itemized accounting
864 of the goods and services that were procured; (2) an accounting of substance use disorder
865 services provided by the fund, broken down by month and type of service, from 2011
866 through the current quarter; (3) the number of clients served, by month and type of
867 service, by the goods and services procured in the previous quarter; (4) amounts
868 expended by type of service for each month in the prior quarter; and (5) procurement and
869 service goals for the subsequent quarter.

Sober Homes 3

870 SECTION 60. Section 7 of chapter 111B of the General Laws, as appearing in the
871 2012 Official Edition, is hereby amended by inserting after the word “treatment”, in line
872 41, the following words:- ; provided, however, that a patient shall not be referred to
873 alcohol and drug free housing unless such housing is certified pursuant to section 18A of
874 chapter 17.

Sober Homes 4

875 SECTION 61. Section 12 of chapter 111E of the General Laws, as so appearing,
876 is hereby amended by inserting after the fourth sentence the following sentence:- If the
877 court requires as a condition of probation that the defendant shall reside in alcohol and
878 drug free housing, the judge issuing the order shall require the probation officer to refer
879 the defendant only to alcohol and drug free housing certified pursuant to section 18A of
880 chapter 17 and the probation officer shall require the defendant to reside in housing so
881 certified in order to satisfy such condition if such certified housing is available.

Raise the Age Correction

882 SECTION 62. Subsection (a) of section 72 of chapter 119 of the General Laws is
883 hereby amended by striking out the words “before his nineteenth”, inserted by section 22
884 of chapter 84 of the acts of 2013, and inserting in place thereof the following words:-
885 until between such child’s eighteenth and nineteenth.

Housing Stabilization and Preservation Trust Fund

886 SECTION 63. Section 60 of chapter 121B of the General Laws is hereby
887 amended by striking out subsections (e) and (f), as appearing in section 106 of chapter 38
888 of the acts of 2013, and inserting in place thereof the following 2 subsections:-

889 (e) Not later than August 1 of each fiscal year, the undersecretary shall submit a
890 spending plan to the secretary of administration and finance and the house and senate
891 committees on ways and means. The spending plan shall include the specific programs
892 that will be supported through the fund including, if applicable, relevant state budget
893 items through which the programs receive additional state support. The spending plan
894 shall include the fund balance at the start of the current fiscal year and expenditures and
895 incomes from the prior fiscal year. Spending from the fund shall be subject to approval
896 of the secretary of administration and finance. The undersecretary shall report not less
897 than every 6 months to the secretary of administration and finance and the house and
898 senate committees on ways and means on how the funds have been expended and how
899 expenditures have differed from the spending plan submitted on August 1. For the
900 purpose of accommodating discrepancies between the receipt of revenues and related
901 expenditures, the undersecretary may incur obligations and the comptroller may certify
902 payment amounts not to exceed the most recent revenue estimate submitted by the
903 undersecretary and approved by the secretary of administration and finance but the fund
904 shall be in balance by the close of each fiscal year.

905 (f) The undersecretary shall determine eligibility and benefit levels for programs
906 supported by the fund, but programs shall be structured in a sustainable manner. Any
907 funds expended on programs that are also funded through the general appropriations act
908 shall follow all eligibility and program requirements as described in the item language for
909 each such program.

Section 35 Evaluation by Social Workers

910 SECTION 64. Section 35 of chapter 123 of the General Laws, as appearing in the
911 2012 Official Edition, is hereby amended by striking out, in line 32, the words “or a
912 qualified psychologist” and inserting in place thereof the following words:- , a qualified
913 psychologist or a social worker.

Section 35 Bed Availability Update Technical Change

914 SECTION 65. The fourth paragraph of said section 35 of said chapter 123, as so
915 appearing, is hereby amended by striking out the last sentence.

Sober Homes 5

916 SECTION 66. Section 20B of chapter 127 of the General Laws, as so appearing,
917 is hereby amended by striking out, in line 11, the word “and” and inserting in place
918 thereof the following words:- ; provided, however, that such place of confinement shall
919 not include alcohol and drug free housing unless such housing is certified pursuant to
920 section 18A of chapter 17; and provided further, that the sheriff.

Sober Homes 6

921 SECTION 67. Section 130 of said chapter 127, as so appearing, is hereby
922 amended by adding the following sentence:- If the terms and conditions prescribed by
923 the board include residence in alcohol and drug free housing, the board shall refer and
924 require that the prisoner to whom the permit is granted reside in alcohol and drug free
925 housing that is certified under section 18A of chapter 17 in order to satisfy those terms
926 and conditions.

Sober Homes 7

927 SECTION 68. Section 133B of said chapter 127, as so appearing, is hereby
928 amended by inserting after the third sentence the following sentence:- If the terms and
929 conditions prescribed by the board include residence in alcohol and drug free housing, the
930 board shall refer and require that the holder of the permit reside in alcohol and drug free
931 housing that is certified pursuant to section 18A of chapter 17 in order to satisfy those
932 terms and conditions.

Sober Homes 8

933 SECTION 69. The second paragraph of section 133D of said chapter 127, as so
934 appearing, is hereby amended by adding the following sentence:- If the terms and
935 conditions prescribed by the board include residence in alcohol and drug free housing, the
936 board shall refer and require that the person serving the sentence reside in alcohol and
937 drug free housing that is certified pursuant to section 18A of chapter 17 in order to satisfy
938 those terms and conditions.

Direct Wine Shipment 1

939 SECTION 70. Section 1 of chapter 138 of the General Laws, as so appearing, is
940 hereby amended by inserting after the definition of “Commission” the following
941 definition:-
942 “Direct wine shipper”, a person who sells, delivers or exports wine to consumers
943 in the commonwealth under a license issued pursuant to section 19F.

Farmer Winery Samples

944 SECTION 71. Clause (5) of subsection (g) of section 19B of said chapter 138, as
945 so appearing, is hereby amended by adding the following sentence:- A licensee may
946 provide on-premises sample wine tastings, without charge, for prospective customers of
947 wine available for sale on the premises; provided, however, that no single serving of wine
948 shall exceed 1 ounce and not more than 5 samples shall be served to any individual.

Direct Wine Shipment 2

949 SECTION 72. Said chapter 138 is hereby further amended by striking out section
950 19F, as so appearing, and inserting in place thereof the following section:-

951 Section 19F. (a) The commission may issue a direct wine shipper license to an
952 applicant that: (i) holds a federal basic permit pursuant to the Alcohol Administration
953 Act, 27 U.S.C. § 201 et seq.; (ii) holds a license in the commonwealth or any other state
954 to manufacture, export and sell wine; and (iii) is in the business of manufacturing,
955 bottling or rectifying wine.

956 (b) A licensed direct wine shipper may: (i) make sales and deliveries of wine
957 directly to residents of the commonwealth who are 21 years of age or older for personal
958 use and not for resale; (ii) sell and ship wine at wholesale in kegs, casks, barrels or bottles
959 to a person licensed under section 12, 13 or 14; (iii) sell and ship at wholesale for the sole
960 purpose of resale in containers in which wine was delivered to any person licensed under
961 section 15; provided, however, that no direct shipments of wine from a winery to a
962 section 15 licensee shall exceed 250 cases of wine annually; (iv) sell and ship at
963 wholesale to a person licensed under section 18, 19 or 19B; and (v) sell and ship at
964 wholesale to churches and religious societies, educational institutions, incorporated
965 hospitals, homes for the aged and manufacturers of food products.

966 (c) The fee for a license issued pursuant to this section shall be \$300 per winery;
967 provided, however, that any affiliate, franchise or subsidiary thereof shall require a
968 separate license. Licenses may be renewed annually at a fee of \$150. If a direct wine
969 shipper's license expires and is not renewed, a subsequent application shall be treated as
970 an application for a new license. An applicant for a direct wine shipper license shall
971 provide the commission and the department of revenue with a true copy of the applicable
972 alcoholic beverage license to manufacture, export and sell the applicant's wine as issued
973 by the appropriate licensing authority. A copy of the direct wine shipper license obtained
974 pursuant to this section shall be provided by the commission to the department of
975 revenue.

976 (d) A licensee under this section shall ship wine in accordance with section 22.

977 (e) A licensee under this section may ship up to 12 cases of wine per year to a
978 resident of the commonwealth, with not more than 9 liters per case.

979 (f) A licensee under this section shall: (i) report yearly to the commission and the
980 department of revenue the total number of gallons of wine shipped into the
981 commonwealth for the preceding year; (ii) pay to the department of revenue, under the
982 department's rules and regulations, for each shipment of wine the excise levied under
983 section 21 and any other applicable taxes; and (iii) upon request, allow the commission or
984 the department of revenue to perform an audit of the licensee's records. The department
985 of revenue shall deposit the excise collected under this section into the Substance Abuse
986 Services Fund in section 2I of chapter 111.

987 (g) No person, firm or corporation shall ship wine directly to consumers without a
988 direct wine shipper license. A person, firm or corporation who manufactures, exports or
989 sells wine in violation of this section shall be deemed to have engaged in a deceptive act
990 or practice under chapter 93A.

991 (h) A licensee who ships wine in violation of this section shall be subject to the
992 following penalties: (i) for a first violation, by suspension of the direct wine shipper
993 license for up to 60 days or a fine of up to \$500, or both; (ii) for a second violation, by
994 suspension of the direct wine shipper license for up to 120 days or a fine of up to \$1,000,
995 or both; and (iii) for a third or subsequent violation, by suspension of the direct wine
996 shipper license for up to 1 year or by a fine of up to \$3,000, or both; provided, however,
997 that, upon a third or subsequent violation, a licensee shall be required to apply for
998 reinstatement and shall be treated as a new applicant in order to continue as a direct wine
999 shipper. Violations shall remain on the record of the applicant. The commission may
1000 permanently revoke a direct wine shipper license after 3 or more violations of this
1001 section, or under other circumstances as determined by the commission.

1002 (i) If a violation of this section by a licensed direct wine shipper involves the sale
1003 or delivery of wine to a person under 21 years of age, the commission may impose the
1004 following additional penalties: (i) for a first violation, by suspension of the direct shipper
1005 license for up to 180 days or a fine of up to \$1,000, or both; (ii) for a second violation, by
1006 suspension of the direct shipper license for up to 1 year or a fine of up to \$2,000, or both;

1007 and (iii) for a third or subsequent violation, by suspension of the direct shipper license for
1008 up to 2 years or by a fine of \$5,000, or both; provided, however, that upon a third or
1009 subsequent violation, a licensee shall be required to apply for reinstatement and shall be
1010 treated as a new applicant in order to continue as a direct wine shipper. Violations shall
1011 remain on the record of the applicant. The commission may permanently revoke a direct
1012 wine shipper license after 3 or more violations of this section, or under other
1013 circumstances as determined by the commission. Nothing in this section shall preclude
1014 enforcement of violations of section 34.

1015 (j) The commission shall promulgate rules and regulations to implement this
1016 section. The department of revenue may promulgate rules and regulations necessary to
1017 effectuate the oversight, collection and distribution of taxes and fees as a result of direct
1018 wine shipment.

1019 (k) The commission shall issue an annual report to the joint committee on
1020 consumer protection and professional licensure, which shall include, but not be limited
1021 to, the number of direct wine shipment licenses issued and a review of violations and
1022 enforcement measures taken pursuant to this section.

Direct Wine Shipment 3

1023 SECTION 73. Section 22 of said chapter 138, as so appearing, is hereby amended
1024 by striking out, in lines 57 and 58, the words “section 19F, or farmer-brewery licensees
1025 under section nineteen E” and inserting in place thereof the following words:- sections
1026 19B, 19C and 19F.

Direct Wine Shipment 4

1027 SECTION 74. Said section 22 of said chapter 138, as so appearing, is hereby
1028 further amended by striking out, in lines 63 to 67, inclusive, the words “the words
1029 “CONTAINS ALCOHOL: REQUIRES SIGNATURE OF AND PERSONAL
1030 DELIVERY TO A PERSON LEGALLY AUTHORIZED TO CONSUME ALCOHOLIC
1031 BEVERAGES IN THE COMMONWEALTH” and with a seal of licensure attached
1032 thereto as provided by the commission” and inserting in place thereof the following
1033 words:- words that indicate that the package contains alcohol and that the signature of a
1034 person, age 21 years or older, is required for delivery.

Direct Wine Shipment 5

1035 SECTION 75. Said section 22 of said chapter 138, as so appearing, is hereby
1036 further amended by striking out, in line 76, the word “twenty” and inserting in place
1037 thereof the following figure:- 108.

Elevator Fines 1

1038 SECTION 76. The second paragraph of section 65 of chapter 143 of the General
1039 Laws, as appearing in section 6 of chapter 3 of the acts of 2013, is hereby amended by

1040 inserting after the third sentence the following sentence:- The commissioner or the
1041 commissioner's designee may waive all or a portion of the \$100 per day fine and may
1042 promulgate rules and regulations establishing criteria used to determine whether the fine
1043 may be waived.

Automatic Sprinklers 1

1044 SECTION 77. Section 26I of chapter 148 of the General Laws, as appearing in the
1045 2012 Official Edition, is hereby amended by inserting after the first sentence the
1046 following sentence:- The head of the fire department of a municipality that accepts this
1047 section shall enforce this section.

Automatic Sprinklers 2

1048 SECTION 78. Said chapter 148 is hereby further amended by inserting after
1049 section 26I the following section:-

1050 Section 26J. This section shall take effect in a municipality upon its acceptance, in
1051 a city with a Plan D or Plan E charter, by the city council with the approval of the city
1052 manager, in all other cities, by the city council with the approval of the mayor, in the case
1053 of a town with a town council, by the town council; and in all other towns, by town
1054 meeting. A newly constructed building designed or used in whole or in part for
1055 residential purposes and containing not more than 2 dwelling units shall be equipped with
1056 an approved system of automatic sprinklers in accordance with the state building code.
1057 This section shall apply to any building for which a building permit has been issued on or
1058 after 1 year from the acceptance of this section by the municipality.

1059 The head of the fire department of a municipality that accepts this section shall
1060 enforce this section. If adequate water supply is not available, the head of the fire
1061 department shall permit the installation of such other fire suppressant systems as are
1062 prescribed by the state building code in lieu of automatic sprinklers.

1063 Notwithstanding any general or special law to the contrary, whoever is aggrieved
1064 by the head of the fire department's interpretation, order, requirement, direction or failure
1065 to act under this section, may, within 45 days after the service of notice thereof, appeal
1066 from such interpretation, order, requirement, direction or failure to act to the state
1067 building code appeals board as provided in section 100 of chapter 143.

Automatic Sprinklers 3

1068 SECTION 79. Section 27A of said chapter 148, as appearing in the 2012 Official
1069 Edition, is hereby amended by inserting after the third sentence the following sentence:-
1070 This section shall not apply to the seasonal shutoff of automatic sprinklers installed in
1071 accordance with section 26J when such shutoff has been conducted in accordance with
1072 procedures established by the board of fire prevention regulations.

Bone Marrow Donors Medical Leave 1

1073 SECTION 80. Chapter 149 of the General Laws is hereby amended by inserting
1074 after section 33E the following section:-

1075 Section 33F. (a) An employee of the commonwealth or an employee of a county,
1076 city or town that accepts this section may take a leave of absence, without loss of pay, of
1077 not more than 5 days to undergo the medical procedure and associated physical recovery
1078 time due to participation in a bone marrow donor program.

1079 (b) If the necessity for leave under this section is foreseeable, the employee shall
1080 provide the employer with not less than 7 days' notice before the leave is to begin. If the
1081 necessity for leave is not foreseeable, the employee shall provide such notice as is
1082 practicable.

1083 (c) An employer may require that a request for leave under this section be
1084 supported by a certification issued at such time and in such manner as the attorney
1085 general may by regulation require.

1086 (d) The attorney general shall enforce this section and may obtain injunctive or
1087 declaratory relief for this purpose. Violations of this section shall be subject to the second
1088 paragraph of section 150 and to section 180.

Bone Marrow Donors Medical Leave 2

1089 SECTION 81. Section 150 of said chapter 149, as appearing in the 2012 Official
1090 Edition, is hereby amended by inserting after the figure "33E", in line 20, the following
1091 figure:- , 33F.

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1092 SECTION 82. Section 87A of chapter 276 of the General Laws, as so appearing,
1093 is hereby amended by inserting after the first sentence the following 3 sentences:- If the
1094 court requires as a condition of probation that the defendant reside in alcohol and drug
1095 free housing within the commonwealth, the judge issuing the order shall require the
1096 probation officer to refer the defendant only to alcohol and drug free housing certified
1097 under section 18A of chapter 17 and the probation officer shall require the defendant to
1098 reside in such certified housing in order to satisfy such condition. If accredited alcohol
1099 and drug free housing is not available, the judge issuing the order may permit the
1100 probation officer to refer the person placed on supervised probation to alcohol and
1101 substance free housing that is available and that, in the judge's discretion, appropriately
1102 supports the recovery goals of the person. If the court imposes as a condition of
1103 probation that the person reside in alcohol and drug free housing in another state, the
1104 judge issuing the order may permit the probation officer to refer the person to alcohol and
1105 drug free housing that, in the judge's discretion, appropriately supports the recovery goals
1106 of the person.

Pretrial Diversion Program for Substance Use Disorder Treatment

1107 SECTION 83. Section 1 of chapter 276A of the General Laws, as so appearing, is
1108 hereby amended by inserting after the word “social”, in line 21, the following words:- ,
1109 substance use disorder treatment.

Fishing Partnership Health Plan

1110 SECTION 84. Chapter 47 of the acts of 1997 is hereby amended by striking out
1111 section 22, as amended by section 126 of chapter 68 of the acts of 2011, and inserting in
1112 place thereof the following section:-

1113
1114 Section 22. Notwithstanding any general or special law to the contrary, in fiscal
1115 years 2012 to 2020, inclusive, the center for health information and analysis shall allocate
1116 \$1,000,000 annually for a Fishing Partnership Health Plan Corporation project that shall
1117 provide services to fishermen and fishing families; provided, however, that such services
1118 shall include, but not be limited to, assisting fishermen and fishing families in obtaining
1119 health insurance coverage.

Postponement of FAS 109 Deduction

1120 SECTION 85. Subsection (2) of section 95 of chapter 173 of the acts of 2008 is
1121 hereby amended by striking out the figure "2015", inserted by section 142 of chapter 38
1122 of the acts of 2013, and inserting in place thereof the following figure:- 2016.

South Coast Rail Mitigation

1123 SECTION 86. Section 38 of chapter 79 of the acts of 2014 is hereby amended by
1124 inserting after the first sentence the following sentence:- The department shall not use
1125 funds from this program to pay for any mitigation already required by existing state or
1126 federal law to facilitate construction on the project or any mitigation currently
1127 contemplated by the department as outlined in the South Coast Rail Corridor Plan.

Public Awareness Campaign for Substance Abuse

1128 SECTION 87. The department of public health shall conduct a public awareness
1129 campaign on substance abuse prevention. The department shall place public service
1130 announcements through the Massachusetts Department of Transportation office of
1131 outdoor advertising public service announcement program. The public service
1132 announcements shall include but not be limited to: (i) information about substance abuse;
1133 (ii) information on where to find resources on treatment for a substance use disorder; and
1134 (iii) the phone number for the toll-free helpline established under section 18 of chapter 17
1135 of the General Laws.

Substance Abuse School Policy Task Force

1136 SECTION 88. The department of elementary and secondary education, in
1137 conjunction with the department of public health, shall create a task force to develop a
1138 model alcohol, tobacco and drug use prevention and education policy for school districts
1139 in the commonwealth. The model policy shall include, but not be limited to: (i) clearly
1140 defined goals; (ii) community, parent, teacher and student involvement; (iii) a strategy to
1141 encourage communication between students, parents, teachers and administrators; (iv)
1142 implementation of an evidence-based substance abuse prevention curriculum for grades 5
1143 to 12, inclusive; (v) prohibitions against substance use as well as discipline and
1144 enforcement provisions; (vi) intervention provisions and treatment opportunities; and
1145 (vii) a timetable for periodic review and revision. The task force may take into
1146 consideration the advisory council on violence prevention's drug use prevention
1147 recommendations as required under section 1 of chapter 71 of the General Laws.

1148 The substance abuse prevention curriculum recommended under clause (iv) shall:
1149 be an evidence-based curriculum that is age appropriate for the grade in which it will be
1150 taught; provide an opportunity for interactive learning opportunities in a small group
1151 setting; be a continuous program throughout the school year; and be flexible and able to
1152 be modified based upon cultural and geographical differences between school districts.
1153 The substance abuse prevention curriculum recommended under clause (iv) may include
1154 the participation of a substance abuse counselor.

1155 The task force shall prepare a report outlining the model policy and a plan for
1156 implementation in school districts in the commonwealth. The report shall identify the
1157 cost of implementing the model policy in each school district in the commonwealth. The
1158 task force may, in its report, recommend a grant program or multiple grant programs,
1159 which it believes would supplement the model policy in its efforts to educate students
1160 about the dangers of tobacco, alcohol and drug use and eradicate opiate use among teens;
1161 provided, however, that the task force shall identify the cost associated with each grant
1162 program that it recommends. The task force shall file its report with the clerks of the
1163 senate and the house of representatives, the chairs of the house and senate committees on
1164 ways and means and the joint committee on education not later than March 2, 2015.

1165 The department of elementary and secondary education shall publish the model
1166 policy on its website and shall distribute the policy to each school district in the
1167 commonwealth.

LIHEAP Forward Funding

1168 SECTION 89. Notwithstanding any general or special law to the contrary, the
1169 department of housing and community development may provide not more than
1170 \$20,000,000 to eligible entities that administer the federal Low Income Home Energy
1171 Assistance Program, described in item 7004-2033 of section 2D, to allow such eligible
1172 entities to begin start-up operations of the program and to provide advanced funding, not
1173 later than 30 days after the start of the fiscal year; provided, however, that the department
1174 and such eligible entities may expend a portion of these funds for approved

1175 administrative costs consistent with the current or prior year's state plan submitted by the
1176 department under the federal program; provided further, that the department and such
1177 eligible entities may, after November 1, 2014, expend a portion of these funds to assist
1178 low-income elders, working families and other households with the purchase of heating
1179 oil, propane and natural gas and electricity and other primary or secondary heating
1180 sources; provided further, that funds expended for this purpose shall be transferred from
1181 the General Fund; and provided further, that such advanced funding shall be subject to
1182 the federal reimbursement of funds under said item 7004-2033 of said section 2D.

Massachusetts School Building Authority Report

1183 SECTION 90. The Massachusetts School Building Authority, in collaboration
1184 with the department of elementary and secondary education, shall complete a report on
1185 the Massachusetts School Building Authority program. The report shall: (i) highlight and
1186 assess the program's progress since its creation in meeting the school construction and
1187 renovation needs of public school districts; (ii) estimate the number of construction and
1188 renovation projects eligible for support through the program over the next 5 years; (iii)
1189 estimate the financial capacity of the program over the next 5 years to support suitable
1190 projects; (iv) identify any deficit or surplus in projected financial resources in meeting the
1191 demand for eligible projects; (v) identify public education capital improvement project
1192 types including, but not limited to, education technology, school security, environmental
1193 health and energy efficiency, with the greatest current unmet need that are not currently
1194 eligible for financial support through the program; (vi) make recommendations regarding
1195 new project types that should be considered eligible for Massachusetts School Building
1196 Authority support; (vii) make recommendations of changes to the Massachusetts School
1197 Building Authority's existing financing model to meet unmet need for projects currently
1198 eligible for support and project types not currently eligible for support; and (viii) make
1199 other recommendations as necessary with the goal of improving the commonwealth's
1200 ability to support capital needs of public schools. The report, and any recommended
1201 legislative changes, shall be submitted to the executive office for administration and
1202 finance, the joint committee on education and the house and senate committees on ways
1203 and means, not later than March 16, 2015.

University of Massachusetts Tuition Retention 5

1204 SECTION 91. (a) Notwithstanding any general or special law to the contrary, the
1205 University of Massachusetts shall consider the following to be a student tuition credit, as
1206 defined in section 1B of chapter 75 of the General Laws: all tuition waivers, grants and
1207 scholarships identified in chapter 15A of the General Laws or any other general or special
1208 law, and all reductions collectively bargained for that are in the form of a tuition or fee
1209 waiver available to students.

1210 (b) The University of Massachusetts shall calculate the value of all tuition waivers
1211 authorized under section 19 of chapter 15A of the General Laws or any other general or
1212 special law and collectively bargained reductions existing on July 1, 2015.

1213 (c) The University of Massachusetts shall credit to eligible students the calculated
1214 value of the tuition waivers, grants and scholarships identified in chapter 15A of the
1215 General Laws or any other general or special law and reductions collectively bargained
1216 for in the form of a tuition or fee waiver calculated in subsection (b) as a student tuition
1217 credit on the student's statement of student charges as defined in said section 1B of
1218 chapter 75 of the General Laws.

1219 (d) The University of Massachusetts shall report to the senate and house
1220 committees on ways and means, the joint committee on higher education and the board of
1221 higher education the existence and the calculated value of all tuition waivers, grants and
1222 scholarships identified in chapter 15A of the General Laws or any other general or special
1223 law and reductions collectively bargained for in the form of a tuition or fee waiver at the
1224 University of Massachusetts. The report shall be submitted not later than August 1, 2015.

University of Massachusetts Tuition Retention 6

1225 SECTION 92. Notwithstanding any general or special law to the contrary all
1226 tuition and fee waivers that are exclusive to the University of Massachusetts shall only
1227 require the approval by the board of trustees of the University of Massachusetts.

Administration and Finance Efficiencies

1228 SECTION 93. (a) If the secretary of administration and finance determines that
1229 reforms or initiatives related to: (i) procurement or (ii) energy consumption have resulted
1230 in cost savings for an agency of the executive department during fiscal year 2015, the
1231 secretary may reduce allotments under section 9B of chapter 29 of the General Laws to
1232 reflect some or all of the amounts saved; provided, however, that within 15 days of
1233 reducing allotments, the secretary shall notify the house and senate committees on ways
1234 and means in writing.

1235 (b) If, as of October 1, 2014, the secretary of administration and finance
1236 determines that allotment reductions related to integrity enhancements in fiscal year 2015
1237 shall be insufficient to generate \$30,000,000, the secretary shall submit to the house and
1238 senate committees on ways and means a cost saving plan to reduce allotments under said
1239 section 9B of said chapter 29; provided, however, that allotment reductions shall not be
1240 made under this subsection before the submission of a cost savings plan.

1241 (c) The total amount of allotment reductions under this section shall not exceed
1242 \$30,000,000 in fiscal year 2015.

Program and Performance Integrity Fund

1243 SECTION 94. There shall be established and set up on the books of the
1244 commonwealth a Performance, Accountability and Transparency Fund. The office of
1245 commonwealth performance, accountability and transparency, established in subsection
1246 (e) of section 4A of chapter 7 of the General Laws, shall serve as the fund's trustee. The

1247 fund shall be used to support performance management and program integrity efforts
1248 within the executive offices of administration and finance, health and human services,
1249 housing and economic development, education, energy and environmental affairs, labor
1250 and workforce development and public safety and security. In each fiscal year, the
1251 secretaries of administration and finance, health and human services, housing and
1252 economic development, education, energy and environmental affairs, labor and
1253 workforce development and public safety and security may identify up to \$250,000 in
1254 funds unexpended from items within each relevant secretariat that would otherwise revert
1255 to the General Fund to be credited to the fund. For the purposes of this section, the
1256 secretary of education may identify unexpended funds from items within the department
1257 of early education and care, the department of elementary and secondary education and
1258 the department of higher education to be credited to the fund. The secretary of
1259 administration and finance shall approve all amounts credited to the fund to ensure all
1260 obligations from the consolidated net surplus in the budgetary funds prior to the transfer
1261 to the Commonwealth Stabilization Fund under section 5C of chapter 29 of the General
1262 Laws can be met. Upon the approval of the secretary of administration and finance, the
1263 approved amount shall be transferred from items within each secretariat to the fund.
1264 Each executive office with approved savings transferred to the fund shall have access to
1265 not less than 80 per cent of the amounts credited to the fund from items within the
1266 secretariat. Amounts made available to each secretariat shall be used to support
1267 performance management units within each secretariat. Approved uses for expenditures
1268 from the fund shall include: (i) personnel costs for the staffing of the performance,
1269 accountability and transparency unit; (ii) data and information technology projects to
1270 improve the collection and analysis of program data; (iii) contract costs with third party
1271 vendors to undertake program integrity and performance analysis projects; and (iv) costs
1272 related to training personnel on performance management practices. The office of
1273 commonwealth performance, accountability and transparency shall have access to not
1274 more than 20 per cent of amounts credited to the fund. The secretary of administration
1275 and finance shall annually report to the house and senate committees on ways and means
1276 not later than September 1 on the amounts credited to the fund by each executive office.
1277 The office of commonwealth performance, accountability and transparency shall report
1278 quarterly to the house and senate committees on ways and means on: (a) amounts
1279 transferred from the fund; (b) the purpose of all expenditures made through the fund; and
1280 (c) the remaining balance in the fund.

MassHealth Dental Coverage

1281 SECTION 95. (a) Notwithstanding section 53 of chapter 118E of the General
1282 Laws, for fiscal year 2015, the executive office of health and human services may
1283 determine the extent to which to include within its covered services for adults the
1284 federally-optional dental services that were included in its state plan or demonstration
1285 program in effect on January 1, 2002 and the dental services that were covered for adults
1286 in the MassHealth basic program as of January 1, 2002; provided, however, that
1287 notwithstanding any general or special law to the contrary, at least 45 days before
1288 restructuring any MassHealth dental benefits, the executive office of health and human
1289 services shall file a report with the executive office for administration and finance and the

1290 house and senate committees on ways and means detailing the proposed changes and the
1291 anticipated fiscal impact of the changes.

1292 (b) For fiscal year 2015, medically necessary dental services covered through
1293 health insurance plans procured by the board of the commonwealth health insurance
1294 connector authority for any resident with a household income that does not exceed 100
1295 per cent of the federal poverty level shall include preventative procedures but shall
1296 exclude those categories of services that are not provided through MassHealth.

Inspector General's Audits of Health Safety Net and MassHealth Program

1297 SECTION 96. Notwithstanding any general or special law to the contrary, in
1298 hospital fiscal year 2015, the office of the inspector general may continue to expend
1299 funds from the Health Safety Net Trust Fund, established in section 66 of chapter 118E of
1300 the General Laws: (1) to conduct a study and review of the MassHealth program;
1301 provided, however, that the study shall include, but not be limited to, a review of the
1302 program's eligibility requirements, utilization, claims administration and compliance with
1303 federal mandates; provided further that the inspector general shall report any preliminary
1304 findings to the secretary of health and human services and the house and senate
1305 committees on ways and means on or before October 30, 2014 and issue a final report on
1306 or before March 1, 2015; and (2) for costs associated with maintaining a pool audit unit
1307 within the office; provided further, that the unit shall continue to oversee and examine the
1308 practices in all hospitals including, but not limited to, the care of the uninsured and the
1309 resulting free charges; provided further that the inspector general shall submit a report to
1310 the house and senate committees on ways and means on the results of the audits and any
1311 other completed analyses not later than March 1, 2015; and provided further, that for the
1312 purposes of these audits, allowable free care services shall be defined under said chapter
1313 118E and any regulations adopted pursuant to said chapter 118E.

MassHealth Savings Report

1314 SECTION 97. Notwithstanding any general or special law to the contrary,
1315 MassHealth shall, not later than October 1, 2014, file a report with the executive office
1316 for administration and finance and the house and senate committees on ways and means
1317 identifying savings initiatives and cash management strategies that the executive office of
1318 health and human services will pursue in fiscal year 2015 in order to operate the
1319 MassHealth program within the amounts appropriated in items 4000-0430, 4000-0500,
1320 4000-0600, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950,
1321 4000-0990, and 4000-1400 of this act; provided, that MassHealth shall notify the
1322 executive office for administration and finance and the house and senate committees on
1323 ways and means not fewer than 15 days in advance of any deviation from the planned
1324 implementation of savings initiatives and cash management strategies included in this
1325 initial report; and provided further, that MassHealth shall notify the executive office for
1326 administration and finance and the house and senate committees on ways and means not
1327 fewer than 45 days in advance of implementing any proposed rate cuts to providers or
1328 service cuts to members.

Nursing and Resident Care Facility Base Year

1329 SECTION 98. Notwithstanding any general or special law to the contrary, nursing
1330 facility and resident care facility rates effective July 1, 2014, under section 13D of
1331 chapter 118E of the General Laws may be developed using the costs of calendar year
1332 2005.

Nursing Facility Assessment

1333 SECTION 99. Notwithstanding any general or special law to the contrary, the
1334 nursing home assessment established by subsection (b) of section 63 of chapter 118E of
1335 the General Laws shall be sufficient in the aggregate to generate \$220,000,000 in fiscal
1336 year 2015.

Initial Gross Payments to Qualifying Acute Care Hospitals

1337 SECTION 100. Notwithstanding any general or special law to the contrary, on or
1338 before October 1, 2014 and without further appropriation, the comptroller shall transfer
1339 from the General Fund to the Health Safety Net Trust Fund established in section 66 of
1340 chapter 118E of the General Laws the greater of \$45,000,000 or 1/12 of the total
1341 expenditures to hospitals and community health centers required pursuant to this act, to
1342 make initial gross payments to qualifying acute care hospitals for the hospital fiscal year
1343 beginning October 1, 2014. These payments shall be made to hospitals before, and in
1344 anticipation of, the payment by hospitals of their gross liability to the fund. The
1345 comptroller shall transfer from the fund to the General Fund, not later than June 30, 2015,
1346 the amount authorized by this section and any allocation of that amount as certified by
1347 the director of the health safety net office.

Trial Court Transferability

1348 SECTION 101. Notwithstanding clause (xxiii) of the third paragraph of section 9
1349 of chapter 211B of the General Laws, or any other general or special law to the contrary,
1350 the court administrator may, from the effective date of this act until April 30, 2015
1351 transfer funds from any item of appropriation within the trial court; provided, however,
1352 that a transfer under this section shall not occur until 10 days after a revised funding
1353 schedule has been submitted to the house and senate committees on ways and means; and
1354 provided further, that the revised funding shall include: (1) the amount of money
1355 transferred from any item of appropriation to any other item of appropriation; (2) the
1356 reason for the necessity of the transfer; and (3) the date on which the transfer shall be
1357 completed.

Public Health Evaluation Grant Program

1358 SECTION 102. There shall be a public health evaluation grant program to be
1359 administered by the department of public health. Grant recipients shall be selected

1360 through a competitive grant process in which successful proposals shall: (i) demonstrate
1361 substantial experience conducting evaluations of federal, state or local public health
1362 programs; (ii) focus on the evaluation of a state-funded department of public health
1363 programs which may include, but shall not be limited to, school-based health centers,
1364 smoking cessation programs, HIV/AIDS prevention and treatment programs, obesity
1365 prevention programs and child nutrition programs; (iii) identify the state administrative
1366 datasets to be used; (iv) ensure compliance with applicable privacy regulations, including
1367 institutional review board policies; and (v) propose an evaluation to be completed in not
1368 more than 24 months that shall provide analysis that examines the following areas of
1369 policy relevance: (a) the quantifiable effect of the program on the population treated
1370 through the program; (b) an estimate of the cost to the commonwealth of the public
1371 health problems being addressed through the program; (c) a comparison of the cost of the
1372 program and the estimated short-term and long-term benefits received by program
1373 recipients through the programs; (d) data limitations in estimating the effect of the
1374 programs; and (e) recommendations for further study. The department of public health
1375 shall give priority to organizations located within the commonwealth when awarding
1376 grants. The department of public health shall report to the house and senate committees
1377 on ways and means 30 days before issuing a request for proposals for the program,
1378 detailing the criteria to be used to award grants; provided however, that the request for
1379 proposals shall be issued not later than December 1, 2014. The department of public
1380 health, the center for health information and analysis, the executive office of health and
1381 human services, the executive office of education, the department of housing and
1382 community development and other relevant state agencies shall work with grant
1383 recipients funded through the program so as to provide secure access to state-collected
1384 data necessary for evaluations; provided further, that organizations receiving funds
1385 through this item shall report quarterly to the house and senate committees on ways and
1386 means, the joint committee on public health and the department of public health on: (1)
1387 the status and preliminary results of studies funded through the program; and (2) any
1388 obstacles encountered in access to data or other information that is negatively affecting
1389 the completion of the study. Funds appropriated in item 4590-0081 of section 2 for the
1390 grant program shall not revert and shall be available for expenditure through February 1,
1391 2017.

MassHealth Status of Inmates

1392 SECTION 103. (a) Notwithstanding any general or special law to the contrary, the
1393 office of Medicaid shall suspend MassHealth benefits for inmates of penal institutions,
1394 including those awaiting trial and during incarceration, as defined in 130 CMR 501.001.
1395 MassHealth benefits shall be reactivated or provided to an inmate if: (i) an inmate is
1396 otherwise eligible for MassHealth; and (ii) is admitted as an inpatient, as defined in 42
1397 CFR 435.1010, to a hospital or other eligible institution. If an inmate, upon
1398 incarceration, is determined to be eligible for MassHealth but is currently not a member
1399 of MassHealth, the office of Medicaid shall enroll the inmate in MassHealth and
1400 immediately suspend benefits until the inmate is eligible to receive MassHealth benefits.
1401 An inmate's MassHealth benefits shall be immediately reactivated upon release from

1402 incarceration. The office of Medicaid shall implement this section subject to all required
1403 federal approvals.

1404 (b) The director of Medicaid shall submit a plan to implement this section to the
1405 house and senate chairs of the committees on ways and means and the chairs of the joint
1406 committee on health care financing not later than December 31, 2014. The
1407 implementation plan shall include, but not be limited to: (i) progress and status updates of
1408 any state plan amendment or other necessary federal approval; (ii) details on
1409 collaboration with the department of correction and sheriffs; and (iii) a proposed timeline
1410 for full implementation of this section.

1411 (c) Not later than March 1 of each year, up to and including March 1, 2017, the
1412 office of Medicaid shall provide a status report to the clerks of the house of
1413 representatives and the senate who shall forward the report to the house and senate chairs
1414 of the committees on ways and means. The report shall identify: (i) the number of
1415 inmates enrolled in MassHealth prior to incarceration and the number of inmates enrolled
1416 in MassHealth while incarcerated and whether the inmate is in a house of correction or
1417 state prison; (ii) the number of inmates that had their MassHealth benefits reactivated;
1418 (iii) the period of time that each inmate received benefits through their reactivated
1419 MassHealth benefits; and (iv) the cost to MassHealth for those benefits and any federal
1420 financial participation received.

Aging Inmates Study

1421 SECTION 104. There shall be a special commission to study options available to
1422 address the aging and infirm inmate population and lower costs associated with providing
1423 healthcare, assisted living and other related issues related to aging and infirm inmates.
1424 The commission shall consist of 7 members including: the secretary of public safety and
1425 security or a designee, who shall serve as the chair of the commission; the commissioner
1426 of correction or a designee; the secretary of health and human services or a designee; the
1427 commissioner of public health or a designee; the director of Medicaid or a designee; the
1428 executive director of the Massachusetts sheriffs association or a designee; and the
1429 executive director of the Massachusetts district attorneys association or a designee.

1430 The study shall include an examination of the options available to address an
1431 aging inmate population and lowering costs associated with providing healthcare, assisted
1432 living and other related services to an aging inmate population. In conducting the study,
1433 the commission shall: (i) assess the current health needs of that population, (ii) conduct a
1434 cost analysis of providing long-term care to terminally-ill inmates, (iii) make
1435 recommendations related to the feasibility of providing aging inmate focused medical
1436 care both within the penal system and outside of the penal system through services
1437 contracted with public and private facilities, (iv) analyze the feasibility of developing a
1438 compassionate release program for aging inmates with a diagnosis including, but not
1439 limited to, Alzheimer's disease, dementia or other degenerative diseases and (v) make
1440 recommendations on the development of a hospice care program to train inmates as
1441 hospice care volunteers. To the maximum extent possible, the commission shall take into
1442 consideration existing state properties and facilities that may be used to provide assisted

1443 living and other long-term health care services when making recommendations. The
1444 commission shall also determine opportunities to receive Medicaid funds, to the extent
1445 they are available, for medical services provided to aging inmates.

1446 Not later than November 3, 2014, the department of correction shall make
1447 available to the commission the following information: (a) the number of inmates over
1448 the age of 45 and the number of inmates over the age of 55 for each 6 month period over
1449 the past 5 fiscal years for which complete data is available; (b) the number of department
1450 of correction inmates receiving a skilled nursing facility level of care, by month for the
1451 last 3 fiscal years for which complete data is available; (c) the number of inmates who
1452 have passed away from chronic or long term medical issues while in custody, for each of
1453 the last 5 fiscal years for which complete data is available; (d) the number of inmates who
1454 have spent a minimum of 15 consecutive days in infirmary within each 6 month period
1455 during the last 3 fiscal years for which complete data is available, provided that this data
1456 shall organize the information provided in 5 day increments beginning with the number
1457 of prisoners who meet the criteria who spent not fewer than 15 and not more than 19
1458 consecutive days in infirmary; (e) the cost of creating an assisted living facility to care for
1459 inmates of correctional institutions within a prison; and (f) the cost of contracting with a
1460 private facility for assisted living or long term skilled nursing care to care for inmates of
1461 correctional institutions.

1462 Not later than November 3, 2014, the department of public health shall make
1463 available to the commission the following information: (1) the number of bed days, by
1464 month, provided to department of correction inmates and the number of bed days, by
1465 month, provided to house of correction inmates for the last 3 fiscal years for which
1466 complete data is available; (2) the cost of increasing the number of wings at public health
1467 hospitals to provide inpatient medical care to inmates of correctional facilities; (3) the
1468 cost of creating a wing at a public health hospital facility to provide hospice care to
1469 inmates of correctional institutions; (4) the cost of creating a wing at a public health
1470 hospital facility to provide skilled nursing facility care to inmates of correctional
1471 institutions.

1472 The department of public health and the department of correction shall provide
1473 any additional information requested by the commission within 15 days of the request.

1474 The commission shall file a report of its study and any drafts of recommended
1475 legislation with the clerks of the house of representatives and senate not later than March
1476 1, 2015, which shall be forwarded to the chairs of the joint committee on public safety
1477 and homeland security, the chairs of the joint committee on health care financing and the
1478 house and senate chairs of the committees on ways and means.

Suspension of the Tourism Formula

1479 SECTION 105. Notwithstanding any general or special law to the contrary, the
1480 formula for application of funds provided in section 35J of chapter 10 of the General
1481 Laws shall not apply in fiscal year 2015.

Authorization to Transfer Fund Balances 2

1482 SECTION 106. For fiscal year 2015, the comptroller shall credit to the General
1483 Fund the funds remitted to the comptroller under clause (8) of subsection (a) of section
1484 93 of chapter 194 of the acts of 2011.

Employment Status of Certain Parole Officers

1485 SECTION 107. Notwithstanding any general or special law to the contrary, any
1486 person currently employed by the parole board as a parole officer, whose appointment or
1487 promotion was made provisionally, having served satisfactorily in the position for at least
1488 6 months immediately before March 1, 2014, and having passed a qualifying examination
1489 prescribed by the personnel administrator, shall be granted permanent civil service status
1490 in that position as of the date of the parole officer's appointment or promotion.

Pension Cost of Living Adjustment

1491 SECTION 108. Notwithstanding any general or special law to the contrary, the
1492 amounts transferred pursuant to subdivision (1) of section 22C of chapter 32 of the
1493 General Laws shall be made available for the Commonwealth's Pension Liability Fund
1494 established by section 22 of said chapter 32. The amounts transferred pursuant to said
1495 subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's
1496 obligations pursuant to said section 22C of said chapter 32, including retirement benefits
1497 payable by the state employees' and the state teachers' retirement systems, for the costs
1498 associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said
1499 chapter 32, for the reimbursement of local retirement systems for previously authorized
1500 cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the
1501 costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state
1502 board of retirement and each city, town, county and district shall verify these costs,
1503 subject to the rules adopted by the state treasurer. The state treasurer may make
1504 payments upon a transfer of funds to reimburse certain cities and towns for pensions to
1505 retired teachers, including any other obligations which the commonwealth has assumed
1506 on behalf of any retirement system other than the state employees' or state teachers'
1507 retirement systems and also including the commonwealth's share of the amounts to be
1508 transferred pursuant to section 22B of said chapter 32. All payments for the purposes
1509 described in this section shall be made only pursuant to distribution of monies from the
1510 fund, and any distribution and the payments for which distributions are required shall be
1511 detailed in a written report filed quarterly by the secretary of administration and finance
1512 with the house and senate committees on ways and means and the joint committee on
1513 public service before this distribution. Distributions shall not be made before the date on
1514 which a payment is actually to be made. The state board of retirement may expend an
1515 amount for the purposes of the board of higher education's optional retirement program
1516 pursuant to section 40 of chapter 15A of the General Laws. To the extent that the amount
1517 transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds
1518 the amount necessary to adequately fund the annual pension obligations, the excess
1519 amount shall be credited to the Pension Reserves Investment Trust Fund, established by

1520 subdivision (8) of section 22 of said chapter 32, to reduce the unfunded pension liability
1521 of the commonwealth.

Stabilization Fund Transfer

1522 SECTION 109. (a) Notwithstanding any general or special law to the contrary, the
1523 comptroller shall, on or before June 30, 2015, transfer \$140,000,000 to the General Fund
1524 from the Commonwealth Stabilization Fund, but the comptroller shall instead transfer a
1525 lesser amount if the secretary of administration and finance so requests in writing. The
1526 comptroller, in consultation with the secretary of administration and finance, may take
1527 the overall cash flow needs of the commonwealth into consideration in determining the
1528 timing of any transfer of funds. The comptroller shall provide a schedule of transfers to
1529 the secretary of administration and finance and to the house and senate committees on
1530 ways and means.

1531 (b) Notwithstanding any general or special law to the contrary, the comptroller
1532 shall, not later than June 30, 2015, transfer the interest earned from the Commonwealth
1533 Stabilization Fund during fiscal year 2015 to the General Fund.

Net School Spending 1

1534 SECTION 110. Notwithstanding any general or special law to the contrary, the
1535 commissioner of elementary and secondary education shall begin a 4-year phase in of
1536 equal increments to include health care costs for retired teachers as part of net school
1537 spending for any district which accepts the provisions of this act by a vote taken pursuant
1538 to section 4 and in which such costs were not considered part of net school spending in
1539 fiscal year 1994. For fiscal year 2016, 1/4 of the cost shall be included in calculating
1540 fulfillment of net school spending requirements; provided, that in districts currently in
1541 level IV or level V status under the commonwealth's accountability and assistance
1542 system, the commissioner may delay or limit the inclusion of the costs in calculating net
1543 school spending until their such district's status is lowered to level III or below, at which
1544 time the commissioner shall begin or resume a 4-year phase in of the remaining costs;
1545 and, provided further, that during the 4-year phase in period authorized under this section,
1546 the commissioner may waive penalties associated with deficiencies in net school
1547 spending requirements up to an amount that can be attributed to non-inclusion of health
1548 care costs for retired teachers if the commissioner approves a schedule submitted by the
1549 district to meet the requirements not later than at the end of the 4-year phase in period;
1550 provided however, that the commissioner shall consider deficiencies in net school
1551 spending requirements in fiscal year 2015, if any, when approving such schedule.

Net School Spending 2

1552 SECTION 111. The commissioner of elementary and secondary education may
1553 waive penalties associated with deficiencies in net school spending requirements up to an
1554 amount that can be attributed to non-inclusion of health care costs for retired teachers in
1555 fiscal years 2013 and 2014.

Net School Spending 3

1556 SECTION 112. The commissioner of elementary and secondary education may
1557 waive penalties associated with deficiencies in net school spending requirements up to an
1558 amount that can be attributed to non-inclusion of health care costs for retired teachers in
1559 fiscal year 2015 if the district submits a schedule under section 110 and the commissioner
1560 approves such schedule.

Net School Spending 4

1561 SECTION 113. Notwithstanding any general or special law to the contrary, for
1562 the period beginning July 1, 2014, and ending June 1, 2015, the provisions of section 110
1563 may be accepted in a city having a Plan D or Plan E charter by majority vote of its city
1564 council and approval by the manager; in any other city, by a vote of its city council and
1565 approval by the mayor; in a town having a town council form of government, by vote of
1566 the town council, subject to the provisions of the charter of such town; in a town, by a
1567 vote of the board of selectmen; and in a regional school district, by a vote of the regional
1568 district school committee. Such vote shall be by approval of all members of the district.
1569 Approval of each member shall be given in a city having a Plan D or Plan E charter by
1570 majority vote of its city council and approval by the manager; in any other city, by a vote
1571 of its city council and approval by the mayor; in a town having a town council form of
1572 government, by vote of the town council, subject to the provisions of the charter of such
1573 town; in a town, by a vote of the board of selectmen.

Net School Spending 5

1574 SECTION 114. Any school district which accepts the provisions of section 110
1575 shall annually certify to the commissioner the treatment of retired teacher health
1576 insurance costs to ensure accurate counting of such costs toward required net school
1577 spending.

Consolidated Net Surplus

1578 SECTION 115. (a) Notwithstanding any general or special law to the contrary,
1579 prior to transferring the consolidated net surplus in the budgetary funds to the
1580 Commonwealth Stabilization Fund under section 5C of chapter 29 of the General Laws,
1581 the comptroller shall dispose of the consolidated net surplus in the budgetary funds for
1582 fiscal year 2014 in the following order to the extent that funds are available: (i) transfer
1583 \$25,000,000 to the Massachusetts Life Sciences Investment Fund established in section 6
1584 of chapter 23I of the General Laws; and (ii) transfer \$7,000,000 to the Social Innovation
1585 Financing Trust Fund established in section 35VV of chapter 10 of the General Laws.

1586 (b) All transfers pursuant to this section shall be made from the undesignated fund
1587 balances in the budgetary funds proportionally from the undesignated fund balances;
1588 provided, however, that no such transfers shall cause a deficit in any of the funds.

Tobacco Settlement Transfer Payment Authorization

1589 SECTION 116. Notwithstanding any general or special law to the contrary, all
1590 payments received by the commonwealth in fiscal year 2015 under the master settlement
1591 agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex
1592 Superior Court, No. 95-7378 shall be deposited into the General Fund.

Transfers Between Health Funds

1593 SECTION 117. Notwithstanding any general or special law to the contrary, the
1594 executive office for administration and finance shall transfer \$30,000,000 from the
1595 Commonwealth Care Trust Fund to the Health Safety Net Trust Fund established in
1596 section 66 of chapter 118E of the General Laws. The executive office of health and
1597 human services and the health safety net office shall fund the hospital fiscal year 2015
1598 payment amount to each hospital from the Health Safety Net Trust Fund. Payments may
1599 be made either as safety net care payments under the commonwealth's section 1115
1600 waiver or as an adjustment to Title XIX service rate payments or a combination thereof.
1601 Other federally permissible funding mechanisms available for public service hospitals, as
1602 defined by regulations of the executive office of health and human services, may be used
1603 to reimburse up to \$70,000,000 of uncompensated care at the hospitals using sources
1604 distinct from the funding made available to the Health Safety Net Trust Fund. The
1605 secretary of administration and finance, in consultation with the secretary of health and
1606 human services and the executive director of the commonwealth health insurance
1607 connector authority, shall on a quarterly basis evaluate the revenue needs of the health
1608 safety net program funded by the Health Safety Net Trust Fund and subsidized health
1609 insurance programs funded by the Commonwealth Care Trust Fund, and if necessary,
1610 transfer monies between these funds for the purpose of ensuring that sufficient revenues
1611 are available to support projected program expenditures. The secretary of administration
1612 and finance shall report any transfers made between the Health Safety Net Trust Fund
1613 and the Commonwealth Care Trust Fund to the house and senate committees on ways and
1614 means and the joint committee on healthcare financing within 30 days of the proposed
1615 transfer.

District Attorneys Reporting Requirements

1616 SECTION 118. Notwithstanding any general or special law to the contrary, the
1617 Massachusetts District Attorneys Association shall work in conjunction with the 11
1618 district attorneys' offices to prepare and submit a report to the house and senate
1619 committees on ways and means and the clerks of the senate and house of representatives
1620 not later than January 12, 2015. The association shall provide the 11 district attorneys'
1621 offices with an agreed upon template for the report to be filled out. The district
1622 attorneys' offices shall submit the report in a standard electronic format to the
1623 association. The template shall include: (i) the number of criminal cases initiated by
1624 arraignment in the superior court, district court and juvenile court departments of the trial
1625 court; (ii) the number of criminal cases disposed in the superior court, district court and

1626 juvenile court departments; (iii) the number of cases appealed to the appeals courts,
1627 supreme judicial court, supreme judicial and appeals court single justice and any other
1628 appeals; and (iv) the number of cases reviewed but not charged. The cases shall be
1629 delineated by charge type. Funds from item 0340-2100 in section 2 shall be used to
1630 support the standardization and streamlining of data.

Home and Community-Based Services Policy Lab 2

1631 SECTION 119. The secretary of elder affairs shall submit the first annual report
1632 of the Home and Community-based Services Policy Lab established under section
1633 2MMMM of chapter 29 of the General Laws by September 30, 2015; provided, however,
1634 that not later than September 15, 2014, the secretary of elder affairs shall also file with
1635 the house and senate committees on ways and means, the joint committee on elder affairs
1636 and the joint committee on health care financing its initial plan for the research and
1637 analytic activities to be supported by the Home and Community-based Services Policy
1638 Lab Fund.

Special Needs Programs Out-of-State Tuition

1639 SECTION 120. Notwithstanding any general or special law to the contrary, the
1640 bureau of purchased services in the operational services division shall determine prices
1641 for programs under chapter 71B of the General Laws in fiscal year 2015 by increasing the
1642 final fiscal year 2014 price by the rate of inflation, as determined by the operational
1643 services division. The operational services division shall adjust prices for extraordinary
1644 relief, as defined in 808 CMR 1.06(4). The department of elementary and secondary
1645 education shall accept applications for program reconstruction and special circumstances
1646 in fiscal year 2015. The operational services division shall authorize the annual price for
1647 out-of-state purchasers requested by a program, not to exceed a maximum price
1648 determined by the bureau of purchased services by identifying the most recent price
1649 calculated for the program and applying the estimated rate of inflation for each year, as
1650 determined by the bureau of purchased services under section 22N of said chapter 7, in
1651 which the rate of inflation is frozen beginning with fiscal year 2004, in a compounded
1652 manner for each fiscal year.

Required Local Contribution Reporting

1653 SECTION 121. Notwithstanding any general or special law to the contrary,
1654 within 5 business days of adopting a resolution that makes appropriations under item
1655 7061-0008 for school aid to be distributed under chapters 70 and 76 of the General Laws,
1656 the body which adopted the resolution shall make available to the department of
1657 elementary and secondary education a list, by municipality and school district, of the
1658 state aid distribution of the appropriation and the required local contribution assumed for
1659 each municipality and school district under the distribution. The department of
1660 elementary and secondary education shall make such list publicly available online within
1661 5 business days of the receipt of such information.

Chapter 257 Report

1662 SECTION 122. The executive office of health and human services shall file a
1663 report with the executive office for administration and finance and the house and senate
1664 committees on ways and means not later than March 2, 2015, on the implementation of
1665 chapter 257 of the acts of 2008, as amended by chapter 224 of the acts of 2012. This
1666 report shall include: (i) actual fiscal year 2013 and fiscal year 2014 spending and revenue
1667 for rates by line-item, revenue source, service class and start date of implementation; (ii)
1668 estimated fiscal year 2015 spending and revenue for new rates by line-item, revenue
1669 source, service class and projected start date of implementation; and (iii) estimated fiscal
1670 year 2015 spending and revenue for rates undergoing the review process by line-item,
1671 revenue source, service class and start date of implementation.

Electronic Reporting

1672 SECTION 123. Notwithstanding any general or special law to the contrary, all
1673 secretariats, departments and agencies required to submit reports under this act shall file
1674 their reports by the dates required in this act by electronic means to the chairs of the
1675 committees named as recipients as well as with the clerks of the senate and the house of
1676 representatives; provided, however, that the house and senate clerks shall develop
1677 procedures and requirements for secretariats, departments and agencies for the
1678 preparation of the reports to facilitate their collection and storage and the reports shall be
1679 made available to the public on the general court's website.

Sober Homes Effective Date 1

1680 SECTION 124. The bureau of substance abuse services shall promulgate
1681 regulations as necessary to implement section 18A of chapter 17 of the General Laws not
1682 later than January 1, 2015.

Elevator Fines Effective Date

1683 SECTION 125. The authority of the commissioner of public safety or the
1684 commissioner's designee under the fourth sentence of the second paragraph of section 65
1685 of chapter 143 of the General Laws to waive all or a portion of the \$100 per day fine
1686 assessed against the owner or operator of an elevator operating without a valid certificate
1687 shall apply to all fines assessed or any appeal of such fine filed on or after January 1,
1688 2013.

University of Massachusetts Tuition Retention, Snow and Ice Spending & Net School Spending Effective Dates

1689 SECTION 126. Sections 8, 9, 14, 15, 53, 54, 91, 92 and 110 to 114, inclusive,
1690 shall take effect on July 1, 2015.

Water Supply Protection Program Effective Date

1691 SECTION 127. Section 12 shall take effect as of January 15, 2013 and the board
1692 of trustees of the Water Supply Protection Trust established in section 73 of chapter 10 of
1693 the General Laws may continue to serve on the board of the trustees established in
1694 section 75 of said chapter 10.

Treatment Facility Website, Expanding Prescription Drug Monitoring & Direct Wine Shipment Effective Dates

1695 SECTION 128. Sections 17, 57, 65, 70 and 72 to 75, inclusive shall take effect on
1696 January 1, 2015.

Sober Homes Effective Date 2

1697 SECTION 129. Section 18 shall take effect on January 1, 2015; provided,
1698 however, that subsection (h) of section 18A of chapter 17 of the General Laws shall take
1699 effect on June 1, 2015.

Sober Homes Effective Date 3

1700 SECTION 130. Sections 19, 60, 61, 66 to 69, inclusive, and 82 shall take effect
1701 on June 1, 2015.

One-Time Settlements and Judgments Effective Date

1702 SECTION 131. Section 28 shall take effect as of January 1, 2014.

Effective Date

1703 SECTION 132. Except as otherwise provided, this act shall take effect on July 1,
1704 2014.