

Office of Commonwealth Performance, Accountability and Transparency 1

1 SECTION 4. Chapter 6A of the General Laws is hereby amended by striking out section
2 4A, as appearing in the 2012 Official Edition, and inserting in place thereof the following
3 section:-

4 Section 4A. In coordination with the office of the governor, each secretary shall, at the
5 executive office and agency level: (i) develop measurable, outcome-based performance goals and
6 a focused set of performance metrics to track progress and execution; (ii) measure performance
7 on an ongoing basis against the goals and metrics; and (iii) establish strategies to improve
8 government performance informed by the goals and metrics. Each secretary shall, in
9 coordination with the office of the governor, make the performance goals and the secretary's
10 progress in reaching those goals available annually online not later than March 1.

Massachusetts Department of Transportation Board of Directors 1

11 SECTION 5. Section 2 of chapter 6C of the General Laws, as so appearing, is hereby
12 amended by striking out subsection (b) and inserting in place thereof the following subsection:-

13 (b) The department shall be governed and its corporate powers shall be exercised by a
14 board of directors. The board shall consist of 11 members, including the secretary of
15 transportation, who shall serve ex officio as chair. The governor shall appoint 10 members, 1 of
16 whom shall be a rider as defined in section 1 of chapter 161A, 1 of whom shall have experience
17 in the field of public or private finance, 1 of whom shall have experience in transportation
18 planning and policy, 1 of whom shall have experience in civil engineering, 1 of whom shall have
19 experience in the field of public or private finance or transportation planning and policy, 1 of
20 whom shall have municipal government experience in 1 of the 14 cities and towns as defined in
21 section 1 of chapter 161A, 1 of whom shall have municipal government experience in 1 of the 51
22 cities and towns as defined in said section 1 of said chapter 161A, 1 of whom shall have
23 municipal government experience in 1 of the other served communities as defined in said section
24 1 of said chapter 161A, 1 of whom shall have municipal government experience in a city or town
25 not part of the area constituting the authority as defined in said section 1 of said chapter 161A
26 and 1 of whom shall be a representative of a labor organization selected from a list of 3 nominees
27 provided by the Massachusetts State Labor Council, AFL-CIO. Four of the members shall serve
28 for terms that are coterminous with the governor; provided, however, that at least 3 of the
29 coterminous members shall have experience in transportation policy, public finance or civil
30 engineering and at least 1 of the coterminous members shall be a rider. The 6 remaining
31 members appointed by the governor shall serve for terms of 4 years.

32 Not more than 6 of the directors, not including the chair, shall be members of the same
33 political party. The directors, with the exception of chair, shall serve without compensation but
34 may be reimbursed for actual and necessary expenses reasonably incurred in the performance of
35 their duties, including reimbursement for reasonable travel; provided, however, that
36 reimbursement shall not exceed \$3,000 annually per director. A person appointed to fill a
37 vacancy in the board of directors shall serve only for the unexpired term of the former member.
38 A director shall be eligible for reappointment. A director may be removed by the governor for
39 cause. The board shall annually elect 1 of the directors to serve as vice-chair.

Advocate for Riders with Disabilities

40 SECTION 6. Subsection (e) of said section 2 of said chapter 6C of the General Laws, as
41 so appearing, is hereby amended by inserting after the second sentence the following 2
42 sentences:- The secretary shall work in collaboration with a disabled rider advocate who
43 advocates on behalf of individuals with disabilities to ensure that the interests of the community
44 are fully understood and considered. The secretary shall select a disabled rider advocate who is
45 mobility impaired, has a family member who is mobility impaired, is a caretaker of a person who
46 is mobility impaired or represents an organization that serves the needs of individuals with
47 physical disabilities.

Massachusetts Department of Transportation Board of Directors 2

48 SECTION 7. Said section 2 of said chapter 6C, as so appearing, is hereby amended by
49 striking out, in lines 112 and 113, the words “and section 3” and inserting in place thereof the
50 following words:- , section 3 and section 3 of chapter 161A.

Massachusetts Department of Transportation Advertising

51 SECTION 8. Section 3 of said chapter 6C, as so appearing, is hereby amended by striking
52 out, in lines 274 to 276, inclusive, as so appearing, the words “and (48) designate a
53 representative to act in its interest in labor relations matters with its employees” and inserting in
54 place thereof the following words:-

55 (48) designate a representative to act in its interest in labor relations matters with its
56 employees; and
57 (49) sell, lease or otherwise contract for advertising, including in or on the facilities of the
58 department.

Office of Commonwealth Performance, Accountability and Transparency 2

59 SECTION 9. Section 4A of chapter 7 of the General Laws is hereby amended by striking
60 out the first paragraph, as appearing in section 19 of chapter 165 of the acts of 2014, and
61 inserting in place thereof the following paragraph:-

62 The executive office for administration and finance shall include a division of capital
63 asset management and maintenance, which shall be headed by a commissioner as provided in
64 section 2 of chapter 7C, the Massachusetts office of information technology, which shall be
65 headed by a chief information officer as provided in chapter 7D, and a department of revenue as
66 provided in chapter 14. The executive office for administration and finance shall include the
67 human resources division and the operational services division. The divisions, the offices and
68 the department shall develop policies and standards to govern the conduct of commonwealth
69 secretariats, departments, agencies, boards and commissions in each of these areas and shall
70 provide expertise and centralized processing to secretariats, departments, agencies, boards,
71 commissions and other entities of state government.

Office of Commonwealth Performance, Accountability and Transparency 3

72 SECTION 10. Said section 4A of said chapter 7 is hereby further amended by striking out
73 subsection (e), as appearing in the 2012 Official Edition, and inserting in place thereof the
74 following subsection:-

75 (e) The executive office shall prioritize accountability and transparency and may
76 establish a division for those purposes. As used in this subsection, “accountability and
77 transparency” shall include the operation of the searchable website required by section 14C,
78 ensuring transparency in the commonwealth’s administration and finance activities and
79 monitoring and reviewing federal grant applications made on behalf of the commonwealth,
80 coordinating efforts to maximize federal revenue opportunities and oversight of compliance with
81 federal reporting requirements. “Accountability and transparency” may also include: (i)
82 establishing and maintaining a central intake unit for reports of fraud, waste and abuse; (ii)
83 establishing and maintaining an economic forecasting and analysis unit to coordinate all
84 spending and revenue forecasting by state agencies and coordinate with the caseload and
85 economic forecasting office established in section 4R; (iii) reducing and simplifying paperwork
86 of state agencies and departments by adopting uniform forms or federal forms, if possible, when
87 those forms are shorter than the corresponding state forms; (iv) implementing and streamlining
88 electronic paperwork options to better facilitate public interaction with state agencies; and (v)
89 collaborating with other state agencies, authorities and entities to carry out this subsection.

Office of Commonwealth Performance, Accountability and Transparency 4

90 SECTION 11. Section 4F1/2 of said chapter 7, as so appearing, is hereby amended by
91 striking out the second sentence and inserting in place thereof the following sentence:- The
92 secretary of administration and finance shall expend funds in the trust without further
93 appropriation to support the priorities of accountability and transparency, as defined in
94 subsection (e) of section 4A, and to support any performance management programs that the
95 office of the governor may develop.

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96 SECTION 12. Subsection (a) of section 4R of said chapter 7, as so appearing, is hereby
97 amended by striking out the first sentence and inserting in place thereof the following sentence:-
98 There shall be a caseload and economic forecasting office within the executive office for
99 administration and finance.

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100 SECTION 13. Said section 4R of said chapter 7, as so appearing, is hereby further
101 amended by striking out, in lines 13 and 14, the words “assistant secretary for commonwealth
102 performance, accountability and transparency” and inserting in place thereof the following
103 word:- secretary.

Massachusetts Percent for Art Program

104 SECTION 14. Chapter 7C of the General Laws is hereby amended by adding the
105 following section:-

106 Section 73. (a) There shall be a Massachusetts percent for art program, or MPAP, to be
107 administered by the public art commission established in subsection (c). The MPAP shall
108 provide for the creation and preservation of existing public art in the city of Boston and
109 municipalities designated as gateway municipalities under section 3A of chapter 23A. Under
110 this program, if construction or substantial renovation of state-owned buildings and properties is
111 undertaken, a minimum of 0.5 per cent of the cost of that construction or substantial renovation,
112 not to exceed \$250,000, shall be dedicated to the preservation of existing public art and the
113 creation of new public art.

114 (b) The secretary of administration and finance may temporarily suspend the MPAP
115 spending requirement set forth in subsection (a) in any year in which the consensus tax revenue
116 forecast, determined under section 5B of chapter 29, is less than the prior year.

117 (c) There shall be a public art commission which shall administer the MPAP by: (i)
118 making curatorial decisions on a project-by-project basis in coordination with members of the
119 commonwealth's artist community who demonstrate distinguished service to the arts; (ii)
120 consulting with pertinent local art and cultural commissions; (iii) promoting and encouraging
121 public art; and (iv) coordinating with the executive department to ensure compliance with and
122 participation in the MPAP. The commission may also research other funding mechanisms that
123 may increase the total pool of funds for public art and suggest the development of programming
124 for education and promotion regarding public art. All state agencies within the executive
125 department shall cooperate with and provide assistance to the commission as necessary.

126 (d) The commission shall consist of the following 14 members: the secretary of
127 administration and finance or a designee; the secretary of housing and economic development or
128 a designee; the commissioner of capital asset management and maintenance or a designee; the
129 secretary of energy and environmental affairs or a designee; the chair of the Massachusetts
130 cultural council or a designee; a representative recommended by the mayor of the city of Boston;
131 and 8 persons to be appointed by the governor, 2 of whom shall be representatives from
132 municipalities designated as gateway municipalities under section 3A of chapter 23A who shall
133 be selected from individuals recommended by the chief executive officer of any such
134 municipality, 2 of whom shall be project designers with experience in the creation and
135 installation of public art, 2 of whom shall be artists or representatives from nonprofit or
136 community organizations associated with the arts and 2 of whom the governor otherwise deems
137 appropriate but who do not possess the foregoing qualifications. The commission shall annually
138 elect 1 of its members to serve as chair. Commission members shall serve without compensation
139 or reimbursement for expenses.

140 (e) The commission shall meet at such times and places as directed by the chair.

141 (f) The commissioner of capital asset management and maintenance shall appoint an
142 MPAP coordinator who shall report to the commissioner. In coordination with the commission
143 and any other agencies as the commissioner may deem appropriate, the coordinator shall,
144 without limitation: (i) recommend the guidelines and parameters for the MPAP; (ii) research
145 other successful funding mechanisms that increase the total pool of funds for public art; and (iii)
146 oversee the creation of a central entity to host a variety of shared resources relating to the
147 implementation, installation, maintenance and preservation of public art.

148 (g) Annually, not later than September 1, the commission shall provide a report to the
149 governor, the secretary of administration and finance and the clerks of the senate and house of
150 representatives describing the actions of the MPAP and the commission and any other
151 information the commission deems pertinent.

Illegal Tobacco Enforcement: Lottery License Suspension 1

152 SECTION 15. Chapter 10 of the General Laws is hereby amended by inserting after
153 section 30A the following section:-

154 Section 30B. Upon receiving notice from the commissioner of revenue that a retailer, as
155 defined in section 1 of chapter 64C, or a cigar retailer, as defined in section 7B of said chapter
156 64C, has had a cigar or tobacco license suspended or revoked for a willful violation of paragraph
157 (1) of subsection (1) of said section 7B of said chapter 64C or section 34 or 35 of said chapter
158 64C, the director of the state lottery shall suspend the lottery license, authorized by sections 26
159 and 27, of that retailer or cigar retailer for up to 60 days.

Commonwealth Covenant Fund

160 SECTION 16. Section 35EE of said chapter 10 is hereby repealed.

Economic Empowerment Trust Fund 1

161 SECTION 17. Said chapter 10 is hereby further amended by striking out section 35QQ,
162 as appearing in the 2012 Official Edition, and inserting in place thereof the following section:-

163 Section 35QQ. (a) There shall be an Economic Empowerment Trust Fund to encourage
164 and facilitate economic empowerment throughout the commonwealth. Funds may be expended
165 to encourage and facilitate economic empowerment programs, including but not limited to: (i)
166 establishing financial literacy programs; (ii) creating college savings accounts, in cooperation
167 with the Massachusetts Educational Financing Authority; (iii) establishing college and career
168 readiness programs, particularly in the areas of science, technology, engineering and math; and
169 (iv) supporting and promoting wage equality. The state treasurer shall administer the fund in
170 consultation with the board of trustees established under subsection (b). The fund may accept
171 private contributions, publicly or privately-funded grants and funds appropriated by the state or
172 federal government. No expenditure from the fund shall cause the fund to be in deficiency at the
173 close of the fiscal year. Monies deposited in the fund that are unexpended at the end of the fiscal
174 year shall not revert to the General Fund and shall be available for expenditure in the subsequent

175 fiscal year. The fund shall be an expendable trust fund and shall not be subject to appropriation
176 or allotment.

177 (b) There shall be a board of trustees to consist of 20 members. There shall be 6
178 nonvoting members, 2 of whom shall be appointed by the president of the senate, 1 of whom
179 shall be appointed by the minority leader of the senate, 2 of whom shall be appointed by the
180 speaker of the house of representatives and 1 of whom shall be appointed by the minority leader
181 of the house of representatives. There shall be 14 voting members: the state treasurer or a
182 designee, who shall serve as chair; the attorney general or a designee; the undersecretary of
183 consumer affairs and business regulation or a designee; the commissioner of elementary and
184 secondary education or a designee; the secretary of education or a designee; the secretary of
185 housing and economic development or a designee; and 8 persons to be appointed by the state
186 treasurer, 1 of whom shall have experience in education, 1 of whom shall have experience in
187 financial services, 1 of whom shall have experience in biotechnology, 1 of whom shall have
188 experience in health care, 1 of whom shall have experience in computers or mathematics, 1 of
189 whom shall have experience in life, physical or social sciences, 1 of whom shall have experience
190 in fundraising and 1 of whom shall have experience in architecture or engineering. All
191 nonelected members shall serve for terms of 3 years, but may be reappointed. The state treasurer
192 may expend funds, subject to approval of the board of trustees, to cover the expenses of
193 administering the fund which may include the hiring of professional staff or an annual
194 independent audit of the financial activities of the fund. The state treasurer may also enter into
195 contracts with private corporations to manage and implement the programmatic fiduciary or
196 administrative goals of the fund, subject to approval of the board of trustees. The state treasurer
197 may, subject to approval of the board of trustees and to the extent necessary, create a 501(c)(3)
198 corporation to fulfill the purposes of the fund. The board of trustees may support and facilitate
199 the establishment of college savings plans, consistent with 26 U.S.C. § 529, in cooperation with
200 the Massachusetts Educational Financing Authority, for students throughout the commonwealth.
201 The board of trustees shall develop by-laws and may develop regulations for the implementation
202 of the fund, including guidelines for the establishment of children's savings plans. The state
203 treasurer shall annually report to the clerks of the house of representatives and senate, the house
204 and senate chairs of the joint committee on financial services, the house and senate chairs of the
205 joint committee on education and the chairs of the house and senate committees on ways and
206 means on all programmatic and financial activities and balances of the fund not later than the last
207 Wednesday in December.

208 (c) Notwithstanding any general or special law to the contrary, the state treasurer and
209 members of the board of trustees or their designees shall maximize the balance of the fund by
210 soliciting private donations, gifts, grants and bequests of the fund, including through direct and
211 indirect fundraising.

Health Information and Analysis Oversight Council

212 SECTION 18. Chapter 12C of the General Laws is hereby amended by inserting after
213 section 2 the following section:-

214 Section 2A. (a) There shall be a health information and analysis oversight council which
215 shall provide oversight of the center; provided, however, that the council shall not oversee the
216 Betsy Lehman center for patient safety and medical error reduction established in section 15.
217 The council shall consist of 7 members, 2 of whom shall be appointed by the attorney general of
218 whom 1 shall have experience in cyber security, 2 of whom shall be appointed by the state
219 auditor of whom 1 shall be a health care economist, and 3 of whom shall be appointed by the
220 governor of whom 1 shall have experience in health care delivery or health care management, 1
221 shall have experience with the use of big data, open data and analytics and 1 shall have
222 experience in finance and budgeting. Appointments shall be made without regard to political
223 affiliation. Members of the council shall serve for terms of 5 years. In the case of a vacancy, a
224 successor shall be appointed in the same manner as the original appointment for the remainder of
225 the unexpired term. Members of the council shall be eligible for reappointment. Members of the
226 council shall not: (i) hold full-time or part-time employment in state government; or (ii) be
227 employed by, a consultant to, a member of the board of directors of, affiliated with, have a
228 financial stake in or otherwise be a representative of an acute hospital, ambulatory surgical
229 center or a surcharge payor to the commonwealth. The council shall annually elect 1 of its
230 members to serve as chair and 1 to serve as vice-chair. Members of the council shall be residents
231 of the commonwealth.

232 (b) The council shall meet on a quarterly basis. Meetings of the council shall be subject
233 to sections 18 to 25, inclusive, of chapter 30A. Four members of the council shall constitute a
234 quorum and the affirmative vote of 4 members of the council shall be necessary and sufficient
235 for any action taken by the council. No vacancy in the membership of the council shall impair
236 the right of a quorum to exercise all the rights and duties of the commission. Members shall
237 serve without pay, but shall be reimbursed for actual expenses necessarily incurred in the
238 performance of their duties.

239 (c) The council shall:

240 (i) prepare an annual operating budget for the center and manage the administrative
241 expenses of the center;

242 (ii) implement procedures for communications with the executive director;

243 (iii) develop annual research and analysis priorities for the center; provided however, the
244 council shall not require approval of the center's actions under section 38C of chapter 3, section
245 16 of this chapter or section 17 of chapter 176A;

246 (iv) develop guidelines for uniform reporting and data preparation pursuant to sections 8
247 to 10, inclusive; and

248 (v) develop guidelines for the collection, storage and maintenance of the payer and
249 provider claims database established pursuant to section 12.

250 (d) Chapter 268A shall apply to all council members except that the center may purchase
251 from, sell to, borrow from, contract with or otherwise deal with any organization in which any

252 council member is in anyway interested or involved; provided, however, that such interest or
253 involvement shall be disclosed in advance to the council and recorded in the minutes of the
254 proceedings of the council; and provided further, that no member shall be deemed to have
255 violated section 4 of said chapter 268A because of such member's receipt of such member's
256 usual and regular compensation from such member's employer during the time in which the
257 member participates in the activities of the council.

Illegal Tobacco Enforcement: Tobacco Providers List

258 SECTION 19. Section 6 of chapter 14 of the General Laws, as appearing in the 2012
259 Official Edition, is hereby amended by adding the following paragraph:-

260 10. Shall maintain on the department's website an easily searchable and regularly
261 updated list of all taxpayers licensed under section 67 of chapter 62C as a manufacturer,
262 wholesaler, vending machine operator, unclassified acquirer, transportation company or retailer
263 as defined in section 1 of chapter 64C or as a cigar distributor or cigar retailer as defined in
264 section 7B of said chapter 64C.

Office of Trustee Relations

265 SECTION 20. Section 1 of chapter 15A of the General Laws, as so appearing, is hereby
266 amended by inserting after the first sentence the following sentence:- The board of higher
267 education shall provide orientation, professional development and support for the boards of
268 trustees in areas including, but not limited to, system-level initiatives, trustee accountability,
269 recruitment and board responsibilities.

University of Massachusetts Tuition Retention 1

270 SECTION 21. Section 9 of said chapter 15A, as so appearing, is hereby amended by
271 striking out, in lines 71 to 74, inclusive, the words "In the case of the university, the council shall
272 review the recommendations of the board of trustees relative to tuition rates at said university
273 and its campuses. Said tuition rates shall be subject to the approval of the council" and inserting
274 in place thereof the following words:- Tuition rates shall be subject to the approval of the
275 council; provided, however, that tuition rates at the University of Massachusetts shall be subject
276 to sections 1A and 1B of chapter 75 and shall not require the approval of the council.

University of Massachusetts Tuition Retention 2

277 SECTION 22. Said section 9 of said chapter 15A, as so appearing, is hereby further
278 amended by striking out, in line 79, the words "public institution of higher education" and
279 inserting in place thereof the following words:- state university and community college.

Colocation 1

280 SECTION 23. The second paragraph of section 5 of chapter 18 of the General Laws, as so
281 appearing, is hereby amended by adding the following sentence:- A representative of a one stop

282 career center shall be placed within each regional office to provide support to individuals seeking
283 employment, job training, education or other transitional assistance.

Colocation 2

284 SECTION 24. Subsection (b) of section 6 of chapter 23H of the General Laws, as so
285 appearing, is hereby amended by adding the following paragraph:-

286 A representative of the department of transitional assistance shall be placed within each
287 one stop career center to provide support to individuals seeking employment, job training,
288 education or other transitional assistance.

Commonwealth Care Trust Fund Spending

289 SECTION 25. The second paragraph of section 2000 of chapter 29 of the General Laws
290 is hereby amended by inserting after the fifth sentence, as so appearing, the following sentence:-
291 To accommodate timing discrepancies between the receipt of revenue and related expenditures,
292 the comptroller may certify for payment amounts not to exceed the most recent estimate of
293 revenues as certified by the secretary of administration and finance to be deposited under this
294 section.

Medical Assistance Trust Fund Authority

295 SECTION 26. Section 2QQQ of said chapter 29, as so appearing, is hereby amended by
296 striking out, in line 4, the words "supplemental Medicaid payments" and inserting in place
297 thereof the following words:- Medicaid supplemental and incentive payments.

Secure Vital Registry Trust Fund 1 and Naloxone Bulk Purchasing

298 SECTION 27. Said chapter 29 is hereby further amended by inserting after section
299 2QQQQ the following 2 sections:-

300 Section 2RRRR. There shall be a Secure Vital Registry Trust Fund to be expended
301 without prior appropriation by the department of public health. The fund shall consist of the
302 commonwealth's share of revenues collected for the provision of records under chapter 46 by
303 state and local officials under a schedule promulgated pursuant to section 3B of chapter 7. The
304 commissioner of public health or a designee shall be the trustee of the fund and shall make
305 expenditures from the fund for the administrative costs of development, maintenance and
306 operation of the centralized, automated database for the system of vital records and statistics
307 provided for in section 33 of said chapter 46. The department may incur expenses and the
308 comptroller may certify for payment amounts in anticipation of expected receipts; provided
309 however, that no expenditure shall be made from the fund which shall cause the fund to be in
310 deficit at the close of a fiscal year. Monies deposited in the fund that are unexpended at the end
311 of a fiscal year shall not revert to the General Fund.

312 Section 2SSSS. (a) There shall be a Municipal Naloxone Bulk Purchase Trust Fund to be
313 administered and expended by the commissioner of public health or a designee for the municipal
314 naloxone bulk purchase program. Municipalities may join the program to purchase naloxone for
315 municipal first responder programs. The state office of pharmacy services shall assist with the
316 purchasing and distribution of naloxone on behalf of the program. The department of public
317 health shall provide technical assistance to participating municipalities to ensure that
318 municipalities complete all training and registration requirements.

319 (b) The fund shall consist of payments made by participating municipalities for the
320 purchase of naloxone. The department may incur expenses and the comptroller may certify for
321 payment amounts in anticipation of expected receipts; provided, however, that no expenditure
322 shall be made from the fund which shall cause the fund to be in deficit at the close of a fiscal
323 year. Monies deposited in the fund that are unexpended at the end of a fiscal year shall not revert
324 to the General Fund. The commissioner shall report annually not later than October 1 to the
325 house and senate committees on ways and means on the fund's activity. The report shall include,
326 but not be limited to, revenue received by the fund, revenue and expenditure projections for the
327 forthcoming fiscal year and details of all expenditures from the fund, the municipalities
328 participating in the program, the amount of naloxone purchased by each municipality and the
329 discount procured through bulk purchasing.

Classification Appeals

330 SECTION 28. The first paragraph of section 49 of chapter 30 of the General Laws, as
331 appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and
332 inserting in place thereof the following sentence:- A manager or an employee of the
333 commonwealth objecting to any provision of the classification affecting the manager or
334 employee's office or position may appeal in writing to the personnel administrator.

Fiscal Year 2017 Pension Transfer

335 SECTION 29. Section 22C of chapter 32 of the General Laws is hereby amended by
336 striking out the figure "\$2,169,000,000", inserted by section 69 of chapter 165 of the acts of
337 2014, and inserting in place thereof the following figure:- \$2,217,749,000.

Massachusetts Computing Attainment Network 1

338 SECTION 30. Chapter 40J of the General Laws is hereby amended by inserting after
339 section 6H the following section:-

340 Section 6I. (a) The Massachusetts Technology Park Corporation established in section 3
341 and doing business as the Massachusetts Technology Collaborative shall, subject to
342 appropriation, establish and promote computer science education in public schools. The
343 collaborative shall serve as the state agent in support of the objectives of the Massachusetts
344 Computing Attainment Network or MassCAN; provided, however, that the primary goal of
345 MassCAN shall be to strengthen the growth and vitality of the commonwealth's technology
346 industry and the technology dependent business sectors by implementing a broad-based
347 education and workforce strategy with the objective of increasing the number of students

348 prepared to pursue computing technology careers. In furtherance of this goal, MassCAN shall
349 seek to promote an environment in which all students in kindergarten to grade 12, inclusive, shall
350 have access to computer science courses. MassCAN may, subject to the availability of funds: (i)
351 promote the development and implementation of educational programs, courses and modules for
352 students in kindergarten to grade 12, inclusive, and teachers; (ii) collaborate with the department
353 of elementary and secondary education in developing new voluntary computer science standards
354 for kindergarten to grade 12, inclusive; (iii) collaborate with the department of higher education
355 to create computer science professional development hubs at universities in each of the regional
356 science, technology, engineering and mathematics, or STEM, networks established by the
357 department; (iv) develop a school district-based program to assist teachers and administrators
358 with the implementation of computer science courses; (v) develop and maintain a website to
359 share computer science resources and broadly communicate best practices and successes; (vi)
360 connect computer science students with industry professionals to enhance students'
361 understanding of the relevance of their educational experience to the workplace and STEM
362 career opportunities; (vii) identify the particular needs of school districts with disproportionately
363 high numbers of underrepresented minorities; and (viii) leverage at least \$1 in matching funds
364 from non-state sources of funding for every \$1 expended within the commonwealth. MassCAN
365 shall take into consideration the recommendations of the science, technology, engineering and
366 math, or STEM, advisory council established in section 217 of chapter 6 when developing and
367 implementing educational programs.

368 (b) There shall be a MassCAN advisory board to consist of 9 members, to be appointed
369 by the governor, including: 1 person recommended by the Massachusetts Competitive
370 Partnership, Inc.; 1 person recommended by the Massachusetts Business Roundtable; 1 person
371 recommended by the Massachusetts Technology Leadership Council, Inc.; 1 person
372 recommended by a federally-funded research corporation; 1 person recommended by the chair of
373 the computer science department of a public university; 1 person recommended by the
374 Massachusetts Association of School Superintendents, Inc.; 1 person recommended by the
375 Greater Boston chapter of the Computer Science Teachers Association; 1 person recommended
376 by the METCO program; and 1 person recommended by the Society of Women Engineers
377 Boston Section, Inc.

378 (c) The collaborative shall file an annual report not later than September 30 with the
379 clerks of the house of representatives and the senate who shall forward the same to the house and
380 senate committees on ways and means and the joint committee on economic development and
381 emerging technologies. The report shall detail a 3-year strategic plan, annual goals and progress
382 in achieving those goals. The report shall be published on the website of the collaborative.

Secure Vital Registry Trust Fund 2

383 SECTION 31. Section 33 of chapter 46 of the General Laws, as appearing in the 2012
384 Official Edition, is hereby amended by inserting after the word "recorded", in line 16, the
385 following words: - ; provided however, that not more than \$6 per fee paid shall be transferred to
386 the Secure Vital Registry Trust Fund established in section 2RRRR of chapter 29; and provided
387 further, that the state registrar shall establish a hardship waiver for individuals who qualify for
388 the MassHealth program under chapter 118E for a reduced fee which shall be not more than \$6.

Combined Reporting Technical Edit

389 SECTION 32. Paragraph 3 of section 30 of chapter 63 of the General Laws, as so
390 appearing, is hereby amended by inserting after the second sentence the following sentence:-
391 For the purposes of this paragraph, in the case of a business corporation required to be included
392 in a combined report pursuant to clause (i) of paragraph (3) of subsection (c) of section 32B,
393 gross income shall be determined as if the corporation were organized in the United States.

Illegal Tobacco Enforcement: Information Sharing

394 SECTION 33. Subsection (b) of section 21 of chapter 62C of the General Laws, as most
395 recently amended by section 16 of chapter 158 of the acts of 2014, is hereby amended by
396 inserting after clause (27) the following clause:-

397 (28) the disclosure of information to members of the multi-agency illegal tobacco task
398 force established in section 40 of chapter 64C necessary to investigate and conduct enforcement
399 actions relative to contraband tobacco distribution.

Illegal Tobacco Enforcement: Lottery License Suspension 2

400 SECTION 34. Section 68 of said chapter 62C, as appearing in the 2012 Official Edition,
401 is hereby amended by adding the following paragraph:-

402 The commissioner shall provide notice to the director of the state lottery of a retailer, as
403 defined in section 1 of chapter 64C, or a cigar retailer, as defined in subsection (a) of section 7B
404 of said chapter 64C, whose license, issued under section 67, has been suspended or revoked by
405 the department for a willful violation of paragraph (1) of subsection (1) of said section 7B of said
406 chapter 64C or sections 34 or 35 of said chapter 64C and who is a licensee authorized to sell
407 lottery tickets under sections 26 and 27 of chapter 10.

Illegal Tobacco Enforcement: Multi-Agency Illegal Tobacco Task Force

408 SECTION 35. Chapter 64C of the General Laws is hereby amended by adding the
409 following section:-

410 Section 40. (a) There shall be a multi-agency illegal tobacco task force. The task force
411 shall coordinate efforts to combat contraband tobacco distribution, including efforts to foster
412 compliance with the law and conduct targeted investigations and enforcement actions against
413 violators. The task force shall be co-chaired by the colonel of state police or a designee and the
414 commissioner of revenue or a designee and shall also consist of: the secretary of public safety
415 and security or a designee; the state treasurer or a designee; the attorney general or a designee;
416 and the commissioner of public health or a designee.

417 (b) The task force shall:

418 (i) facilitate timely information sharing among state agencies in order to advise or refer
419 matters of potential investigative interest;

420 (ii) dedicate not less than an aggregate of 20 personnel from member agencies to carry
421 out enforcement and investigative strategies;

422 (iii) identify where illegal tobacco distribution is most prevalent and target task force
423 members' investigative and enforcement resources against those in violation of this chapter and
424 chapter 62C, including through the formation of joint investigative and enforcement teams;

425 (iv) assess existing investigative and enforcement methods in the commonwealth and in
426 other jurisdictions and develop and recommend strategies to improve those methods; and

427 (v) solicit the cooperation and participation of other relevant enforcement agencies and
428 establish procedures for referring cases to prosecuting authorities as appropriate.

429 (c) The multi-agency illegal tobacco task force shall meet at times and places to be
430 determined by the co-chairs and may establish working groups, meetings, forums or any other
431 activity deemed necessary to carry out its mandate.

432 (d) The task force shall submit a report not later than March 1 of each year on the results
433 of its findings, activities and recommendations from the preceding year with the clerks of the
434 senate and house of representatives, the chairs of the joint committee on revenue, the chairs of
435 the senate and house committees on ways and means and the chairs of the joint committee on
436 public safety and homeland security. The report shall include, but not be limited to: (i) a
437 description of the task force's efforts and activities during the year; (ii) identification of any
438 administrative or legal barriers, including any barriers to multi-agency action or enforcement
439 efforts; and (iii) proposed legislative or regulatory changes necessary to strengthen operations
440 and enforcement efforts and reduce or eliminate any impediments to those efforts.

University of Massachusetts Tuition Retention 3

441 SECTION 36. Section 1A of chapter 75 of the General Laws, as appearing in the 2012
442 Official Edition, is hereby amended by striking out, in lines 142 and 143, the words “; (p) submit
443 recommendations to the council for approval for tuition rates at the university”.

University of Massachusetts Tuition Retention 4

444 SECTION 37. Said chapter 75 is hereby further amended by inserting after section 1A
445 the following section:-

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

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

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

453 (b) The board of trustees shall fix and establish student charges for the university. In-
454 state tuition and mandatory student charges shall preserve affordability for residents of the
455 commonwealth. Out-of-state student charges shall appropriately balance the financial needs of
456 the university with the need to be competitive with peer institutions and, to the extent possible,
457 cover, at a minimum, the actual cost of a student’s education. Tuition shall comprise the
458 majority portion of student charges. In establishing student charges, the board of trustees shall
459 consider factors including: (i) the Consumer Price Index published by the Bureau of Labor
460 Statistics in the United States Department of Labor; (ii) the Higher Education Price Index
461 calculated by Commonfund; (iii) tuition and fee rates at peer institutions; (iv) collective
462 bargaining costs; (v) total support from the commonwealth, including direct appropriations; and
463 (vi) other relevant data and measures.

464 (c) All student charges received by the university under this section shall be retained by
465 the university in a revolving trust fund and shall be expended as the board of trustees directs for
466 the operation and support of the university. Any balance remaining in the trust fund at the close
467 of a fiscal year shall continue to be held in the trust fund, shall remain available for expenditure
468 in subsequent fiscal years and shall not revert to the General Fund. The trust fund shall be
469 subject to audit by the state auditor.

470 (d) The university shall provide to each student a detailed statement of all student
471 charges. The statement shall be in a form approved by the board of trustees and shall include a
472 breakdown of the student charges and show the discount rate for in-state students and the
473 discount for a student who is eligible for a tuition credit.

474 (e) For employees of the university whose salaries are paid from tuition retained under
475 subsection (c), fringe benefits and collective bargaining shall be funded as if those employees’
476 salaries were supported by state appropriations and the funds shall not be assessed as fringe.
477 This subsection shall apply only to fringe benefits and collective bargaining costs associated with
478 salaries paid from retained tuition.

479 (f) All tuition waivers, grants and scholarships identified in chapter 15A or any other
480 general or special law and reductions collectively bargained for that are in the form of tuition or
481 fee waivers shall be student tuition credits. Students that are eligible for a tuition credit shall
482 have their student charges reduced by the amount of the tuition credit.

483 (g) The board of trustees shall not accept any tuition waivers, grants or scholarships
484 identified in chapter 15A or any other general or special law or reductions collectively bargained
485 for that are in the form of tuition or fee waivers established on or after July 1, 2016 unless the
486 reduction is accompanied with an appropriation that fully supports the reduction or the reduction
487 is approved by the board of trustees.

488 (h) The university shall report annually not later than March 1 to the senate and house
489 committees on ways and means, the joint committee on higher education, the secretary of

490 administration and finance and the secretary of education on: (i) the status of the percentage of
491 student education costs placed upon the student and subsidized by the commonwealth; and (ii) a
492 comprehensive document articulating the efficiencies and effectiveness of initiatives and
493 programs at the university that save the commonwealth and students money and make the 5-
494 campus system more efficient.

Distinctive Registration Plates 1

495 SECTION 38. Section 2F of chapter 90 of the General Laws, as appearing in the 2012
496 Official Edition, is hereby amended by striking out, in lines 5, 9 and 11, the figure "1,500" and
497 inserting in place thereof, in each instance, the following figure:- 750.

Distinctive Registration Plates 2

498 SECTION 39. Said section 2F of said chapter 90, as so appearing, is hereby further
499 amended by striking out, in line 18, the figure "2" and inserting in place thereof the following
500 figure:- 5.

Distinctive Registration Plates 3

501 SECTION 40. Said section 2F of said chapter 90, as so appearing, is hereby further
502 amended by striking out, in line 19, the words "2 year" and inserting in place thereof the
503 following words:- 5-year.

Department of Conservation and Recreation Permits

504 SECTION 41. Section 33 of chapter 92 of the General Laws, as so appearing, is hereby
505 amended by striking out, in line 28, the words "5 years" and inserting in place thereof the
506 following words:- 10 years and shall be in writing.

Vaccine Purchase Trust Fund

507 SECTION 42. Subsection (b) of section 24N of chapter 111 of the General Laws, as
508 appearing in section 1 of chapter 28 of the acts of 2014, is hereby amended by inserting after
509 the fifth sentence the following sentence:- The department may incur expenses and the
510 comptroller may certify for payment amounts in anticipation of the most recent estimate of
511 expected receipts as certified by the secretary of administration and finance; provided, however,
512 that no expenditure shall be made from the fund which shall cause the fund to be in deficit at
513 the close of a fiscal year.

Expanding Fee Waivers for Veterans

SECTION 43. Section 1B of said chapter 112, as amended by section 23 of chapter 62 of
the acts of 2014, is hereby further amended by adding the following subsection:-

514 (g) The commissioner of public health and each of the boards of registration and
515 certification under the commissioner's supervision shall waive the commonwealth's portion of

516 the initial application fee and the initial fee for a license application or certification granted
517 pursuant to this section.

Volume Purchasing of Durable Medical Equipment

518 SECTION 44. Section 12 of chapter 118E of the General Laws is hereby amended by
519 striking out the second paragraph, as appearing in the 2012 Official Edition, and inserting in
520 place thereof the following paragraph:-

521 The division may enter into any types of contracts with providers and manufacturers of
522 medical services, equipment and supplies as the division deems necessary to carry out this
523 chapter including, but not limited to, selective contracts, volume purchase contracts, preferred
524 provider contracts and managed care contracts; provided, however, that such contracts shall be
525 reviewed by the center for health information and analysis and the executive office for
526 administration and finance. The division may negotiate the rate of reimbursement to the
527 provider under any such contract and the negotiated rate shall not be subject to sections 13 to
528 13F, inclusive.

Nursing Home Assessment

529 SECTION 45. Section 63 of said chapter 118E, as so appearing, is hereby amended by
530 striking out, in line 17, the words "\$145 million" and inserting in place thereof the following
531 figure:- \$220,000,000.

Medical Placement of Terminal and Incapacitated Inmates

532 SECTION 46. Chapter 127 of the General Laws is hereby amended by inserting after
533 section 119 the following section:-

534 Section 119A. (a) As used in this section, the following words shall, unless the context
535 clearly requires otherwise, have the following meanings:

536 "Department", the department of correction.

537 "Medical release plan", a comprehensive written medical and psychosocial care plan that is
538 specific to the prisoner and shall include, but not be limited to: (i) the proposed course of
539 treatment; (ii) the proposed site for treatment and post-treatment care; (iii) documentation that
540 medical providers qualified to provide the medical services identified in the medical release plan
541 are prepared to provide those services; and (iv) the financial program in place to cover the cost of
542 this plan for the duration of the medical release, which shall include eligibility for enrollment in
543 commercial insurance, Medicare or Medicaid or access to other adequate financial resources for
544 the duration of the medical release.

545 "Permanent and total disability", as determined by a licensed physician, a permanent and
546 irreversible physical incapacitation as a result of an existing physical or medical condition that
547 was unknown at the time of sentencing or, since the time of sentencing, has progressed such that
548 the prisoner does not pose a public safety risk.

549 “Prisoner”, a committed offender and such other person placed in custody in a correctional
550 facility in accordance with the law.

551 “Terminal illness”, an incurable condition caused by illness or disease that was unknown at
552 the time of sentencing or, since the time of sentencing, has progressed to render the prisoner
553 terminally ill, and that will likely cause the death of the prisoner within 18 months and that is so
554 debilitating that the prisoner does not pose a public safety risk.

555 (b) Except as otherwise provided in this section and notwithstanding any other general or
556 special law to the contrary, a prisoner may be eligible for conditional medical release due to a
557 terminal illness or permanent and total disability. A prisoner shall be eligible for medical release
558 if the commissioner determines that the prisoner is diagnosed with a permanent and total
559 disability or terminal illness under the procedure described in subsection (c); provided, however,
560 that no prisoner serving a sentence imposed upon a conviction under sections 1 and 2 of chapter
561 265, no person considered a habitual criminal under subsection (b) of section 25 of chapter 279
562 and no prisoner serving a sentence imposed upon a conviction of a sex offense shall be eligible
563 for release under this section.

564 (c) The superintendent of the correctional facility shall consider a prisoner for medical
565 release upon a request for medical release filed by the prisoner, the prisoner’s attorney, the
566 prisoner’s next of kin or a correction officer. The superintendent shall review the request for
567 consideration and make a recommendation to the commissioner within 15 days of receipt of the
568 request or petition for medical release. If, upon an investigation of the request, the
569 superintendent determines that the request warrants approval, the superintendent shall
570 recommend, in writing, to the commissioner that the prisoner be released. The commissioner
571 shall initiate a motion in the court in the district in which the correctional facility is located. The
572 commissioner shall notify, in writing, the district attorney, the attorney for the prisoner and, if
573 applicable under chapter 258B, the victim or the victim’s family, that the prisoner is being
574 considered for medical release subject to this section and the parties receiving the notice shall
575 have an opportunity to be heard through a written or oral statement as to the release of the
576 prisoner. The commissioner shall provide an affidavit confirming the notice with the motion.
577 The commissioner shall file with the motion an assessment of the prisoner’s medical and
578 psychosocial condition and the risk the prisoner poses to society, including:

579 (i) a written diagnosis by a physician licensed to practice medicine in the commonwealth
580 under section 2 of chapter 112, that includes: (a) a description of the terminal illness, physical
581 incapacity or chronic condition; and (b) a prognosis concerning the likelihood of recovery from
582 the terminal illness, physical incapacity or chronic condition; provided, however, that the
583 physician shall be employed by the department or shall be employed by a hospital or medical
584 facility used by the department for the medical treatment of prisoners; and

585 (ii) an assessment of the risk for violence and recidivism that the prisoner poses to
586 society.

587 If the superintendent denies the request for medical release, the superintendent shall provide the
588 prisoner a statement, in writing, of the reason for the denial. A prisoner electing to appeal a
589 denial made by the superintendent shall file an appeal with the commissioner within 30 days.

590 (d) The authority to grant a medical release shall reside solely within the discretion of the
591 court in the district in which the correctional facility is located. In making this determination, the
592 court shall consider:

593 (i) the nature and severity of the prisoner's crime;

594 (ii) the prisoner's prior criminal record;

595 (iii) the prisoner's disciplinary, behavioral and rehabilitative record during the term of
596 incarceration;

597 (iv) the current age of the prisoner and the prisoner's age at the time of the crime;

598 (v) the length of the prisoner's sentence and the amount of time left to serve;

599 (vi) the recommendations of the district attorney and the victim or the victim's
600 representative;

601 (vii) the nature of the prisoner's medical condition or terminal illness and the extent of
602 care the prisoner will require as a result;

603 (viii) the danger, if any, the prisoner poses to the public if released;

604 (ix) appropriate release plans, including family or outside resources; and

605 (x) any other factors the court considers relevant.

606 The court shall make a determination of whether to grant medical release within 15 days
607 of receiving a motion from the commissioner for release of a prisoner with a terminal illness and
608 within 30 days of receiving a motion for release of a permanently and totally disabled prisoner.

609 A denial of medical release by the court shall not affect a prisoner's eligibility for any
610 other form of parole or release under applicable law.

611 Any decision made by the court pursuant to this section shall be final; provided, however,
612 that the decision shall not preclude a prisoner's eligibility for medical release in the future.

613 (e) A prisoner granted release under this section shall be under the jurisdiction,
614 supervision and control of the court. The court shall impose terms and conditions for such
615 release that shall apply through the date upon which the prisoner's sentence would have expired.
616 These conditions shall require, but need not be limited to, the following:

617 (i) the released prisoner's care be consistent with the care specified in the medical release
618 plan as approved by the court;

619 (ii) the released prisoner to cooperate with and comply with the prescribed medical
620 release plan and with reasonable requirements of medical providers to whom the released
621 prisoner is to be referred for continued treatment;

622 (iii) the released prisoner to be subject to supervision by the court; and

623 (iv) the released prisoner to comply with any conditions of release set by the court.

624 Not less than 24 hours prior to the date of a medical release, the court shall notify, in
625 writing, the district attorney, the department of the state police and the police department in the
626 city or town in which the released prisoner will reside and, if necessary under chapter 258B, the
627 victim, the victim's family and the victim's representative, that the prisoner's request for release
628 has been granted by the court and the terms and conditions of release.

629 The court may revise, alter or amend the terms and conditions of release at any time. The
630 court shall promptly order a prisoner returned to the custody of the court to await a revocation
631 hearing if the court receives credible information that a prisoner has failed to comply with a
632 reasonable condition set upon the prisoner's release or if, upon discovery that the medical illness
633 or permanent and total disability has improved to the extent that the prisoner would no longer be
634 eligible for medical release under this section. If the court subsequently revokes a prisoner's
635 medical release, the prisoner shall resume serving the balance of the sentence with credit given
636 only for the duration of the prisoner's medical release served in compliance with all reasonable
637 conditions in this subsection. Revocation of a prisoner's medical release shall not preclude a
638 prisoner's eligibility for another form of parole or release under applicable law; provided,
639 however, that such revocation may be used as a factor in determining eligibility for that other
640 form of parole or release. Revocation of a prisoner's medical release due to a change in the
641 prisoner's medical condition shall not preclude a prisoner's eligibility for medical release in the
642 future or for another form of parole or release under applicable law.

643 (f) The commissioner shall promulgate rules and regulations necessary to implement this
644 section. The commissioner shall make reasonable efforts to educate, inform and train
645 department employees about this section and shall furnish those employees with appropriate
646 resources and services to implement this section.

647 (g) The commissioner shall file an annual report not later than March 1 with the clerks of
648 the house of representatives and the senate, the chairs of the house and senate committees on
649 ways and means and the chairs of the joint committee on the judiciary detailing: (i) the number
650 of prisoners who applied for medical release under this section; (ii) the number of prisoners who
651 have been granted medical release; (iii) the nature of the illness of the applicants, the counties
652 where the prisoners have been released to and the nature of the placement pursuant to the
653 medical release plan; (iv) the categories of reasons for denial for prisoners who have been denied
654 medical release; (v) the number of prisoners released who have been granted an additional period
655 of medical release and the number of those grants; and (vi) the number of prisoners released who
656 have been returned to the custody of the department and the reasons for those returns.

Board of Building Requirements and Standards Mailing Requirement

657 SECTION 47. Section 94 of chapter 143 of the General Laws, as appearing in the 2012
658 Official Edition, is hereby amended by striking out, in line 63, the words "a copy" and inserting
659 in place thereof the following words:- notice by electronic or other means.

Bone Marrow Donors Medical Leave 1

660 SECTION 48. Chapter 149 of the General Laws is hereby amended by inserting after
661 section 33E the following section:-

662 Section 33F. (a) An employee of the commonwealth or an employee of a county, city or
663 town that accepts this section may take a leave of absence, without loss of pay, of not more than
664 5 days to undergo the medical procedure and associated physical recovery time due to
665 participation in a bone marrow donor program.

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

669 (c) An employer may require that a request for leave under this section shall be supported
670 by a certification issued at that time and in a manner that the attorney general may by regulation
671 require.

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

Bone Marrow Donors Medical Leave 2

675 SECTION 49. Section 150 of said chapter 149 is hereby amended by inserting after the
676 figure "33E", in line 20, as appearing in the 2012 Official Edition, the following figure:- , 33F.

Massachusetts Department of Transportation Board of Directors 3

677 SECTION 50. Section 3 of chapter 161A of the General Laws, as so appearing, is hereby
678 amended by striking out, in lines 1 to 3, inclusive, the words "In addition to all powers otherwise
679 granted to the authority by law, the authority shall have the following powers, in each case to be
680 exercised by the board unless otherwise specifically provided" and inserting in place thereof the
681 following words:- The authority shall be governed and its corporate powers exercised by the
682 board of directors of the Massachusetts Department of Transportation established in chapter 6C.
683 In addition to the powers granted to the authority by law, the authority shall have the following
684 powers.

Massachusetts Department of Transportation Board of Directors 4

685 SECTION 51. Clause (d) of said section 3 of said chapter 161A, as so appearing, is hereby
686 amended by striking out the first sentence and inserting in place thereof the following sentence:-
687 To employ, retain and supervise the managerial, professional and clerical staff as necessary to
688 carry out the work of the authority; provided, however, that the chief executive officer of the
689 authority shall be a general manager who shall be hired by, report to and serve at the pleasure of
690 the secretary of transportation and who shall fix the compensation and conditions of employment

691 for all other authority employees consistent with budgets that are subject to the approval of the
692 board.

Massachusetts Department of Transportation Board of Directors 5

693 SECTION 52. Said section 3 of said chapter 161A, as so appearing, is hereby further
694 amended by adding the following clause:-

695 (t) To delegate any of the powers in clauses (a) to (s), inclusive, to the general manager or a
696 designee of the general manager; provided, however, that the board shall not delegate the powers
697 set forth in clause (e) and the power to enter into agreements valued at more than \$15,000,000.

MBTA Weather Resiliency Fund

698 SECTION 53. Chapter 161A of the General Laws is hereby amended by inserting after
699 section 18 the following section:-

700 Section 18A. There shall be in the Massachusetts Bay Transportation Authority a
701 Weather Resiliency Fund which shall be used exclusively for financing operating costs, projects
702 and programs to prevent and eliminate vulnerabilities within the authority to weather and
703 climate-related activities including, but not limited to, temperature, precipitation, flooding,
704 drought and wildfire. There shall be credited to the fund through the annual operating budget of
705 the authority such sums as may be determined by the authority's chief financial officer; provided,
706 however, that all expenditures from the fund shall be approved by the chief financial officer and
707 general manager. All fund activities shall be included in the authority's itemized budget required
708 by section 20.

Postponement of FAS 109 Deduction

709 SECTION 54. Subsection (2) of section 95 of chapter 173 of the acts of 2008 is hereby
710 amended by striking out the figure "2016", inserted by section 189 of chapter 165 of the acts of
711 2014, and inserting in place thereof the following figure:- 2017.

Skills Training Internship Pilot Program Feasibility Study Extension 1

712 SECTION 55. The second paragraph of section 74 of chapter 144 of the acts of 2014 is
713 hereby amended by striking out the words "June 30, 2015" and inserting in place thereof the
714 following words:- January 4, 2016.

Skills Training Internship Pilot Program Feasibility Study Extension 2

715 SECTION 56. Said second paragraph of said section 74 of said chapter 144 is hereby
716 further amended by striking out the words "and (viii) explores any other measures it deems
717 necessary for a skills training internship pilot program, including the cost of implementation"
718 and inserting in place thereof the following words:- (viii) provides a progress update on the
719 Training Resources and Internship Networks grant program; and (ix) explores any other

720 measures it considers necessary for a skills training internship pilot program, including the cost
721 of implementation.

Office of the Child Advocate Report

722 SECTION 57. The third paragraph of section 219 of chapter 165 of the acts of 2014 is
723 hereby amended by striking out the words "April 1, 2015" and inserting in place thereof the
724 following words:- November 2, 2015.

Massachusetts Computing Attainment Network 2

725 SECTION 58. Section 102 of chapter 287 of the acts of 2014 is hereby repealed.

Long-Term Unemployed Commission

726 SECTION 59. The special commission established in section 76 of chapter 144 of the
727 acts of 2014 is hereby revived and continued. The commission shall file a report of its
728 recommendations to the clerks of the senate and house of representatives, the joint committee on
729 labor and workforce development, the joint committee on elder affairs and the house and senate
730 committees on ways and means not later than March 31, 2016.

Special Needs Programs Out-of-State Tuition

731 SECTION 60. Notwithstanding any general or special law to the contrary, the bureau of
732 purchased services in the operational services division shall determine prices for programs under
733 chapter 71B of the General Laws in fiscal year 2016 by increasing the final fiscal year 2015 price
734 by the rate of inflation as determined by the division. The division shall adjust prices for
735 extraordinary relief as defined in 808 CMR 1.06(4). The division shall accept applications for
736 program reconstruction and special circumstances in fiscal year 2016. The division shall
737 authorize the annual price for out-of-state purchasers requested by a program, not to exceed a
738 maximum price determined by the bureau, by identifying the most recent price calculated for the
739 program and applying the estimated rate of inflation for each year, as determined by the bureau
740 under section 22N of chapter 7 of the General Laws, in which the rate of inflation is frozen
741 beginning with fiscal year 2004 in a compounded manner for each fiscal year.

MassHealth Dental Coverage

742 SECTION 61. Notwithstanding section 53 of chapter 118E of the General Laws, for
743 fiscal year 2016, the executive office of health and human services may determine the extent to
744 which to include within its covered services for adults the federally-optional dental services that
745 were included in its state plan or demonstration program in effect on January 1, 2002; provided,
746 however, that dental services shall be covered for adults at least to the extent covered as of June
747 30, 2015; and provided, further, that notwithstanding any general or special law to the contrary,
748 at least 45 days before restructuring any MassHealth dental benefits, the executive office of
749 health and human services shall file a report with the executive office for administration and
750 finance and the house and senate committees on ways and means detailing the proposed changes
751 and the anticipated fiscal impact of the changes.

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

752 SECTION 62. Notwithstanding any general or special law to the contrary, in hospital
753 fiscal year 2016, the office of inspector general may expend a total of \$1,000,000 from the
754 Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws for
755 costs associated with maintaining a health safety net audit unit within the office. The unit shall
756 continue to oversee and examine the practices in all hospitals including, but not limited to, the
757 care of the uninsured and the resulting free charges. The unit shall also study and review the
758 Medicaid program under said chapter 118E including, but not limited to, reviewing the program's
759 eligibility requirements, utilization, claims administration and compliance with federal mandates.
760 The inspector general shall submit a report to the house and senate committees on ways and
761 means on the results of the audits and any other completed analyses by March 1, 2016.

MassHealth Savings Report

762 SECTION 63. Notwithstanding any general or special law to the contrary, the division of
763 medical assistance shall, not later than October 1, 2015, file a report with the executive office for
764 administration and finance and the house and senate committees on ways and means identifying
765 savings initiatives and cash management strategies that the executive office of health and human
766 services shall pursue in fiscal year 2016 in order to operate the MassHealth program within the
767 amounts appropriated in items 4000-0430, 4000-0500, 4000-0600, 4000-0700, 4000-0875, 4000-
768 0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990 and 4000-1400; provided, however, that
769 MassHealth shall notify the executive office for administration and finance and the house and
770 senate committees on ways and means not fewer than 15 days in advance of any deviation from
771 the planned implementation of savings initiatives and cash management strategies included in the
772 initial report; and provided further, that the division shall notify the executive office for
773 administration and finance and the house and senate committees on ways and means not fewer
774 than 45 days in advance of implementing any proposed rate cuts to providers or service cuts to
775 members.

Initial Gross Payments to Qualifying Acute Care Hospitals

776 SECTION 64. Notwithstanding any general or special law to the contrary, by October 1,
777 2015 and without further appropriation, the comptroller shall transfer from the General Fund to
778 the Health Safety Net Trust Fund established in section 66 of chapter 118E of the General Laws
779 the greater of \$45,000,000 or 1/12 of the total expenditures to hospitals and community health
780 centers required pursuant to this act to make initial gross payments to qualifying acute care
781 hospitals for the hospital fiscal year beginning October 1, 2015. These payments shall be made
782 to hospitals before, and in anticipation of, the payment by hospitals of their gross liability to the
783 Health Safety Net Trust Fund. The comptroller shall transfer from the Health Safety Net Trust
784 Fund to the General Fund by June 30, 2016 the amount authorized in this section and any
785 allocation of that amount as certified by the director of the health safety net office.

Transfers Between Health Funds

786 SECTION 65. Notwithstanding any general or special law to the contrary, the executive
787 office for administration and finance shall transfer \$30,000,000 from the Commonwealth Care
788 Trust Fund established in section 2000 of chapter 29 of the General Laws to the Health Safety
789 Net Trust Fund established in section 66 of chapter 118E of the General Laws. The executive
790 office of health and human services and the health safety net office shall fund the hospital fiscal
791 year 2016 payment amount to each hospital from the Health Safety Net Trust Fund. Payments
792 may be made either as safety net care payments under the commonwealth's demonstration waiver
793 pursuant to section 1115 of the Social Security Act 42 U.S.C. § 1315 or as an adjustment to
794 service rate payments under Title XIX of the Social Security Act or a combination of both.
795 Other federally permissible funding mechanisms available for public service hospitals, as defined
796 by regulations promulgated by the executive office of health and human services, may be used to
797 reimburse up to \$70,000,000 of uncompensated care at the hospitals using sources distinct from
798 the funding made available to the Health Safety Net Trust Fund. The secretary of administration
799 and finance, in consultation with the secretary of health and human services and the executive
800 director of the commonwealth health insurance connector authority, shall on a quarterly basis
801 evaluate the revenue needs of the health safety net program funded by the Health Safety Net
802 Trust Fund and subsidized health insurance programs funded by the Commonwealth Care Trust
803 Fund and, if necessary, transfer monies between the funds to ensure that sufficient revenues are
804 available to support projected program expenditures. The secretary of administration and
805 finance shall report any transfers made between the Health Safety Net Trust Fund and the
806 Commonwealth Care Trust Fund to the house and senate committees on ways and means and the
807 joint committee on health care financing within 30 days of the proposed transfer.

MassHealth Transferability

808 SECTION 66. Notwithstanding any general or special law to the contrary, the secretary
809 of health and human services, with the written approval of the secretary of administration and
810 finance, may authorize transfers of surplus among items 4000-0320, 4000-0430, 4000-0500,
811 4000-0600, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990,
812 4000-1400 and 4000-1420 in fiscal years 2015 and 2016 to reduce any deficiency in these items;
813 provided, however, that transfers shall be made not later than August 30, 2016.

Skilled Nursing Facility User Fee Waiver

814 SECTION 67. (a) Notwithstanding any general or special law to the contrary, the
815 executive office of health and human services shall submit an application to the federal Centers
816 for Medicare and Medicaid Services for a waiver of 42 U.S.C. § 1396b(w)(3)(B) and 42 U.S.C. §
817 1396b(w)(3)(C) relative to the nursing home user fee established in section 63 of chapter 118E
818 of the General Laws.

819 (b) The waiver application shall seek approval to amend the classes of nursing facilities
820 subject to the user fee and the amount of user fee liability imposed on certain nursing facilities.
821 A nursing facility shall be classified as 1 of the following 4 classes: (i) class I, nursing facilities
822 that do not meet the criteria for class II, III or IV; (ii) class II, non-profit continuing care

823 retirement communities and non-profit residential care facilities; (iii) class III, non-profit
824 facilities with total Medicaid days in excess of a threshold level of days established in
825 regulations promulgated by the executive office of health and human services; and (iv) class IV,
826 facilities that have not more than 100 licensed beds, do not participate in the Medicare or
827 Medicaid programs under Title XVIII and Title XIX of the federal Social Security Act and were
828 established and licensed in Massachusetts prior to July 30, 1965. All facilities in class I shall pay
829 a user fee at the rate established in regulations promulgated by the secretary of health and human
830 services in conformity with the total annual user fee revenue amount established by any
831 appropriation act and section 63 of chapter 118E of the General Laws. Nursing facilities in
832 classes II or III shall pay a user fee at a rate equal to 10 per cent of the user fee rate imposed on
833 nursing facilities in class I. Nursing facilities in class IV shall be exempt from liability for the
834 user fee established in said section 63 of said chapter 118E and as modified pursuant to this
835 section. The waiver application shall be structured in a manner that shall qualify it for automatic
836 approval by the federal Centers for Medicare and Medicaid Services pursuant to 42 C.F.R.
837 433.68.

Nursing and Resident Care Facility Base Year

838 SECTION 68. Notwithstanding any general or special law to the contrary, nursing facility
839 and resident care facility rates effective October 1, 2015 pursuant to section 13D of chapter 118E
840 of the General Laws may be developed using the costs of calendar year 2007.

Commonwealth Care Trust Fund Transfer

841 SECTION 69. Notwithstanding any general or special law to the contrary, the
842 comptroller shall transfer up to \$110,000,000, if the secretary of administration and finance
843 requests in writing, to the General Fund from the Commonwealth Care Trust Fund established in
844 section 2000 of chapter 29 of the General Laws.

General Fund Transfer

845 SECTION 70. Notwithstanding any general or special law to the contrary, the
846 Massachusetts Housing Finance Agency shall, not later than June 30, 2016, transfer to the
847 comptroller to be credited to the General Fund for fiscal year 2016 the following amounts: (i)
848 \$4,000,000 from funds previously appropriated or loans repaid that the agency administers on
849 behalf of the commonwealth pursuant to item 1231-1020 of section 2 of chapter 151 of the acts
850 of 1996, added by section 54 of chapter 365 of the acts of 1996; and (ii) \$2,500,000 from funds
851 previously appropriated that the agency administers on behalf of the commonwealth as a result of
852 the lead abatement program established in section 197E of chapter 111 of the General Laws.

Economic Empowerment Trust Fund 2

853 SECTION 71. Notwithstanding any general or special law to the contrary, the
854 comptroller shall transfer any assets in the Commonwealth Covenant Fund on the effective date
855 of this act to the Economic Empowerment Trust Fund established in section 35QQ of said
856 chapter 10.

Administration and Finance Efficiencies

857 SECTION 72. (a) If the secretary of administration and finance determines that reforms
858 or initiatives related to procurement or energy consumption have resulted in cost savings for an
859 agency of the executive department during fiscal year 2016, the secretary may reduce allotments
860 under section 9B of chapter 29 of the General Laws to reflect any of the amounts saved;
861 provided, however, that within 15 days prior to reducing allotments, the secretary shall notify the
862 house and senate committees on ways and means in writing.

863 (b) If, as of October 1, 2015, the secretary of administration and finance determines that
864 allotment reductions related to integrity enhancements in fiscal year 2016 shall be insufficient to
865 generate \$30,000,000, the secretary shall submit to the house and senate committees on ways and
866 means a cost-savings plan to reduce allotments under said section 9B of said chapter 29;
867 provided, however, not fewer than 15 days prior to reducing allotments, the secretary shall notify
868 the house and senate committees on ways and means in writing.

869 (c) The total amount of allotment reductions under this section shall not exceed
870 \$30,000,000 in fiscal year 2016.

Suspension of the Tourism Formula

871 SECTION 73. Notwithstanding any general or special law to the contrary, the formula for
872 application of funds provided in section 35J of chapter 10 of the General Laws shall not apply in
873 fiscal year 2016.

Fiscal Year 2016 Capital Gains

874 SECTION 74. (a) Notwithstanding section 5G of chapter 29 of the General Laws or any
875 other general or special law to the contrary, if the department of revenue certifies that the amount
876 of tax revenues collected from capital gains income exceeds \$1,086,516,203 in fiscal year 2016,
877 the comptroller shall not make the transfer required under said section 5G of said chapter 29;
878 provided, however, that if the department of revenue certifies that the amount of tax revenues
879 collected from capital gains income exceeds \$1,386,516,203, then the comptroller shall transfer
880 the amount of capital gains income in excess of \$1,386,516,203 to the Commonwealth
881 Stabilization Fund established in section 2H of said chapter 29.

882 (b) If the capital gains income exceeds \$1,386,516,203 in fiscal year 2016, 5 per cent of
883 the amount transferred to the Commonwealth Stabilization Fund under subsection (a) shall then
884 be transferred from the Commonwealth Stabilization Fund to the State Retiree Benefits Trust
885 Fund established in section 24 of chapter 32A of the General Laws and 5 per cent of the amount
886 transferred to the Commonwealth Stabilization Fund under subsection (a) shall then be
887 transferred from the Commonwealth Stabilization Fund to the Commonwealth's Pension
888 Liability Fund established pursuant to section 22 of chapter 32 of the General Laws.

Other Post-Employment Benefits Liability

889 SECTION 75. (a) Notwithstanding any general or special law to the contrary, the
890 unexpended balances in items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 shall be
891 deposited into the State Retiree Benefits Trust Fund, established in section 24 of chapter 32A of
892 the General Laws, not later than June 30, 2016. The amount deposited shall be an amount equal
893 to 30 per cent of all payments received by the commonwealth in fiscal year 2016 under the
894 master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al.,
895 Middlesex Superior Court, No. 95-7378; provided, however, that if, in fiscal year 2016, the
896 unexpended balances of items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 are less than 30
897 per cent of all payments received by the commonwealth in fiscal year 2016 under the master
898 settlement agreement payments, an amount equal to the difference shall be transferred to the
899 State Retiree Benefits Trust Fund from revenue in excess of \$100,000,000 generated under the
900 tax amnesty program pursuant to section 101.

901 (b) Notwithstanding any general or special law to the contrary, the percentage increase
902 set forth in section 152 of chapter 68 of the acts of 2011 shall not apply in fiscal year 2016.

Pension Cost of Living Adjustment

903 SECTION 76. Notwithstanding any general or special law to the contrary, the amounts
904 transferred pursuant to subdivision (1) of section 22C of chapter 32 of the General Laws shall be
905 made available for the Commonwealth's Pension Liability Fund established pursuant to section
906 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section
907 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C
908 of said chapter 32, including retirement benefits payable by the state employees' retirement
909 system and the state teachers' retirement system, for the costs associated with a 3 per cent cost-
910 of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local
911 retirement systems for previously authorized cost-of-living adjustments pursuant to said section
912 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of
913 the acts of 1984. The state board of retirement and each city, town, county and district shall
914 verify these costs subject to the rules adopted by the state treasurer. The state treasurer may
915 make payments upon a transfer of funds to reimburse certain cities and towns for pensions to
916 retired teachers, including any other obligations which the commonwealth has assumed on behalf
917 of any retirement system other than the state employees' retirement system or state teachers'
918 retirement system and also including the commonwealth's share of the amounts to be transferred
919 pursuant to section 22B of said chapter 32. All payments for the purposes described in this
920 section shall be made only pursuant to distribution of monies from the fund and any distribution
921 and the payments for which distributions are required shall be detailed in a written report filed
922 quarterly by the secretary of administration and finance with the house and senate committees on
923 ways and means and the joint committee on public service in advance of the distribution.
924 Distributions shall not be made in advance of the date on which a payment is actually to be
925 made. The state board of retirement may expend an amount for the purposes of the board of
926 higher education's optional retirement program pursuant to section 40 of chapter 15A of the
927 General Laws. If the amount transferred pursuant to said subdivision (1) of said section 22C of
928 said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations,

929 the excess amount shall be credited to the Pension Reserves Investment Trust Fund established in
930 subdivision (8) of section 22 of said chapter 32 for the purpose of reducing the unfunded pension
931 liability of the commonwealth.

FEMA Reimbursements

932 SECTION 77. Notwithstanding any general or special law to the contrary, the
933 comptroller shall transfer not more than \$17,000,000 in reimbursements received from the
934 Federal Emergency Management Agency during fiscal year 2016 for costs incurred as a result of
935 severe winter storms during January and February of 2015 to the Massachusetts Transportation
936 Trust Fund established in section 4 of chapter 6C of the General Laws to defray snow and ice
937 removal expenses during fiscal year 2016. Upon such transfer, the comptroller shall submit a
938 report to the house and senate committees on ways and means and the senate and house chairs of
939 the joint committee on transportation.

Massachusetts Department of Transportation Transferability

940 SECTION 78. Notwithstanding any general or special law to the contrary, for the fiscal
941 year ending June 30, 2016, the amounts specified in items 1595-6368 and 1595-6369 of section
942 2E may be distributed among the Massachusetts Department of Transportation and the
943 Massachusetts Bay Transportation Authority in amounts determined by a schedule submitted to
944 the comptroller by the secretary of transportation, at the secretary's sole discretion, to facilitate
945 needed investment in preventative maintenance and asset preservation. Any such transfer shall
946 be made not later than August 30, 2016. The secretary of transportation shall submit a report to
947 the house and senate committees on ways and means and the senate and house chairs of the joint
948 committee on transportation not less than 15 days prior to making such transfer.

MBTA Operating and Capital Budget Plan

949 SECTION 79. The Massachusetts Bay Transportation Authority shall develop a plan to
950 establish separate operating and capital budgets. The plan shall include clearly designated
951 revenue sources and uses and policies and procedures to ensure that the authority does not
952 commingle funds between its operating and capital budgets. The plan shall include a process to
953 facilitate the transfer of authority employees from the capital budget to the operating budget,
954 detailing: (i) the number of employee salaries funded by capital expenditures in fiscal years 2015
955 and 2016; (ii) the total cost of employee salaries charged to the capital budget in fiscal years
956 2015 and 2016; and (iii) the number of employees and the total cost of employee salaries that the
957 authority estimates will be moved from capital expenditures to operating expenditures in each
958 future fiscal year until such time as no employee salaries are funded through the capital budget.
959 The plan shall facilitate the transfer of employee salaries to the operating budget not later than
960 July 1, 2018. The plan shall further analyze the extra bonding capacity created by the removal of
961 personnel costs from the capital budget and detail capital projects that may be funded as a result.
962 The plan shall be filed with the joint committee on transportation, the house and senate
963 committees on bonding, capital expenditures and state assets and the house and senate
964 committees on ways and means not later than December 15, 2015.

MBTA Reforms Update

965 SECTION 80. (a) The secretary of transportation shall prepare a report that details all
966 actions that the Massachusetts Bay Transportation Authority has taken related to the
967 recommendations, dated April 8, 2015, submitted by the governor's special panel to review the
968 authority. The report shall address what actions the authority's management has taken to follow
969 through on those recommendations for executive action, including, but not limited to: (i) creating
970 a priority list of immediate capital needs for the next 5 years and submitting a procurement and
971 implementation plan; (ii) imposing a barrier between the commingling of operating and capital
972 budgets; (iii) developing a plan to increase own-source revenue as required pursuant to section
973 61 of chapter 46 of the acts of 2013; (iv) conducting a thorough review and analysis of all
974 proposals for system expansion; (v) centralizing agency procurement and contracting; (vi)
975 reviewing and analyzing preparedness process and planning and adopting an incident command
976 system; (vii) reorganizing internal structure along model business lines; (viii) developing 1- and
977 5-year operating plans and budgets; (ix) preparing a 20-year capital plan for the restoration of
978 physical assets; (x) improving customer relations and instituting a customer-oriented
979 performance management program; (xi) identifying and implementing best practices supporting
980 workforce productivity and engagement; (xii) developing a plan to reduce employee
981 absenteeism; (xiii) reducing barriers to public-private partnerships; and (xiv) utilizing real estate
982 assets to support the system.

983
984 (b) The report shall further include an analysis of: (i) the consolidation of core
985 administrative functions of the Massachusetts Department of Transportation as required by
986 section 5 of chapter 6C of the General Laws; (ii) the achievement of goals identified by the
987 healthy transportation compact in section 33 of said chapter 6C; (iii) the progress or
988 achievements of the performance and asset management advisory council; (iv) the development
989 of a long-term statewide transportation plan pursuant to subsection (d) of section 30 of said
990 chapter 6C; (v) the work of the internal project controls unit required by subsection (c) of section
991 39 of said chapter 6C; (vi) the amount of taxes assessed pursuant to section 50 of chapter 46 of
992 the acts of 2013; (vii) the department and the authority's progress in achieving the benchmarks in
993 sections 60 and 61 of said chapter 46; (viii) the department's removal of employee salaries from
994 capital expenditures, including an update of the number, if any, of employee salaries funded by
995 capital expenditures and the cost of the salaries; and (ix) the parking pilot program required by
996 section 80 of said chapter 46.

997
998 (c) The secretary shall provide status updates of department and authority actions relative
999 to the items identified in this section with the joint committee on transportation not later than
1000 August 15, 2015 and October 15, 2015 and shall file its final report with the clerks of the house
1001 of representatives and the senate, the joint committee on transportation and the house and senate
1002 committees on ways and means not later than December 15, 2015.

Massachusetts Department of Transportation Board of Directors 6

1003 SECTION 81. Notwithstanding any general or special law to the contrary, members
1004 serving on the board of directors of the Massachusetts Department of Transportation upon the
1005 effective date of this act may serve out their terms as set forth in section 2 of chapter 6C of the

1006 General Laws. Initial appointments made to the board pursuant to section 5 on or after the
1007 effective date of this act shall be for members not serving for terms that are coterminous with the
1008 governor and shall be composed of 1 member who shall be appointed for a term of 1 year, 1
1009 member who shall be appointed for a term of 2 years and 2 members, each of whom shall be
1010 appointed for a term of 3 years.

Distinctive Registration Plates 4

1011 SECTION 82. The registrar of motor vehicles shall issue a report on the implementation of
1012 sections 38 to 40, inclusive. The report shall include: (i) the overall fiscal impact to the registry
1013 of motor vehicles; (ii) the number of distinctive license plates issued in the commonwealth; (iii)
1014 software programming costs associated with the production of new distinctive license plates; and
1015 (iv) any other cost impacts or savings directly or indirectly related to the implementation of said
1016 sections 38 to 40, inclusive. The registrar shall file the report with the clerks of the house of
1017 representatives and senate, the chairs of the house and senate committee on ways and means and
1018 the chairs of the joint committee on transportation not later than January 15, 2017.

Trial Court Transferability

1019 SECTION 83. Notwithstanding subclause (a) of clause (xiii) of the third paragraph of
1020 section 9A of chapter 211B of the General Laws or any other general or special law to the
1021 contrary, from the effective date of this act to April 29, 2016, inclusive, the court administrator
1022 may transfer funds from any item of appropriation within the trial court. These transfers shall be
1023 made pursuant to schedules submitted to the house and senate committees on ways and means.
1024 The schedule shall include: (i) the amount of money transferred from any item of appropriation
1025 to any other item of appropriation; (ii) the reason for the necessity of the transfer; and (iii) the
1026 date on which the transfer shall be completed. A transfer pursuant to this section shall not occur
1027 until 10 days after the revised funding schedules have been submitted in writing to the house and
1028 senate committees on ways and means.

Children and Family Law Division Billable Hours Cap Waiver

1029 SECTION 84. (a) Notwithstanding section 11 of chapter 211D of the General Laws, for
1030 fiscal year 2016, the chief counsel of the committee for public counsel services may waive the
1031 annual cap on billable hours for private counsel appointed or assigned to cases undertaken by the
1032 children and family law program established by the committee if the chief counsel finds that: (i)
1033 there is limited availability of qualified counsel in that practice area; (ii) requirements for
1034 expertise rendering assignment to certain private counsel would be more cost effective; or (iii)
1035 demonstrated efficiency of private counsel shows that shifting the service to other counsel shall
1036 reduce the quality and increase the cost of service; provided, however, that counsel appointed or
1037 assigned to such cases within the private counsel division shall not be paid for any time billed in
1038 excess of 1,800 billable hours. It shall be the responsibility of private counsel to manage their
1039 billable hours.

1040 (b) The committee for public counsel services shall conduct an evaluation of the annual
1041 billable hours cap and any impacts the discretion to waive the cap may have on the caseload and
1042 budget of the committee. The committee shall submit an initial report of its findings to the clerks

1043 of the house of representatives and senate not later than December 1, 2015 and a final report not
1044 later than March 15, 2016.

Sheriffs' Offices Funding Formula

1045 SECTION 85. The secretary of administration and finance or a designee, in consultation
1046 with the Massachusetts Sheriffs Association, Inc. and the 14 sheriffs, shall develop a funding
1047 formula for the sheriffs' offices that incorporates the allocations to the individual offices. The
1048 secretary shall retain an independent consultant with demonstrated experience in evaluating
1049 measures of workload, services offered and standards for sheriffs' offices and regional jails to
1050 develop the funding formula. The formula shall be based, in part, on the number of inmates
1051 served. In developing the system of allocations, the secretary shall, without limitation, consider:
1052 (i) accurate data for each facility and the operational goals and needs for each facility; (ii) the
1053 geographic size and location of individual sheriffs' counties; (iii) costs per inmate and recidivism
1054 rates; (iv) the availability of and access to inmate re-entry programs and resources; (v)
1055 institutional performance with respect to clearly defined goals and metrics; (vi) the availability of
1056 federal funding mechanisms; (vii) the costs attributed to inmate health care; (viii) the availability
1057 of funds obtained from the civil process division; and (ix) the overall revenue available to each
1058 sheriff's office, including state, federal and other funding sources.

1059 The secretary shall submit a report detailing, without limitation, the funding formula,
1060 clearly defined goals and metrics for the number of inmates served, recommendations on
1061 strategies to maximize the efficiency and effectiveness of taxpayer dollars and any other
1062 recommendations to promote efficiency and effectiveness within the sheriffs' offices. The report
1063 shall be filed with the chairs of the house and senate committees on ways and means not later
1064 than March 1, 2016.

Sheriffs' Offices Reporting Requirement

1065 SECTION 86. Each sheriff shall submit biannual revenue and expenditure reports to the
1066 chairs of the house and senate committees on ways and means and the executive office for
1067 administration and finance. The first report shall be submitted not later than June 1 of each year.
1068 The second report shall be submitted not later than December 31 of each year.

1069 Each report shall provide a full accounting of all operational and capital revenues derived
1070 from state budgetary appropriations and expended by the sheriff during each fiscal year. The
1071 report shall include, among other information necessary to provide a full accounting, the
1072 following information relative to revenues: (i) a description of all programs administered by the
1073 sheriffs, including summer camps, re-entry programs and healthcare programs funded through
1074 state appropriations and the amount of state funding allocated for each program; (ii) a description
1075 of the number, type and class of employees employed and the total salary expenditures; and (iii)
1076 a description of all funds and their balances, including funds derived from civil service
1077 operations and federal grants.

University of Massachusetts Tuition Retention 5

1078 SECTION 87. (a) Notwithstanding any general or special law to the contrary, the
1079 University of Massachusetts shall classify as a student tuition credit as defined in section 1B of
1080 chapter 75 of the General Laws all tuition waivers, grants and scholarships identified in chapter
1081 15A of the General Laws or any other general or special law and all reductions collectively
1082 bargained for that are in the form of a tuition or fee waiver available to students as student tuition
1083 credits.

1084 (b) The University of Massachusetts shall calculate the value of all tuition waivers
1085 authorized under section 19 of chapter 15A of the General Laws, or any other general or special
1086 law, and all collectively bargained for reductions existing on July 1, 2016.

1087 (c) The University of Massachusetts shall credit to eligible students the calculated value
1088 of the tuition waivers, grants and scholarships identified in chapter 15A of the General Laws, or
1089 any other general or special law, and reductions collectively bargained for in the form of a tuition
1090 or fee waiver calculated in subsection (b) as a student tuition credit on the student's statement of
1091 student charges as defined in section 1B of chapter 75 of the General Laws.

1092 (d) The University of Massachusetts shall report to the senate and house committees on
1093 ways and means, the joint committee on higher education and the board of higher education on
1094 the existence and the calculated value of all tuition waivers, grants and scholarships identified in
1095 chapter 15A of the General Laws or any other general or special law and reductions collectively
1096 bargained for in the form of a tuition or fee waiver at the University of Massachusetts. The
1097 report shall be submitted not later than August 1, 2016.

University of Massachusetts Tuition Retention 6

1098 SECTION 88. Notwithstanding any general or special law to the contrary, all tuition and
1099 fee waivers that are exclusive to the University of Massachusetts shall require only the approval
1100 by the board of trustees of the University of Massachusetts.

Public Health Evaluation Grant Program

1101 SECTION 89. There shall be a public health evaluation grant program to be administered
1102 by the department of public health. Grant recipients shall be selected through a competitive
1103 grant process in which successful proposals shall: (i) demonstrate substantial experience
1104 conducting evaluations of federal, state or local public health programs; (ii) focus on the
1105 evaluation of a state-funded department of public health program which may include, but shall
1106 not be limited to, school-based health centers, smoking cessation programs, HIV/AIDS
1107 prevention and treatment programs, obesity prevention programs and child nutrition programs;
1108 (iii) identify the state administrative datasets to be used; (iv) ensure compliance with applicable
1109 privacy regulations, including institutional review board policies; and (v) propose an evaluation
1110 to be completed in not more than 24 months that shall provide an analysis that examines the
1111 following areas of policy relevance: (a) the quantifiable effect of the program on the population
1112 treated through the program; (b) an estimate of the cost to the commonwealth of the public health

1113 problems being addressed through the program; (c) a comparison of the cost of the program and
1114 the estimated short-term and long-term benefits received by program recipients through the
1115 program; (d) data limitations in estimating the effect of the program; and (e) recommendations
1116 for further study. The department of public health shall report to the house and senate
1117 committees on ways and means 30 days before issuing a request for proposals for the program
1118 which shall detail the criteria to be used to award grants; provided however, that the request for
1119 proposals shall be issued not later than December 1, 2015. The department of public health, the
1120 center for health information and analysis, the executive office of health and human services, the
1121 executive office of education, the department of housing and community development and other
1122 relevant state agencies shall work with grant recipients funded through the program to provide
1123 secure access to state-collected data necessary for evaluations. Organizations receiving funds
1124 pursuant to this section shall report quarterly to the house and senate committees on ways and
1125 means, the joint committee on public health and the department of public health on: (1) the status
1126 and preliminary results of studies funded through the program; and (2) any obstacles encountered
1127 in access to data or other information that is negatively affecting the completion of the study.
1128 Funds appropriated in item 4590-0081 of section 2 for the grant program shall not revert and
1129 shall be available for expenditure through February 1, 2017.

Private Home Care Agency Study

1130 SECTION 90. There shall be a special commission to provide recommendations for the
1131 oversight and licensure of private home care agencies. The commission shall: (i) recommend
1132 minimum criteria for licensure of private home care agencies; (ii) establish standards of quality
1133 measures for home health services provided to consumers; (iii) review current licensure and
1134 oversight of Medicare-certified home care agencies; (iv) establish licensure guidelines for home
1135 care agencies that provide care to both private and Medicaid populations; and (v) ensure that the
1136 oversight and licensure of private home care agencies shall not create any duplicative
1137 requirements for Medicare-certified home care agencies.

1138 The commission shall consist of: the commissioner of public health or a designee who
1139 shall serve as chair; the secretary of elder affairs or a designee; the commissioner of insurance or
1140 a designee; the director of labor standards or a designee; the house and senate chairs of the joint
1141 committee on consumer protection and professional licensure; 1 member who shall be appointed
1142 by the house minority leader; 1 member who shall be appointed by the senate minority leader; a
1143 representative of the Home Care Alliance of Massachusetts, Inc.; a representative of the Home
1144 Care Aide Council; and 7 members to be appointed by the governor, 1 of whom shall be a
1145 representative of a long-term care insurance company, 1 of whom shall be a consumer
1146 representative, 1 of whom shall be an expert on home care patient safety and 4 of whom shall be
1147 providers of private pay home care services, of whom at least 1 shall be a registered nurse and at
1148 least 1 shall represent an agency that operates as both a private pay and Medicare-certified home
1149 care agency. The commission shall file a report, along with any proposed legislation, with the
1150 clerks of the house of representatives and senate, the joint committee on consumer protection and
1151 professional licensure, the joint committee on elder affairs and the house and senate committees
1152 on ways and means not later than March 31, 2016.

Engaging Job Support Services Plans

1153 SECTION 91. (a) The commissioner of transitional assistance shall provide targeted
1154 assistance through specialist positions established pursuant to section 5 of chapter 18 of the
1155 General Laws to recipients whose eligibility statuses have been determined by the department of
1156 transitional assistance to have changed as a result of the implementation of clauses (1) and (2) of
1157 subsection (e) of section 110 of chapter 5 of the acts of 1995. The targeted assistance shall help
1158 the recipient or former recipient in finding employment, receiving job training or pursuing
1159 education. The targeted assistance shall include an assessment of the recipient or former
1160 recipient's education level and job skills.

1161 (b) The commissioner shall assign 1 full engagement worker to each community service
1162 area as provided for in section 5 of chapter 18 of the General Laws. To promote social and
1163 economic well-being for individuals and families whose eligibility statuses have been
1164 determined by the department to have changed as a result of the implementation of clauses (1)
1165 and (2) of subsection (e) of section 110 of chapter 5 of the acts of 1995, full engagement workers
1166 shall, in coordination with specialists established pursuant to said section 5 of said chapter 18,
1167 develop services for and provide assistance with finding employment, receiving job training or
1168 pursuing education.

Family Well-Being Plans

1169 SECTION 92. (a) The department of transitional assistance shall develop a family well-
1170 being plan pilot program to promote economic and social well-being for individuals and families.
1171 The pilot program shall be implemented in not less than 2 transitional assistance offices. A
1172 recipient of public assistance who is determined to be exempt from the work requirement by
1173 reason of the recipient's disability, as verified through the disability exemption process described
1174 in 106 CMR 203.530, and who is serviced by any of the offices selected for the pilot program
1175 may participate in the pilot program. Participants shall be eligible for transportation and
1176 childcare benefits appropriated in item 4400-0029 of section 2.

1177 (b) When developing the pilot program, the department shall consult representatives of at
1178 least 2 organizations representing persons with disabilities, representatives of the employees'
1179 unions of the involved agencies, representatives of Massachusetts legal services programs
1180 serving the offices covered by the pilot program and the Massachusetts Law Reform Institute,
1181 Inc. The department may coordinate with state agencies experienced in serving the needs of
1182 persons with disabilities, including the department of mental health, the department of
1183 developmental services, the Massachusetts rehabilitation commission, the Massachusetts
1184 commission for the blind and the Massachusetts commission for the deaf and hard of hearing.

1185 (c) The department shall ensure that an assessment is conducted on each participant and
1186 shall assist each participant in addressing barriers to employment, including education and job
1187 skills. The family well-being plan shall set forth how caseworkers shall assist recipients in
1188 satisfying requirements or recommendations necessary to qualify for services and programs
1189 through the department or other entities including, but not limited to, medical providers, schools,
1190 public housing authorities, emergency shelter or housing search providers, the courts, employers

1191 and the department of children and families. The department of transitional assistance shall
1192 provide a consumer satisfaction survey to each participant.

1193 (d) The department shall establish the family well-being plan pilot program not later than
1194 October 1, 2015. The department shall file a report detailing its implementation plan for the
1195 family well-being plan pilot program with the senate and house chairs of the joint committee on
1196 children, families and persons with disabilities and the chairs of the senate and house committees
1197 on ways and means not later than September 1, 2015. The department shall file an initial report
1198 not later than December 31, 2015 and a final report not later than March 16, 2016 with the joint
1199 committee on children, families and persons with disabilities and the house and senate
1200 committees on ways and means describing: (i) the services offered and delivered; (ii) the cost of
1201 the family well-being plan pilot program, including the cost per participant; (iii) the participation
1202 rate; (iv) the success rate for engaging families in meaningful activities; (v) the success of the
1203 services in positively impacting participants' lives; (vi) the types of job training and education
1204 programs participants received and who provided the training and education; (vii) the number of
1205 participants who became employed and the type of employment; (viii) any obstacles to the
1206 success of the program; (ix) the results of the consumer satisfaction surveys required pursuant to
1207 subsection (c); and (x) legislative recommendations to improve the family well-being plans.

Housing Authority Self-Sufficiency Pilot Program

1208 SECTION 93. (a) The department of housing and community development, in
1209 collaboration with the oversight committee established in subsection (b), shall develop and
1210 implement a housing authority self-sufficiency pilot program modeled after the program
1211 authorized in section 33 of chapter 158 of the acts of 2014. Participating housing authorities
1212 shall make the program available to applicants seeking public housing who commit to engaging
1213 in self-sufficiency measures. Participants in the program shall be given an admissions preference
1214 for state-subsidized family housing conditioned on an agreement to pursue required self-
1215 sufficiency measures. Participants seeking an admissions preference shall commit to a self-
1216 sufficiency program that shall include: (i) participation in an intensive case management program
1217 and an assessment to develop a customized family development plan; (ii) not less than 30 hours
1218 per week pursuing education, employment or community service; (iii) participation in a financial
1219 responsibility savings plan; (iv) skills improvement training programs; and (v) compliance with
1220 school attendance policies for all school-aged children. Failure of a program participant to meet
1221 the program requirements may result in eviction.

1222 (b) There shall be a housing authority self-sufficiency pilot program oversight committee
1223 which shall consist of 3 members: 1 of whom shall be appointed by the speaker of the house; 1
1224 of whom shall be appointed by the president of the senate; and 1 of whom shall be appointed by
1225 the undersecretary for housing and community development. The committee shall advise the
1226 department on the development of program requirements and performance standards to provide
1227 for increased funding to housing authorities that demonstrate an increase in participants'
1228 employment, income and school attendance; provided, however, that not less than half of any
1229 performance award shall be restricted to support the pilot program. The department shall ensure
1230 that the admissions preference made available by this section shall not undermine or inhibit any
1231 existing priority in placement offered by a housing authority. The committee shall promulgate
1232 guidelines that the department may follow to determine the housing authorities participating in

1233 the program; provided, however, that the total number of participating housing authorities shall
1234 not be fewer than 4 and shall not be greater than 6. In selecting participating housing authorities,
1235 the department shall establish criteria to serve the best interests of the program and its
1236 participants; provided, however, that the department shall seek to include housing authorities
1237 serving urban, suburban and rural areas and housing authorities in various geographical regions
1238 throughout the commonwealth. The department shall provide case management funding to
1239 participating housing authorities to support the program.

Colocation 3

1240 SECTION 94. Notwithstanding any general or special law to the contrary, the director of
1241 career services shall, in coordination with the commissioner of transitional assistance, develop a
1242 plan to place a representative of a one stop career center in each regional office of the department
1243 of transitional assistance and to place a representative of the department at each one stop career
1244 center. The primary focus of the representatives shall be to facilitate services and resources for
1245 individuals seeking employment, job training, education or other transitional assistance between
1246 the one stop career centers and the department to promote self-sufficiency and financial
1247 independence. The director, in coordination with the commissioner, shall submit the plan to the
1248 joint committee on children, families and persons with disabilities and the house and senate
1249 committees on ways and means not later than December 31, 2015.

Training Resources and Internship Networks

1250 SECTION 95. There shall be a training resources and internship networks, or TRAIN,
1251 grant program for the long-term unemployed. The program shall be overseen by the office of
1252 coordination within the department of higher education, in cooperation with the executive office
1253 of labor and workforce development. The office of coordination shall provide grants through
1254 item 7066-0036 of section 2 to not fewer than 2 community colleges to implement training
1255 programs for the long-term unemployed. The program shall be focused on the development of
1256 skills needed to assist individuals in returning to the workforce and may be based on the
1257 industry-specific workforce plans developed by the department of higher education. The
1258 program shall also include an internship at a local business related to the training curriculum that
1259 shall occur concurrently with training provided at the community college. Local businesses
1260 participating in the program shall not be responsible for any costs related to the program.

1261 The office of coordination shall coordinate with the executive office of labor and
1262 workforce development to require one stop career centers and community college navigators to
1263 provide outreach and to identify and encourage eligible individuals to participate in the program.
1264 Community college navigators shall also oversee the matching and duration of each internship.
1265 The program shall be available to individuals that have been unemployed for longer than 1 year.
1266 Individuals participating in the program shall attend the community college at no cost to the
1267 individual and receive a monthly stipend from the community college for the duration of the
1268 program to assist with living and travel expenses. The department of higher education shall
1269 provide a report that includes: (i) a breakdown of the number of participants who began the
1270 program and the number of participants who completed the program; (ii) a list of businesses
1271 providing internships to participants; (iii) a description of the training received by participants
1272 through internships; (iv) the number of participants who received full-time employment within 6

1273 months of completing the program; and (v) recommendations for expanding the program to
1274 additional community colleges. The report shall be filed with the clerks of the house of
1275 representatives and senate, the chairs of the joint committee on labor and workforce
1276 development, the chairs of the joint committee on economic development and emerging
1277 technologies and the house and senate committees on ways and means not later than December
1278 1, 2016.

Chapter 257 Report

1279 SECTION 96. The executive office of health and human services shall file a report with
1280 the executive office for administration and finance and the house and senate committees on ways
1281 and means not later than March 1, 2016 on the implementation of chapter 257 of the acts of
1282 2008. The report shall include: (i) spending and revenue for rates not yet promulgated as of July
1283 1, 2015 by item, revenue source, service class and start date of implementation; (ii) spending and
1284 revenue for rates promulgated not later than June 30, 2013 that have not received a biennial rate
1285 review by item, revenue source, service class and start date of implementation; (iii) spending and
1286 revenue for rates due to be reviewed on July 1, 2015 by item, revenue source, service class and
1287 start date of implementation; (iv) estimated spending and revenue for rates to be reviewed
1288 between July 2, 2015 and June 30, 2016, inclusive, by item, revenue source, service class and
1289 projected start date of implementation; and (v) the extent to which each human service provider
1290 organization benefitting from rate increases under said chapter 257 has increased wages and
1291 benefits for its front-line human service employees.

Task Force on the Bulk Purchase of Prescription Medications

1292 SECTION 97. There shall be a task force to investigate the impact on state agencies from
1293 joining a non-Medicaid, multi-state prescription drug bulk purchase consortium. The task force
1294 shall consider: (i) the estimated cost savings related to joining a non-Medicaid multistate
1295 prescription drug bulk purchase consortium; (ii) the opportunity for counties, municipalities and
1296 nonprofit organizations to participate in a non-Medicaid multistate prescription drug bulk
1297 purchase consortium; (iii) potential administrative savings and efficiencies for participants as a
1298 result of joining a non-Medicaid multistate prescription drug bulk purchase consortium; (iv)
1299 other bulk purchase discounts or rebates for prescription drugs, medical supplies or other medical
1300 goods purchased by state agencies, other governmental units and nonprofit organizations; and (v)
1301 means of receiving rebates or discounts for medical supplies or medications not included under
1302 the federal 340B Drug Pricing Program for eligible entities. The task force may consider non-
1303 Medicaid multistate prescription drug bulk purchase consortiums that are not available to the
1304 group insurance commission.

1305 The task force shall consist of 13 members: the commissioner of public health or a
1306 designee who shall serve as chair; the chief of pharmacy at the state office of pharmacy services
1307 or a designee; the commissioner of mental health or a designee; the commissioner of
1308 developmental services or a designee; the secretary of veterans' services or a designee; the
1309 commissioner of correction or a designee; the executive director of the group insurance
1310 commission or a designee; the president of the Massachusetts Sheriffs Association, Inc. or a
1311 designee; and 5 members to be appointed by the governor, 1 of whom shall be a health care
1312 economist, 1 of whom shall be a pharmacist registered by the board of registration in medicine, 1

1313 of whom shall be a county or municipal representative, 1 of whom shall be a representative of a
1314 nonprofit community health center and 1 of whom shall have experience with multistate
1315 prescription drug bulk purchase consortiums. The task force shall file its report and any
1316 proposed legislation with the clerks of the senate and the house of representatives, the joint
1317 committee on health care financing and the house and senate committees on ways and means not
1318 later than March 1, 2016.

Report on MassHealth Bulk Purchase of Prescription Medications

1319 SECTION 98. The office of Medicaid shall investigate and provide a report on potential
1320 cost savings for prescription medications including, but not limited to, the feasibility of joining a
1321 Medicaid multistate prescription drug bulk purchase consortium and pursuing new supplemental
1322 rebates from prescription drug manufacturers. The report shall include: (i) an update on existing
1323 supplemental rebates; (ii) recommendations to increase the amount of supplemental rebates
1324 received; (iii) estimated cost savings related to joining a Medicaid multistate prescription drug
1325 bulk purchase consortium; (iv) estimated administrative savings or other increased efficiencies
1326 related to joining a Medicaid multistate prescription drug bulk purchase consortium; and (v)
1327 opportunities for managed care organizations to receive similar rebates or discounts. The office
1328 shall file the report with the clerks of the house of representatives and senate, the chairs of the
1329 joint committee on health care financing and the house and senate committees on ways and
1330 means not later than February 1, 2016.

Personnel Reduction Program Savings

1331 SECTION 99. (a) Notwithstanding any general or special law to the contrary, if the
1332 secretary of administration and finance determines that programs implemented under chapter 19
1333 of the acts of the 2015 have resulted in cost savings for an agency of the executive department
1334 during fiscal year 2016, the secretary may reduce allotments under section 9B of chapter 29 of
1335 the General Laws to reflect some or all of the amounts saved; provided, however, that the
1336 secretary shall submit a list of the allotment reductions to the chairs of the house and senate
1337 committees on ways and means not less than 15 days prior to reducing allotments.

1338 (b) Notwithstanding any general or special law to the contrary, if as of October 1, 2015,
1339 the secretary of administration and finance determines that allotment reductions related to
1340 programs implemented under chapter 19 of the acts of 2015 in fiscal year 2016 shall be
1341 insufficient to generate fiscal year 2016 direct payroll savings of \$325,100,000 without counting
1342 the sums appropriated in items 1599-0055, 1599-0057 and 1599-0063 of section 2, the secretary
1343 may submit to the chairs of the house and senate committees on ways and means a cost saving
1344 plan to reduce allotments under said section 9B of said chapter 29; provided, however, that the
1345 secretary shall submit a cost savings plan not less than 15 days prior to any allotment reductions
1346 made pursuant to this subsection.

Consolidated Net Surplus

1347 SECTION 100. Notwithstanding any general or special law to the contrary, prior to
1348 transferring the consolidated net surplus in the budgetary funds to the Commonwealth
1349 Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller

1350 shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2015 in the
1351 following order to the extent that funds are available: (i) \$15,000,000 to the Massachusetts Life
1352 Sciences Investment Fund established in section 6 of chapter 23I of the General Laws; and (ii)
1353 \$5,000,000 to the Social Innovation Financing Trust Fund established in section 35VV of
1354 chapter 10 of the General Laws.

Tax Amnesty Program

1355 SECTION 101. (a) Notwithstanding any general or special law to the contrary, the
1356 commissioner of revenue may establish a tax amnesty program during which all penalties that
1357 may be assessed by the commissioner shall be waived without the need for any showing by the
1358 taxpayer of reasonable cause or the absence of willful neglect for the failure of the taxpayer to:
1359 (i) timely file any proper return for any tax type and for any tax period; (ii) timely pay any tax
1360 liability; or (iii) pay the proper amount of any required estimated payment toward a tax liability.
1361 The waiver of a taxpayer's liability under this section shall apply if the taxpayer, prior to the
1362 expiration of the amnesty period, voluntarily files proper returns and pays the full amount of tax
1363 shown on the taxpayer's returns or upon the commissioner's assessments with all interest due
1364 thereon. The waiver shall not apply to any penalties that may be due under section 35A or 35D
1365 of chapter 62C of the General Laws with regard to returns filed pursuant to the tax amnesty
1366 program. The waiver of penalties shall not apply to any period for which the taxpayer does not
1367 file proper returns. The tax amnesty program shall not apply to a tax liability of any tax type for
1368 a period commencing on or after January 1, 2014. The scope of the tax amnesty program,
1369 including the particular tax types and periods covered, including any limited look-back period for
1370 unfiled returns not to exceed 3 years, shall be determined by the commissioner.

1371 (b) The tax amnesty program shall be established for a period of 60 days within fiscal
1372 year 2016 to be determined by the commissioner and shall expire not later than June 30, 2016. If
1373 a taxpayer fails to pay the full liability by June 30, 2016, the commissioner shall retain any
1374 payments made and shall apply the payments against the outstanding liability and the tax
1375 amnesty shall not apply.

1376 (c) (1) The commissioner may offer tax amnesty to taxpayers who have failed to file
1377 required returns due for any tax period beginning before January 1, 2014; provided, however,
1378 that the taxpayer shall file the required return and shall pay the tax shown as due on the return
1379 during the amnesty period together with accrued interest.

1380 (2) The commissioner shall not authorize the waiver of any interest or any amount treated
1381 as interest.

1382 (3) The commissioner's authority to waive penalties during the amnesty period shall not
1383 apply to any taxpayer who is or has been the subject of a tax-related criminal investigation or
1384 prosecution or to any taxpayer who delivers or discloses or has delivered or disclosed any false
1385 or fraudulent application, document, return or other statement.

1386 (4) Any taxpayer who delivers or discloses a false or fraudulent application, document,
1387 return or other statement to the department of revenue in connection with a tax amnesty

1388 application under this section shall not be eligible for amnesty and shall be subject to the greater
1389 of: (i) the applicable penalties under chapter 62C of the General Laws; or (ii) a penalty not to
1390 exceed \$10,000 which shall be calculated and assessed according to rules determined by the
1391 commissioner and may be subject to de minimis or other exceptions that the commissioner may
1392 consider appropriate. This penalty shall be subject to said chapter 62C and shall be added to and
1393 become part of the tax due.

1394 (d) Tax amnesty shall not apply to penalties that the commissioner would not have the
1395 sole authority to waive including, but not limited to, fuel taxes administered under the
1396 International Fuel Tax Agreement or under the local option portions of taxes or excises collected
1397 for the benefit of cities, towns or state governmental authorities.

1398 (e) The commissioner shall maintain records of the penalties waived under the tax
1399 amnesty program including, but not limited to: (i) the number of taxpayers provided with tax
1400 amnesty; (ii) the types of tax liability for which tax amnesty was provided and, for each type of
1401 liability, the amount of tax liability collected and the amount of penalties foregone by virtue of
1402 the tax amnesty program; and (iii) the total outstanding tax liability for amnesty-eligible
1403 taxpayers at the conclusion of the tax amnesty program after the collection of all funds under this
1404 section. The commissioner shall file a report detailing the tax amnesty program with the clerks
1405 of the senate and the house of representatives, the joint committee on revenue, the house and
1406 senate committees on ways and means and the house and senate minority leaders not later than
1407 September 1, 2016; provided, however, that the report shall not contain information sufficient to
1408 identify an individual taxpayer or the tax amnesty provided to an individual taxpayer pursuant
1409 this section.

1410 (f) The commissioner shall establish administrative procedures and methods to prevent a
1411 taxpayer who utilizes the tax amnesty program from utilizing any future tax amnesty programs
1412 for the next consecutive 10 years, beginning in calendar year 2015.

Federal Grants Management Task Force

1413 SECTION 102. (a) There shall be a task force to study and issue a report on maximizing
1414 state use of federal revenues. The task force's review of federal revenue opportunities shall
1415 include, but not be limited to, federal grants, contracts, loan guarantees and reimbursements.
1416 The task force shall review best practices in other jurisdictions and issue recommendations to
1417 achieve best practices. The review shall include, but not be limited to, an analysis of: (i) current
1418 practices in identifying opportunities, submitting applications and managing federal funds; (ii)
1419 the relationship and coordination between programmatic and fiscal staff; (iii) the management
1420 and administration of grants, including resources devoted, information technology, data storage
1421 and warehousing, transparency, workflow automation and performance accountability; (iv)
1422 current interface with existing payment and procurement systems, including the Massachusetts
1423 management accounting and reporting system and COMMBUYS; (v) interagency and
1424 interdepartmental coordination and cooperation; (vi) consolidation of databases currently
1425 managing grants into a single centralized system; (vii) the selection, reimbursement and closeout
1426 of subrecipients and vendors; (viii) the general court's role in facilitating opportunities; and (ix)
1427 the coordination between the members of the general court and members of the United States

1428 Congress from the commonwealth and federal agency personnel. The report shall include, but
1429 not be limited to, federal opportunities available to benefit the general public or a segment of the
1430 general public, including state agencies or departments, institutions of higher education and state
1431 authorities.

1432 (b) The commission shall consist of the following members or their designees: the
1433 secretary of administration and finance who shall serve as chair; the state comptroller; the state
1434 auditor; the state treasurer; the attorney general; the state secretary; the secretary of education;
1435 the secretary of energy and environmental affairs; the secretary of health and human services; the
1436 secretary of housing and economic development; the secretary of labor and workforce
1437 development; the secretary of public safety and security; the secretary of transportation; the court
1438 administrator; the chair of the senate committee on intergovernmental affairs; the chair of the
1439 house committee on technology and intergovernmental affairs; the executive director of the
1440 Donahue Institute at the University of Massachusetts; and 2 members to be appointed by the
1441 governor who shall have expertise and experience working with federal grants.

1442 (c) The commission shall file a report of its findings and recommendations with the
1443 clerks of the senate and house of representatives, the senate and house committees on ways and
1444 means, the senate committee on intergovernmental affairs and the house committee on
1445 technology and intergovernmental affairs not later than July 1, 2016.

Financial Management Commission

1446 SECTION 103. (a) There shall be a commission to study and issue a report on the
1447 bonding and borrowing practices of the commonwealth and its municipalities. The commission
1448 shall identify initiatives to improve financial management and credit ratings and to reduce
1449 bonding and borrowing costs. The commission shall review best practices in other jurisdictions
1450 and issue recommendations, if any, to achieve best practices. The report shall include, but not be
1451 limited to, an analysis of: (i) centralizing borrowing in the state treasurer's office by public
1452 agencies who may issue bonds with a state guaranty; (ii) reducing cash flow borrowing by
1453 permitting interfund borrowing including, but not limited to, the pooling of operating and
1454 stabilization cash to enhance the commonwealth's overall working cash position if the borrowing
1455 will not result in a net reduction of stabilization funds; (iii) creating a standing committee or
1456 commission to provide increased professional resources, oversight and transparency to local
1457 government finances; and (iv) establishing a municipal bond bank.

1458 (b) The commission shall consist of the following members or their designees: the state
1459 treasurer who shall serve as chair; the secretary of administration and finance; the state
1460 comptroller; the state auditor; the senior deputy commissioner of local services; the chairs of the
1461 senate and house committees on bonding, capital expenditures and state assets; the minority
1462 leaders of the senate and house of representatives; 2 members to be appointed by the capital debt
1463 affordability committee, established in section 60B of chapter 29 of the General Laws and 4
1464 members to be appointed by the executive committee of the advisory commission on local
1465 government established in section 62 of chapter 3 of the General Laws.

1466 (c) The commission shall file a report of its findings and recommendations with the
1467 clerks of the senate and house of representatives and the senate and house committees on
1468 bonding, capital expenditures and state assets not later than July 1, 2016.

Illegal Tobacco Enforcement: Multi-Agency Illegal Tobacco Task Force Report

1469 SECTION 104. Not later than July 1, 2016, the multi-agency illegal tobacco task force
1470 established in section 40 of chapter 64C of the General Laws shall submit a report and proposed
1471 legislation to the clerks of the house of representatives and the senate, the house and senate
1472 chairs of the joint committee on revenue, the chairs of the house and senate committees on ways
1473 and means and the house and senate chairs of the joint committee on public safety and homeland
1474 security with recommendations on: (i) enhancing and amending cigarette excise forfeiture
1475 provisions; (ii) increasing civil and criminal penalties; (iii) updating and clarifying cigarette
1476 excise regulatory and administrative provisions; and (iv) potential regulatory or statutory
1477 changes to strengthen enforcement efforts, including any changes necessary to resolve existing
1478 legal ambiguities or inconsistencies and potential legal procedures for facilitating enforcement
1479 efforts.

Electronic Reporting

1480 SECTION 105. Notwithstanding any general or special law to the contrary, all
1481 secretariats, departments and agencies required to submit reports under this act shall file their
1482 reports by the dates required in this act by electronic means to the chairs of the committees
1483 named as recipients and to the clerks of the senate and the house of representatives; provided,
1484 however, that the house and senate clerks shall develop procedures and requirements for
1485 secretariats, departments and agencies for the preparation of the reports to facilitate their
1486 collection and storage and the reports shall be made available to the public on the general court's
1487 website.

Secure Vital Registry Trust Fund 3

1488 SECTION 106. Section 2RRRR of chapter 29 of the General Laws shall apply to the
1489 commonwealth's share of revenues collected after July 1, 2015 for the provision of records under
1490 chapter 46 of the General Laws by state and local officials.

Skills Training Internship Pilot Program Feasibility Study Extension Effective Date

1491 SECTION 107. Sections 55 and 56 shall take effect as of June 30, 2015.

University of Massachusetts Tuition Retention and Colocation Effective Date

1492 SECTION 108. Sections 21 to 24, inclusive, 36, 37, 87 and 88 shall take effect on July 1,
1493 2016.

Distinctive Registration Plates Effective Date

1494 SECTION 109. Sections 38 to 40, inclusive, shall take effect 180 days after the effective
1495 date of this act.

Effective Date

1496 SECTION 110. Except as otherwise provided, this act shall take effect on July 1, 2015.