

SENATE No. 2669

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act Communication from Honorable Counsel to House and Counsel to the Senate (pursuant to Section 53 of Chapter 3 of the General Laws) submitting proposed legislation making corrective changes in certain general and special laws.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 116D of chapter 6 of the General Laws, inserted by section 1 of
2 chapter 422 of the acts of 2008, is hereby repealed.

3 SECTION 2. Said chapter 6 is hereby further amended by inserting after section 116E
4 the following section:-

5 Section 116F. There shall be a harbormaster training council within the executive office
6 of public safety. The council shall consist of 11 members, 1 of whom shall be a member of the
7 state police marine unit with knowledge of marine law enforcement and operations who shall be
8 appointed by the colonel of state police; 1 of whom shall be a representative of the
9 environmental police with knowledge of marine law enforcement and operations who shall be
10 appointed by the secretary of energy and environmental affairs; 1 of whom shall be an employee
11 of the executive office of public safety who shall be appointed by the secretary of public safety
12 to serve ex officio; 1 of whom shall be an employee of United States First Coast Guard District

13 to be appointed by the district commander who shall serve ex officio; and 7 of whom shall be
14 harbormasters appointed by the governor, 2 of whom shall be from the coastal communities
15 north of Boston, 2 of whom shall be from coastal communities south of Boston, 2 of whom shall
16 be from coastal communities from Cape Cod and the Islands and 1 of whom shall be from the
17 city of Boston. Members appointed by the governor shall serve for 2-year terms and their
18 successors shall be appointed in like manner. Members of the council shall serve without
19 compensation.

20 The council shall set policies and standards for training harbormasters and assistant
21 harbormasters in accordance with applicable laws and regulations including sections 19 to 21,
22 inclusive, of chapter 102.

23 The expenses of the council shall be funded solely from the Harbormaster Training Trust
24 Fund established in section 35KK of chapter 10.

25 SECTION 3. Section 2 of chapter 6C of the General Laws, as appearing in section 8 of
26 chapter 25 of the acts of 2009, is hereby amended by striking out, in line 8, the word “authority”
27 and inserting in place thereof the following word:- department.

28 SECTION 4. Section 46A of said chapter 6C, as so appearing, is hereby amended by
29 striking out, in lines 1, 2, 3, 4, 8, 14, 15, 19 and 30, the word “authority” and inserting in place
30 thereof, in each instance, the following word:- department.

31 SECTION 5. Chapter 7 of the General Laws is hereby amended by striking out section
32 58, as appearing in section 2 of chapter 56 of the acts of 2010, the second time it appears, and
33 inserting in place thereof the following section:-

34 Section 58A. There shall be a supplier diversity office which shall be an office within the
35 operational services division of the executive office for administration and finance.

36 SECTION 6. Section 35JJ of chapter 10 of the General Laws, inserted by section 3 of
37 chapter 312 of the acts of 2008, is hereby repealed.

38 SECTION 7. Section 35KK of said chapter 10, as appearing in the 2008 Official Edition,
39 is hereby amended by striking out, in line 9, the figure “116D” and inserting in place thereof the
40 following figure:- 116F.

41 SECTION 8. Said chapter 10 is hereby further amended by inserting after section 35OO
42 the following section:-

43 Section 35PP. (a) There shall be established the Salisbury Beach Preservation Trust Fund
44 to be used, without further appropriation, for the long-term preservation and maintenance of
45 Salisbury Beach. Any balance in the fund at the end of a fiscal year shall not revert to the
46 General Fund, but shall remain available for expenditure in subsequent fiscal years. No
47 expenditure made from the fund shall cause the fund to become deficient at any point during a
48 fiscal year.

49 (b) Notwithstanding any general or special law to the contrary, the department of
50 conservation and recreation shall impose a surcharge of \$2 upon each fee charged and collected
51 from admission into, camping and parking in the Salisbury Beach Reservation. The additional
52 monies collected from the surcharge shall be deposited into the fund.

SECTION 9. Section 12 of chapter 23I of the General Laws is hereby amended by striking out, in line 16, as appearing in the 2008 Official Edition, the word “for” and inserting in place thereof the following words:- to serve for.

SECTION 10. Said section 12 of said chapter 23I is hereby further amended by striking out, in lines 22 and 23, as so appearing, the words “executive director” and inserting in place thereof the following word:- president

SECTION 11. Section 13 of said chapter 23I, as so appearing, is hereby amended by striking out, in line 5, the words “executive director” and inserting in place thereof the word:- president.

SECTION 12. Section 17 of said chapter 23I, as so appearing, is hereby amended by inserting after the word “of”, in line 4, the following word:- the.

SECTION 13. Section 9 of chapter 23J of the General Laws, inserted by section 62 of chapter 240 of the acts of 2010, is hereby repealed.

SECTION 14. Said chapter 23J is hereby further amended by adding the following section:-

Section 12. The center shall be subject to section 16G of chapter 6A and section 56 of chapter 23A.

SECTION 15. The definition of “Intentional violation” in section 18 of chapter 30A of the General Laws, as appearing in section 18 of chapter 28 of the acts of 2009, is hereby amended by striking out the words “by violating” and inserting in place thereof the following words:- violation of.

SECTION 16. Clause (e) of the definition of “Meeting” in said section 18 of said chapter 30A, as so appearing, is hereby amended by striking out the figure “10” and inserting in place thereof the following figure:- 9.

SECTION 17. The definition of “Minutes” in said section 18 of said chapter 30A, as so appearing, is hereby amended by striking out the figure “23 and inserting in place thereof the following figure:- 22.

SECTION 18. Subsection (c) of section 20 of said chapter 30A is hereby amended by striking out the third paragraph, as amended by section 22 of chapter 131 of the acts of 2010, and inserting in place thereof the following paragraph:-

For meetings of a state public body, notice shall be filed with the attorney general by posting on a website in accordance with procedures established for this purpose and a duplicate copy of the notice shall be filed with the regulations division in the state secretary’s office.

SECTION 19. The third paragraph of subsection (f) of section 23 of said chapter 30A, as appearing in section 18 of chapter 28 of the acts of 2009, is hereby amended by striking out the word “subsection (b)” and inserting in place thereof the following word:- subsection (c).

SECTION 20. Chapter 30B of the General Laws is hereby amended by striking out section 22, inserted by section 72 of chapter 240 of the acts of 2010, and inserting in place thereof the following section:-

Section 23. A public procurement unit may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of supplies with public procurement units or external procurement activities in accordance with an agreement entered into between

the participants. The public procurement unit conducting the procurement of supplies shall do so in a manner that constitutes a full and open competition.

SECTION 21. Section 48 of chapter 31 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in lines 10 and 11, the words “department of highways” and inserting in place thereof the following words:- highway division in the Massachusetts Department of Transportation.

SECTION 22. Section 66 of said chapter 31, as so appearing, is hereby amended by striking out, in line 2, the words “department of highways of the commonwealth” and inserting in place thereof the following words:- highway division in the Massachusetts Department of Transportation.

SECTION 23. Said section 66 of said chapter 31, as so appearing, is hereby further amended by striking out, in lines 3, 7, 9 and 10, 12 and 13, the words “such department” and inserting in place thereof, in each instance, the following words:- the division.

SECTION 24. Said section 66 of said chapter 31, as so appearing, is hereby further amended by striking out, in line 7, the word “departmental”.

SECTION 25. Said section 66 of said chapter 31, as so appearing, is hereby further amended by striking out, in said line 8, the word “department” and inserting in place thereof the following word:- division.

SECTION 26. Section 67 of said chapter 31, as so appearing, is hereby amended by striking out, in lines 15 and 16, the words “department of highways” and inserting in place

115 thereof the following words:- highway division in the Massachusetts Department of
116 Transportation.

117 SECTION 27. Said section 67 of said chapter 31, as so appearing, is hereby further
118 amended by striking out, in lines 15 and 16, the word “department” and inserting in place
119 thereof, in each instance, the following word:- division.

120 SECTION 28. Chapter 32A of the General Laws is hereby amended by striking out
121 section 25, inserted by section 5 of chapter 288 of the acts of 2010, and inserting in place thereof
122 the following section:-

123 Section 26. The commission shall, subject to appropriation, negotiate with and purchase,
124 on such terms as it deems to be in the best interest of the commonwealth and its employees, from
125 1 or more entities that can manage a wellness program covering persons in the service of the
126 commonwealth and their dependents, and shall execute all agreements or contracts pertaining to
127 the program. The commission may negotiate a contract for such term not exceeding 5 years as it
128 may, in its discretion, deem to be the most advantageous to the commonwealth; provided,
129 however that the program shall be able to evaluate individual and aggregate data, give employees
130 access to their individual information confidentially and allow the commission to receive
131 collective reports summarizing baseline and ongoing data regarding the behavior and well being
132 of enrollees. The commission may reduce premiums or co-payments or offer other incentives to
133 encourage enrollees to comply with the wellness program goals.

134 Beginning 1 year after the end of the fiscal year in which the commission has
135 implemented the wellness program, the commission shall submit an annual report to the
136 governor, the secretary of health and human services, the secretary of administration and finance,

137 the chairs of the joint committee on health care financing, chairs of the house and senate
138 committees on ways and means, the speaker of the house of representatives and the senate
139 president. The report shall include the collective results including, but not limited to, the level of
140 participation among employees, incentives provided for participation, the number and type of
141 screenings and diagnostic tests conducted, the instance of undiagnosed risks defined as out of
142 range diagnostic tests and number of employees seeking and receiving preventative treatment.
143 The commission shall use this information in the negotiating and purchasing, on such terms as it
144 deems in the best interest of the commonwealth and its employees, from 1 or more insurance
145 companies, savings banks or non-profit hospital or medical service corporations, of a policy or
146 policies of group life and accidental death and dismemberment insurance covering persons in the
147 service of the commonwealth and group general or blanket insurance providing hospital,
148 surgical, medical, dental and other health insurance benefits covering persons in the service of
149 the commonwealth and their dependents.

150 Beginning 1 year after the end of the fiscal year in which the commission has
151 implemented the wellness program, the commission shall annually submit a report to the
152 governor, secretary of administration and finance, the chairs of the joint committee on health
153 care financing, the chairs of the house and senate committees on ways and means, the speaker of
154 the house of representatives and the senate president on the savings that have been achieved in
155 procuring such insurance policies since implementing the wellness program.

156 SECTION 29. Section 8B of chapter 40 of the General Laws, as appearing in the 2008
157 Official Edition, is hereby amended by striking out, in line 1, the word “by-line” and inserting in
158 place thereof the following word:- by-law.

159 SECTION 30. Section 59 of said chapter 40 is hereby amended by striking out, in lines
160 26, 58, 61, 72, 82, 95, 98 and 100, as so appearing, the word “paragraph” and inserting in place
161 thereof, in each instance, the following word:- clause.

162 SECTION 31. Said section 59 of said chapter 40 is hereby further amended by striking
163 out, in line 75, as so appearing, the word “paragraphs” and inserting in place thereof the
164 following word:- clauses.

165 SECTION 32. Said section 59 of said chapter 40 is hereby further amended by striking
166 out, in line 82, as so appearing, the word “and”.

167 SECTION 33. Said section 59 of said chapter 40 is hereby further amended by striking
168 out, in line 102, the word “therein.”, as so appearing, and inserting in place thereof the following
169 words:- therein; and.

170 SECTION 34. Section 60A of said chapter 40 is hereby amended by striking out, in lines
171 48 and 49, and in lines 74 and 75, as so appearing, the word “paragraph” and inserting in place
172 thereof, in each instance, the following word:- clause.

173 SECTION 35. Section 143A of chapter 54 of the General Laws, as so appearing, is
174 hereby amended by striking out, in lines 4 to 6, inclusive, the words “shall in like manner issue
175 precepts for an election to fill such vacancy at the next biennial state election for which precepts
176 can be reasonably” and inserting in place thereof the following words:- the secretary shall
177 forthwith issue precepts for an election to fill such vacancy at the next biennial state election for
178 which precepts can be seasonably.

SECTION 36. Section 145 of said chapter 54, as so appearing, is hereby amended by striking out, in line 2, the word “three” and inserting in place thereof the following figure:- 4.

SECTION 37. Section 6 of chapter 62 of the General Laws is hereby amended by striking out, in line 583, as so appearing, the word “subsection” and inserting in place thereof the following word:- paragraph.

SECTION 38. Chapter 63 of the General Laws is hereby amended by striking out section 31M, inserted by section 46 of chapter 173 of the acts of 2008.

SECTION 39. Said chapter 63 is hereby amended by inserting after section 31M the following section:

Section 31N. In determining gross income under this chapter, if the federal gross income includes any item of gain or has been reduced by any item of loss, with respect to property, then the federal gross income shall be increased by the excess of the federal adjusted basis of the property over the Massachusetts adjusted basis of the property, and shall be decreased by the excess of the Massachusetts adjusted basis of the property over the federal adjusted basis of the property, so that the gain or loss realized for Massachusetts purposes takes into account all applicable differences in the Massachusetts and federal tax rules over the life of an asset that should, in principle, give rise to differences in basis. The Massachusetts adjusted basis of property shall be the federal adjusted basis, except that: (i) any federal adjustment resulting from provisions of the Code that were not applicable in determining Massachusetts gross income at the time the federal adjustments were made shall be disregarded; and (ii) adjustments shall be made for any item that was applicable in determining Massachusetts gross income but that was not so applicable in determining federal gross income and for which a federal adjustment would

be allowed under the Code if the item had been applicable in determining federal gross income. Without limitation of the foregoing, the federal basis of shares in a business corporation that was formerly treated as a corporate trust or of shares in a successor of that entity shall be reduced in computing Massachusetts adjusted basis to take into account any tax-free earnings and profits accumulated by the former corporate trust.

SECTION 40. Section 1 of chapter 82 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out, in line 13, the words “district highway director of the department of highways” and inserting in place thereof the following words:- administrator for highways in the Massachusetts Department of Transportation.

SECTION 41. Said section 1 of said chapter 82, as so appearing, is hereby further amended by striking out, in lines 44 and 45, the words “commissioner of the state department of highways” and inserting in place thereof the following words:- administrator for highways in the Massachusetts Department of Transportation.

SECTION 42. Said section 1 of said chapter 82, as so appearing, is hereby further amended by striking out, in line 47, the word “commissioner” and inserting in place thereof the following word:- administrator.

SECTION 43. Section 1 of chapter 85 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the words “metropolitan district commission” and inserting in place thereof the following words:- department of conservation and recreation.

SECTION 44. Section 20A of chapter 90 of the General Laws, as so appearing, is hereby amended by striking out, in line 151, the word “may”.

222 SECTION 45. Section 20A ½ of said chapter 90, as so appearing, is hereby amended by
223 striking out, in line 130, the word “may”.

224 SECTION 46. Section 222 of chapter 111 of the General Laws, inserted by section 6 of
225 chapter 197 of the acts of 2010, is hereby repealed.

226 SECTION 47. Section 222 of said chapter 111, inserted by section 9 of chapter 288 of
227 the acts of 2010, is hereby repealed.

228 SECTION 48. Said chapter 111 is hereby further amended by adding the following 2
229 sections:-

230 Section 223. (a) As used in this section, the following words shall, unless the context
231 clearly indicates otherwise, have the following meanings:--

232 "Competitive foods or beverages", all foods or beverages sold or provided in: (i) a la carte
233 lines in school cafeterias; (ii) school stores; (iii) school snack bars; (iv) vending machines; and
234 (v) any other locations in public schools; provided, however, that competitive foods or beverages
235 shall not include foods sold or provided as part of the School Breakfast Program, the School
236 Lunch Program and the Child and Adult Care Food Program of the United States Department of
237 Agriculture; provided further, that competitive foods or beverages shall not include non-
238 sweetened carbonated water.

239 "Nutritional standards", the standards promulgated by the department in accordance with
240 subsection (c).

241 "Public school", an elementary, middle, high, charter or innovation school operated by a
242 public school district or board of trustees pursuant to chapter 71.

"School day", the hours of the day that students are required to attend school.

(b) The department, in consultation with the department of elementary and secondary education and the department of mental health, shall establish, and periodically review, guidelines for:

(i) the training of all public school nurses in behavioral health and appropriate screening and resources for the treatment of childhood obesity and behavioral health disorders, including eating disorders;

(ii) the recognition, treatment and availability of resources for children at risk for and diagnosed with childhood obesity and type 2 diabetes;

(iii) professional development and training of public school nurses and aid staff to gain the most up-to-date knowledge on childhood obesity, eating disorders and type 2 diabetes so that they can become more effective at screening for these conditions and making appropriate referrals for treatment; and

(iv) the establishment of a referral program where medical resources in the community shall collaborate with public schools to identify children in need of nutritional services, and provide these resources through in-school, outpatient and inpatient settings, where appropriate.

(c)(1) The department shall promulgate regulations establishing nutritional standards for the sale or provision of competitive foods or beverages in public schools.

(2) All competitive foods or beverages sold or provided in public schools shall be limited to foods or beverages that comply with the nutritional standards; provided, however, that the nutritional standards shall not apply, unless a public school district or board of trustees elects to

apply the nutritional standards beyond this timeframe, to competitive foods or beverages sold on school grounds up to 30 minutes before the beginning of the school day or 30 minutes after the end of the school day, with the exception of competitive foods or beverages sold through vending machines, in which case the nutritional standards shall apply at all times; and provided further, that the department may make reasonable exceptions for the application of the nutritional standards to competitive foods or beverages sold during the school day at booster sales, concession stands, and other school-sponsored or school-related fundraisers and events.

(3) In developing the regulations, the department shall consider nutritional and dietary recommendations developed by state, federal and independent departments and health advisory associations including, but not limited to: the United States Department of Health and Human Services, the United States Department of Agriculture, the American Dietetic Association, the national School Nutrition Association, the Institute of Medicine, the American Heart Association and the School Nutrition Association of Massachusetts; provided, however, that the department, where appropriate, may develop the regulations in conformity with federal nutritional standards.

(4) The regulations shall include, but not be limited to, the following requirements for public schools:

(i) making available plain, potable water to all public school students during the day, at no cost to the students;

(ii) offering for sale fresh fruit and non-fried vegetables at any location where food is sold; provided, however, that this shall not include non-refrigerated vending machines and vending machines which dispense only beverages;

(iii) making nutritional information available to students for non-prepackaged competitive foods or beverages; provided, however, that this shall not include fresh fruit or fresh vegetables and foods or beverages sold during the school day at booster sales, concession stands, and other school-sponsored or school-related fundraisers and events;

(iv) prohibiting fryolators in the preparation of competitive foods; provided, however, that the department may establish exceptions for the use of fryolators in the preparation of competitive foods sold during the school day at booster sales, concession stands and other school-sponsored or school-related fundraisers and events; and

(v) ensuring that all foods, including competitive foods or beverages sold or provided to students during the school day, meet state and federal food safety requirements.

(d) The department, in collaboration with the department of elementary and secondary education, shall assist public schools in the implementation of the nutritional standards relative to the sale or provision of competitive foods or beverages in public schools. The assistance may include:

(i) additional training in nutrition and diet available for school food service directors;

(ii) an assessment of a school's capacity, resources and equipment to prepare and provide recommended foods; and

(iii) recommendations on the duration of school lunch periods.

(e) Every 5 years, the department, in consultation with the department of elementary and secondary education, shall conduct a review of the nutritional standards and update the nutritional standards as needed pursuant to subsection (c). In August of the last year of the 5-year

period, the department shall report the findings of the review to the speaker of the house of representatives, the president of the senate, the joint committee on health care financing, the joint committee on public health and the joint committee on education. The report shall include, but not be limited to, the following information:

(i) an assessment of the success of implementing the nutritional standards in public schools;

(ii) the challenges or barriers experienced by public schools upon implementation of the nutritional standards and guidelines for the sale or provision of competitive foods and beverages;

(iii) changes in revenue received from the sale of federally-reimbursable school meals;

(iv) changes in total revenue from federally-reimbursable school meals and competitive sales combined that were lost or gained after implementation of the nutritional standards and guidelines for the sale or provision of competitive foods and beverages;

(v) notable changes in student participation in the federally-reimbursable school meals programs; and

(vi) recommendations for improvement of the nutritional standards and guidelines for the sale or provision of competitive foods and beverages.

(f) The department, in collaboration with the department of elementary and secondary education, shall promulgate regulations facilitating the establishment of school wellness advisory committees within school districts in order to maximize school districts' eligibility as recipients of federal grant awards. The regulations may require the wellness advisory committees to develop and recommend district-wide wellness policies addressing school nutrition, nutrition

education and physical activity. The regulations may further require the wellness advisory committees to periodically review the district-wide wellness policies and implement any recommendations made as a result of this review prior to the following school year. Committee members may include school administrators, school nurses, food service directors, food service staff, parents of students in the school district, students, physical and health education teachers, dietitians, health care professionals and interested community members.

(g) To promote food safety, the department, in collaboration with the department of elementary and secondary education, shall promulgate regulations requiring local health officials to conduct food safety inspections at public schools, in accordance and with the frequency required by state and federal law, or as a result of public complaint or food recall, and to track and report the results of these inspections for each school to the department and the department of elementary and secondary education, including any violations and steps to remediate the violations. The regulations may include minimal qualifications for local health officials responsible with conducting food safety inspections at public schools. All reports and information collected or received by the departments pursuant to the requirements of this subsection shall be public records pursuant to section 7 of chapter 4.

Section 224. There shall be a commission on falls preventions within the department. The commission shall consist of the commissioner of public health or the commissioner's designee, who shall chair the commission; the secretary of elder affairs or the secretary's designee; the director of MassHealth or the director's designee; and 8 members to be appointed by the governor, 1 of whom shall be a member of the Home Care Alliance of Massachusetts, Inc., 1 of whom shall be a member of the AARP, 1 of whom shall be a member of the Massachusetts Senior Care Association, Inc., 1 of whom shall be a member of the Massachusetts

350 Association of Councils on Aging, Inc. 1 of whom shall be a member of the Massachusetts
351 Medical Society Alliance, Inc., 1 of whom shall be a member of the Massachusetts Assisted
352 Living Facilities Association, 1 of whom shall be a member of Mass Home Care and 1 of whom
353 shall be a member of the Massachusetts Pharmacists Association Foundation, Inc.

354 The commission on falls prevention shall make an investigation and comprehensive study
355 of the effects of falls on older adults and the potential for reducing the number of falls by older
356 adults. The commission shall monitor the effects of falls by older adults on health care costs, the
357 potential for reducing the number of falls by older adults and the most effective strategies for
358 reducing falls and health care costs associated with falls. The commission shall:

359 (1) consider strategies to improve data collection and analysis to identify fall risk, health
360 care cost data and protective factors;

361 (2) consider strategies to improve the identification of older adults who have a high risk
362 of falling;

363 (3) consider strategies to maximize the dissemination of proven, effective fall prevention
364 interventions and identify barriers to those interventions;

365 (4) assess the risk and measure the incidence of falls occurring in various settings;

366 (5) identify evidence-based strategies used by long-term care providers to reduce the rate
367 of falls among older adults and reduce the rate of hospitalizations related to such falls;

368 (6) identify evidence-based community programs designed to prevent falls among older
369 adults;

370 (7) review falls prevention initiatives for community-based settings; and

(8) examine the components and key elements of the above falls prevention initiatives, consider their applicability in the commonwealth and develop strategies for pilot testing, implementation and evaluation.

The commission on falls prevention shall submit to the secretary of health and human services and the joint committee on health care financing, not later than September 22, annually, a report that includes findings from the commission's review along with recommendations and any suggested legislation to implement those recommendations. The report shall include recommendations for:

(1) intervention approaches, including physical activity, medication assessment and reduction of medication when possible, vision enhancement and home-modification strategies;

(2) strategies that promote collaboration between the medical community, including physicians, long-term care providers and pharmacists to reduce the rate of falls among their patients;

(3) programs that are targeted to fall victims who are at a high risk for second falls and that are designed to maximize independence and quality of life for older adults, particularly those older adults with functional limitations;

(4) programs that encourage partnerships to prevent falls among older adults and prevent or reduce injuries when falls occur; and

(5) programs to encourage long-term care providers to implement falls- prevention strategies which use specific interventions to help all patients avoid the risks for falling in an effort to reduce hospitalizations and prolong a high quality of life.

392 SECTION 49. Section 86F of chapter 127 of the General Laws, as appearing in the 2008
393 Official Edition, is hereby amended by striking out, in line 1, the word “on” and inserting in place
394 thereof the following word:- of.

395 SECTION 50. Section 2 of chapter 140B of the General Laws, as so appearing, is hereby
396 amended by striking out, in line 12, the word “commissioner” and inserting in place thereof the
397 following word:- administrator.

398 SECTION 51. Section 5 of said chapter 140B, as so appearing, is hereby amended by
399 striking out, in line 1, the word “commissioner” and inserting in place thereof the following
400 word:- administrator.

401 SECTION 52. Section 6 of said chapter 140B, as so appearing, is hereby amended by
402 striking out, in lines 3 and 5, the word “commissioner” and inserting in place thereof, in each
403 instance, the following word:- administrator.

404 SECTION 53. Said section 104 of said chapter 160, as so appearing, is hereby further
405 amended by striking out, in line 6, the word “department” and inserting in place thereof the
406 following word:- division.

407 SECTION 54. Section 69S of chapter 164 of the General Laws, as so appearing, is
408 hereby amended by striking out, in line 4, the words “sixty-nine I” and inserting in place thereof
409 the following figure:- 69J.

410 SECTION 55. Section 6 of chapter 183A of the General Laws is hereby amended by
411 striking out, in line 18, as so appearing, the words “clause (1)” and inserting in place thereof the
412 following words:- paragraph (i).

SECTION 56. Said section 6 of said chapter 183A is hereby further amended by striking out, in line 27, as so appearing, the word “clause” and inserting in place thereof the following word:- paragraph.

SECTION 57. Section 9 of chapter 188 of the General Laws, as so appearing, is hereby amended by striking out, in lines 12 and 13, the words “eighteen or chapter two hundred and thirty-six” and inserting in place thereof the following words:- 18 of chapter 236.

SECTION 58. Subsection (c) of section 83 of chapter 4 of the acts of 2003 is hereby amended by striking out the figure “2zzz”, as appearing in section 130 of chapter 25 of the acts of 2009, and inserting in place thereof the following figure:- 2ZZZ.

SECTION 59. Section 137 of chapter 25 of the acts of 2009 are hereby amended by striking out, in line 1, the word “each” and inserting in place thereof the following word:- Each.

SECTION 60. Section 176 of said chapter 25 is hereby amended by striking out, in line 6, the word “authority” and inserting in place thereof the following word:- department.

SECTION 61. The section paragraph of section 177 of said chapter 25 is hereby amended by striking out, in lines 6 and 11, the word “authority” and inserting in place thereof, in each instance, the following word:- department.

SECTION 62. Section 178 of said chapter 25 is hereby amended by striking out, in lines 30, 61 and 65, the word “authority” and inserting in place thereof, in each instance, the following word:- department.

SECTION 63. The second paragraph of Article VI of section 2 of chapter 106 of the acts of 2009 is hereby amended by striking out the word “twenty-six” and inserting in place thereof the following word:- Twenty-sixth.

SECTION 64. The first paragraph of article viii of said section 2 of said chapter 106 is hereby amended by striking out the words “, section 10 of chapter 6, sections 23A to 23C, inclusive, of chapter 39” and inserting in place thereof the following words:- “of the General Laws, section 10 of chapter 66 of the General Laws, sections 23A to 23C, inclusive, of chapter 39 of the General Laws.

SECTION 65. Subsection (b) of section 7 of chapter 197 of the acts of 2010 is hereby amended by striking out the figure “222” and inserting in place thereof the following figure:- 223.

SECTION 66. Section 10 of said chapter 197 is hereby amended by striking out the figure “222” and inserting in place thereof the following figure:- 223.

SECTION 67. Section 31N of chapter 63 of the General Laws, inserted by section 39, shall be effective for tax years beginning on or after January 1, 2009.