

SENATE No. 2424

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.

The Commonwealth of Massachusetts

In the Year Two Thousand Fifteen

An Act making corrective changes to certain general and special laws.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make forthwith corrective changes in certain general and special laws, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. Section 3 of chapter 1 of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out, in line 6, the words “department of
3 highways” and inserting in place thereof the following words:- division of highways.

4 SECTION 2. Section 4 of said chapter 1, as so appearing is hereby amended by striking
5 out, in lines 1 and 2, the words “department of highways, in this chapter called the department”
6 and inserting in place thereof the following words:- division of highways.

7 SECTION 3. Said section 4 of said chapter 1, as so appearing, is hereby further amended
8 by striking out, in lines 5 and 12, the word “department” and inserting in place thereof, in each
9 instance, the following word:- division.

10 SECTION 4. Section 5 of said chapter 1, as so appearing, is hereby amended by striking
11 out, in line 5, the words “department, who” and inserting in place thereof the following words:-
12 division, which.

13 SECTION 5. Section 6 of said chapter 1, as so appearing, is hereby amended by striking
14 out, in line 1, the word “department” and inserting in place thereof the following word:-
15 division.

16 SECTION 6. Section 8 of said chapter 1, as so appearing, is hereby amended by striking
17 out, in lines 2 and 3, the word “department” and inserting in place thereof the following word:-
18 division.

19 SECTION 7. Chapter 2 of the General Laws is hereby amended by striking out section
20 61, added by chapter 208 of the acts of 2014, and inserting in place thereof the following
21 section:-

22 Section 62. Volleyball shall be the official recreational and team sport of the
23 commonwealth.

24 SECTION 8. Section 7 of chapter 4 of the General Laws is hereby amended by striking
25 out, in line 419, as so appearing, the words “Massachusetts military reservation” and inserting in
26 place thereof the words:- “Joint Base Cape Cod.

27 SECTION 9. Section 15SSSSS of chapter 6 of the General Laws, inserted by chapter
28 122 of the acts of 2014, is hereby repealed.

29 SECTION 10. Section 15UUUUU of said chapter 6, inserted by chapter 175 of the acts
30 of 2014, is hereby repealed.

31 SECTION 11. Said chapter 6 is hereby further amended by inserting after 15UUUUU,
32 inserted by section 7 of chapter 165 of the acts of 2014, the following 3 sections:-

33 Section 15VVVVV. The governor shall annually issue a proclamation setting apart June
34 14 as United States Army Birthday Day, in recognition of the designation by the Second
35 Continental Congress in Philadelphia to adopt the New England Militias around Boston on June
36 14, 1775 and the Congress further resolved to form a committee to bring in a draft of rules and
37 regulations for the government of the Army; and in recognition of those who have served and
38 those who are currently serving in the United States Army, Army Reserve and Massachusetts
39 Army National Guard and recommending that the day be observed in an appropriate manner by
40 the people.

41 Section 15WWWWW. The governor shall annually issue a proclamation setting apart
42 October 9 as PANDAS/PANS Awareness Day, to raise awareness of the occurrence of pediatric
43 autoimmune neuropsychiatric disorders associated with streptococcal infections and pediatric
44 acute-onset neuropsychiatric syndrome and recommending that the day be observed in an
45 appropriate manner by the people.

46 Section 15XXXXX. The governor shall annually issue a proclamation setting apart
47 September 25 as Ataxia Awareness Day, in recognition of the thousands of individuals affected
48 by hereditary and sporadic ataxia in the United States and the need for increased public
49 awareness, research, prevention and support for victims and their families and recommending
50 that the day be observed in an appropriate manner by the people.

51 SECTION 12. Section 91 of chapter 6 of the General Laws, as so appearing, is hereby
52 amended by striking out, in line 17, the words “department of highways” and inserting in place
53 thereof the following words:- division of highways.

54 SECTION 13. Said section 91 of said chapter 6, as so appearing, is hereby amended by
55 striking out, in line 20, the words “telecommunications and energy” and inserting in place
56 thereof the following words:- public utilities.

57 SECTION 14. Section 127 of said chapter 6, as so appearing, is hereby amended by
58 striking out, in line 8, the words “division of employment and training” and inserting in place
59 thereof the following words:- department of career services.

60 SECTION 15. Section 172 of said chapter 6, as so appearing, is hereby amended by
61 striking out, in line 78, the word “public”.

62 SECTION 16. Section 172C of said chapter 6 is hereby amended by striking out, in line
63 4, as so appearing, the words “who is mentally retarded” and inserting in place thereof the
64 following words:- with an intellectual disability.

65 SECTION 17. Said chapter 6 is hereby further amended by striking out section 172L,
66 inserted by section 3 of chapter 284 of the acts of 2014, and inserting in place thereof the
67 following section:-

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

75 SECTION 18. Section 178C of said chapter 6, as so appearing, is hereby amended by
76 striking out, in line 59 and 131, the words “mentally retarded person” and inserting in place
77 thereof, in each instance, the following words:- person with an intellectual disability.

78 SECTION 19. Section 178K of said chapter 6 is hereby amended by striking out, in lines
79 223 and 224, as so appearing, the words “the mentally retarded” and inserting in place thereof
80 the following words:- persons with an intellectual disability.

81 SECTION 20. Said section 178K of said chapter 6 is hereby further amended by striking
82 out, in line 246, as so appearing, the words “mentally retarded person” and inserting in place
83 thereof the following words:- person with an intellectual disability.

84 SECTION 21. Said chapter 6 is hereby further amended by striking out section 217,
85 added by section 1 of chapter 226 of the acts of 2014, and inserting in place thereof the following
86 section:-

87 Section 218. (a) There shall be a commission on autism located within, but not subject to
88 the control of, the executive office of health and human services. The commission shall consist
89 of 35 members and shall be comprised of: the secretary of health and human services or a
90 designee, who shall serve as chair; 2 members of the house of representatives, 1 of whom shall
91 be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by
92 the minority leader; the commissioner of developmental services or a designee; the
93 commissioner of mental health or a designee; the secretary of education or a designee; the
94 director of housing and community development or a designee; the secretary of labor and
95 workforce development or a designee; the commissioner of the Massachusetts rehabilitation
96 commission or a designee; the commissioner of early education and care or a designee; the
97 commissioner of elementary and secondary education or a designee; the commissioner of higher
98 education or a designee; the secretary of elder affairs or a designee; the commissioner of
99 children and families or a designee; the commissioner of public health or a designee; the director
100 of Medicaid or a designee; 1 person to be appointed by the secretary of education from the
101 community college system; the director of autism or a designee; 1 person to be appointed by the
102 commissioner of developmental services who shall have clinical knowledge of Smith-Magenis
103 syndrome; and 14 persons to be appointed by the governor, 1 of whom shall have a diagnosis of
104 autism spectrum disorder, 1 of whom shall be a representative of Advocates for Autism of
105 Massachusetts, 1 of whom shall be a representative of the Autism Insurance Resource Center, 1
106 of whom shall be a representative of Massachusetts Advocates for Children, 1 of whom shall be
107 a representative of the Arc of Massachusetts, 1 of whom shall be a representative of Autism
108 Speaks, Inc., 1 of whom shall be a representative of the Lurie Center and 1 of whom shall be a
109 representative of the Asperger's Association of New England, Inc. Members of the commission
110 shall be persons with demonstrated interest, experience and expertise in autism and related
111 services and shall serve for a term of 4 years, without compensation. Any member shall be
112 eligible for reappointment. Vacancies shall be filled for the remainder of the unexpired term.
113 Any member may be removed by the governor for cause.

114 (b) There shall be an executive director of the committee. The executive director shall be
115 appointed by the governor from candidates recommended by the committee. The executive
116 director may be removed by the governor for cause. The executive director shall promote the
117 goals of the commission and improve commission functions through the coordination and
118 standardization of programs, operations and procedures. The executive director shall have a
119 working knowledge of the autism service delivery system and agencies providing these services,
120 legislative advocacy experience and a personal connection to autism. The executive director
121 may: (i) expend appropriated funds together with additional funds from federal grants and other
122 contributions, which may be made available for these purposes; and (ii) appoint other necessary

123 personnel for the efficient management of the office. Expenditures for salaries and for other
124 administrative functions shall be approved by the commission. Duties of the executive director
125 shall include, but not be limited to: (i) reporting on the progress of implementation of the 13
126 recommendations of the March 2013 Massachusetts autism commission report with periodic
127 benchmarks and cost estimates for a coordinated, system-wide response supporting people of all
128 ages on the autism spectrum; (ii) coordination of commission meetings; (iii) coordination with
129 relevant state agencies; and (iv) completion of the annual report.

130 (c) The commission shall make recommendations on policies impacting individuals with
131 autistic spectrum disorders which shall include, but not be limited to, Asperger's syndrome, high
132 functioning autism, Smith-Magenis syndrome and pervasive development disorder. The
133 commission shall investigate the range of services and supports necessary for such individuals to
134 achieve their full potential across their lifespan including, but not limited to, investigating issues
135 related to public education, higher education, job attainment and employment, including
136 supported employment, provision of adult human services, post-secondary education,
137 independent living, community participation, housing, social and recreational opportunities,
138 behavioral services based on best practices to ensure emotional well-being, mental health
139 services and issues relating to access for families of children with autism spectrum disorder and
140 adults who are from linguistically and culturally-diverse communities. The commission shall
141 meet at least quarterly, or as frequently as the executive director recommends. The commission
142 shall file an annual report, on or before March 1, with the governor, the joint committee on
143 children, families and persons with disabilities and the joint committee on health care financing
144 outlining unmet needs and trends in autism services, supports and treatments for the autism
145 population, including any recommendations for regulatory and legislative action necessary to
146 provide or improve such services or supports. The commission shall monitor the implementation
147 of its recommendations and update recommendations to reflect current research and service
148 needs as necessary.

149 SECTION 22. Section 8C of chapter 6A of the General Laws, as so appearing, is hereby
150 amended by striking out, in lines 5 and 6, the words “the division of highways of” and inserting
151 in place thereof the following words:- highways in.

152 SECTION 23. Said section 8C of said chapter 6A, as so appearing, is hereby further
153 amended by striking out, in line 12, the words “department” and inserting in place thereof the
154 following words:- division.

155 SECTION 24. Section 16U of said chapter 6A, as so appearing, is hereby amended by
156 inserting after the word “of”, in line 113, the following words:- elementary and secondary.

157 SECTION 25. Section 19 of chapter 6C of the General Laws, as so appearing, is hereby
158 amended by striking out, in line 29, the words “telecommunications and energy” and inserting in
159 place thereof the following words:- public utilities.

160 SECTION 26. Section 2 of chapter 6D of the General Laws, as so appearing, is hereby
161 amended by striking out, in line 11, the second time they appear, the words “shall be”.

162 SECTION 27. Section 11 of said chapter 6D, as so appearing, is hereby amended by
163 striking out, in lines 33 and 38, the figure “176U” and inserting in place thereof, in each instance,
164 the following figure:- 176T.

165 SECTION 28. Section 15 of said chapter 6D, as so appearing, is hereby amended by
166 striking out, in line 37, the figure “176U” and inserting in place thereof the following figure:-
167 176T.

168 SECTION 29. The first sentence of the first paragraph of section 4A of chapter 7 of the
169 General Laws, as appearing in section 19 of chapter 165 of the acts of 2014, is hereby amended
170 by striking out the word “The” and inserting in place thereof the following word:- (a) The.

171 SECTION 30. Said section 4A of said chapter 7 is hereby further amended by striking
172 out, in line 14, as appearing in the 2012 Official Edition, the word “(a) The” and inserting in
173 place thereof the following word:- (b) The.

174 SECTION 31. Said section 4A of said chapter 7 is hereby further amended by striking
175 out, in line 42, as so appearing, the word “(b) The” and inserting in place thereof the following
176 word:- (c) The.

177 SECTION 32. Section 22N of said chapter 7, as so appearing, is hereby amended by
178 striking out, in line 12, the words “mental retardation” and inserting in place thereof the
179 following words:- intellectual disability.

180 SECTION 33. Section 54 of said chapter 7, as so appearing, is hereby amended by
181 striking out, in lines 25 and 26, the words “division of employment and training” and inserting in
182 place thereof the following words:- department of career services.

183 SECTION 34. Section 35 of chapter 7C of the General Laws, as so appearing, is hereby
184 amended by striking out, in lines 37 and 38, the words “division of employment and training”
185 and inserting in place thereof the following words:- department of career services.

186 SECTION 35. Said section 35 of said chapter 7C, as so appearing, is hereby further
187 amended by striking out, in line 43, the words “employment and training” and inserting in place
188 thereof the following words:- career services.

189 SECTION 36. Section 38 of chapter 10 of the General Laws, as so appearing, is hereby
190 amended by striking out, in line 9, the words “retarded children” and inserting in place thereof
191 the following words:- children with an intellectual disability.

192 SECTION 37. Section 56 of said chapter 10, as so appearing, is hereby amended by
193 inserting after the word “the”, in line 3, the second time it appears, the following word:- State.

194 SECTION 38. Section 11G of chapter 12 of the General Laws, as so appearing, is hereby
195 amended by striking out, in line 2, the words “local consumer aid fund” and inserting in place
196 thereof the following words:- Local Consumer Aid Fund.

197 SECTION 39. Section 9 of chapter 12C of the General Laws, as so appearing, is hereby
198 amended by striking out, in line 29, the figure “176U” and inserting in place thereof the
199 following figure:- 176T.

200 SECTION 40. Section 32 of chapter 13 of the General Laws is hereby amended by
201 inserting after the third sentence, as so appearing, the following 2 sentences:- Six of the
202 appointees shall be citizens of the commonwealth: 1 of whom shall be a master electrician who
203 holds a certificate A license issued under said chapter 141 and has at least 10 years’ experience
204 as an employing master electrician; 1 of whom shall be a master electrician who holds certificate
205 A and certificate B licenses issued under said chapter 141, is actively engaged in such business
206 and has at least 10 years’ experience as an employing master electrician; 1 of whom shall be a
207 journeyman electrician who holds a certificate B license issued under said chapter 141, is a wage
208 earner and has at least 10 years of practical experience in the installation of wires and appliances
209 for carrying electricity for light, heat or power purposes; 1 of whom shall be a systems contractor
210 who holds a certificate C license issued under said chapter 141, is actively engaged in the
211 business of fire warning and security systems as its principal business and has at least 10 years’
212 experience as an employing systems contractor; 1 of whom shall be a systems technician who
213 holds a certificate D license issued under said chapter 141, is a wage earner and has at least 10
214 years of practical experience in the installation, repair and maintenance of systems; and 1 of
215 whom shall be a representative of the New England Section of the International Municipal Signal
216 Association who holds at least a level I competency certificate from the association, is a
217 municipal employee and has at least 10 years of practical experience in the installation, repair
218 and maintenance of fire warning or signalling systems. The state fire marshal shall be the
219 chairperson.

220 SECTION 41. Section 6 of chapter 14 of the General Laws, as so appearing, is hereby
221 amended by striking out, in lines 54 and 55, the words “division of employment and training”
222 and inserting in place thereof the following words:- department of career services.

223 SECTION 42. Chapter 15A of the General Laws is hereby amended by striking out
224 section 42, added by section 51 of chapter 139 of the acts of 2012, and inserting in place thereof
225 the following section:-

226 Section 42A. The commissioner shall establish in the department of higher education, an
227 office of coordination. The commissioner shall appoint a director to operate and administer the
228 office who shall have experience with workforce development in the public or private sector.
229 The director shall work to establish a clearinghouse for all training opportunities provided by
230 public higher education institutions. The University of Massachusetts, state universities and

231 community colleges shall report to the office every workforce training opportunity the
232 institutions provide for the its students and others in the workforce and all workforce training
233 requests the institutions received but were not able to meet. The director shall maintain a public
234 website listing all training opportunities offered by public higher education institutions and shall
235 provide support for employers with workforce training needs that may be served through public
236 higher education institutions. The director shall provide information to public higher education
237 institutions to help the institutions provide workforce development services in the most efficient
238 manner possible and eliminate redundancies in the public higher education workforce
239 development offerings. The director shall establish a program for employers newly opened in or
240 relocated to the commonwealth to apprise such employers of workforce training programs
241 offered through public higher education institutions and to provide assistance in securing
242 workforce development grants through the department of higher education. The office of
243 coordination shall coordinate with existing workforce development programs provided by the
244 commonwealth. The director shall prepare an annual report for publication on progress to
245 improve the effectiveness of the commonwealth’s workforce development efforts offered
246 through public higher education institutions and shall report regularly to the public on the
247 progress the office is making towards achieving the stated goals.

248 The annual report, which shall be in a form and manner prescribed by the commissioner,
249 shall include, but not be limited to: (i) a commissioner-approved plan for the year, including the
250 goals set for the year and the performance measurements by which to evaluate those goals and
251 programs or initiatives to meet those goals; (ii) the number, nature and amount of trainings
252 facilitated and grants awarded to employers assisted by the office; and (iii) a description of
253 technical assistance that the office provided.

254 The annual report of the office shall be made available to the public on the
255 commonwealth’s website not later than December 31 and shall be filed with the clerks of the
256 senate and house of representatives and the chairs of the house and senate committees on ways
257 and means.

258 SECTION 43. Chapter 18B of the General Laws is hereby amended by striking out the
259 title, as appearing in the 2012 Official Edition, and inserting in place thereof the following title:-

260 DEPARTMENT OF CHILDREN AND FAMILIES.

261 SECTION 44. Section 1 of chapter 19 of the General Laws, as so appearing, is hereby
262 amended by striking out, in line 52, the word “department of highways” and inserting in place
263 thereof the following words:- division of highways.

264 SECTION 45. Section 21 of chapter 19 of the General Laws is hereby amended by
265 striking out, in line 15, as so appearing, the words “mentally retarded” and inserting in place
266 thereof the following words:- intellectually disabled.

267 SECTION 46. Section 7 of said chapter 19B, as so appearing, is hereby amended by
268 striking out, in line 2, the words “mental retardation facilities” and inserting in place thereof the
269 following words:- facilities for persons with an intellectual disability.

270 SECTION 47. Section 8 of said chapter 19B, as so appearing, is hereby amended by
271 striking out, in lines 2 and 3, the words “mental retardation facility of the department” and
272 inserting in place thereof the following words:- facility of the department for persons with an
273 intellectual disability.

274 SECTION 48. Said section 8 of said chapter 19B, as so appearing, is hereby further
275 amended by striking out, in line 6, the words “the mentally retarded” and inserting in place
276 thereof the following words:- persons with an intellectual disability.

277 SECTION 49. Section 19 of said chapter 19B, added by section 1 of chapter 255 of the
278 acts of 2014, is hereby repealed.

279 SECTION 50. Said chapter 19B is hereby further amended by adding the following
280 section:-

281 Section 21 . (a) As used in this section, the following words shall have the following
282 meanings unless the context clearly requires otherwise:

283 “Chosen planning team”, an individual or group of individuals chosen by the participant
284 to assist in the development of a person-centered plan or other aspect of self-determination.

285 “Commissioner”, the commissioner of developmental services.

286 “Department”, the department of developmental services.

287 “Financial management service”, a service or function provided by an entity to assist a
288 participant in disbursing allocated funds in accordance with the participant’s individual budget
289 and person-centered plan; provided, however, that financial management services may include
290 facilitating the employment of service and support workers by aiding the participant with
291 payments, fiscal accounting, tax withholding, compliance with relevant state and federal
292 employment laws, verification of provider qualifications, criminal background checks and
293 expenditure reports; and provided further, that the financial management service entity shall owe
294 the participant a fiduciary duty and shall meet minimum qualifications as established by the
295 department by regulation.

296 “Independent facilitator”, a person selected and directed by the participant to assist in the
297 development and execution of a person-centered plan and to assist the participant in making
298 informed decisions about the participant’s choices regarding self-determination including, but
299 not limited to, the short-term and long-term planning goals for self-determination and the
300 transition to self-determination; provided, however, that an independent facilitator shall meet

301 minimum qualifications established by the department by regulation prior to assisting a
302 participant; and provided further, that an independent facilitator shall not provide any services,
303 supports or goods to the participant under the participant's individual support plan and shall not
304 be employed by a person providing services, supports or goods to the participant.

305 “Individual budget”, an allocation of federal and state funds based upon the participant’s
306 assessed needs, as determined by the department in consultation with the participant, the
307 participant’s individual support plan team and chosen planning team, used to facilitate self-
308 determination and to purchase services, supports or goods identified or referenced in the person-
309 centered plan.

310 “Individual support plan”, shall have the same meaning as ascribed to it in 115 CMR
311 6.20.

312 “Participant”, an individual with disabilities receiving department services and, when
313 appropriate, an individual’s parents, legal guardian, conservator or other authorized
314 representative, who has voluntarily agreed to take part in, and has been deemed eligible for, the
315 self-determination option.

316 “Person-centered plan”, a plan of service for a participant who elects to participate in
317 self-determination; provided, however, that the person-centered plan shall be incorporated into
318 the participant’s individual support plan.

319 “Self-determination”, an approach to service delivery in which the participant is given
320 control over the decision-making process for the participant’s supports or services and budget
321 and the participant may tailor the support to meet the participant’s needs.

322 (b) The department shall offer self-determination as an option to individuals who are
323 eligible for services through the department. Self-determination shall be based on the
324 participant’s judgment and preferences as set forth in the participant’s person-centered plan. An
325 individual who is not MassHealth-eligible but who is otherwise eligible for department services
326 may participate in self-determination.

327 (c) The department shall establish a statewide self-determination advisory board to
328 advise the department on efforts to implement, publicize, evaluate, improve and develop
329 information regarding self-determination. The advisory board shall consist of: the longest serving
330 member of the disabled persons protection commission, or a designee, who shall serve as chair;
331 19 person to be appointed by the commissioner, 1 of whom shall be a member of the department,
332 1 of whom shall be a member of an advocacy organization, 1 of whom shall represent taxpayers,
333 1 of whom shall have experience with consumer protection, 1 of whom shall have experience
334 with self-determination models, 1 of whom shall have experience with nonprofit and for-profit
335 services markets and competition and services for persons with disabilities, 1 of whom shall have
336 experience with financial management services, 1 of whom shall be an independent facilitator; 1

337 of whom shall be a provider of direct services, supports or goods and 10 of whom shall be a
338 participant or a family member, legal representative or guardian of a participant; 1 person to be
339 appointed by the disabled persons protection commission; 1 person to be appointed by the office
340 of the inspector general; and 1 person to be appointed by the office of the state auditor. Members
341 shall serve for terms of 3 years. Upon the expiration of the term of a member, a successor shall
342 be appointed in like manner. The appointing entity shall in like manner fill any vacancy for the
343 remainder of the unexpired term.

344 The self-determination advisory board shall also compile, and continually update, a list of
345 participants or participants' chosen planning teams who are willing to volunteer to discuss their
346 experiences in self-determination with individuals considering implementing the self-
347 determination option in their individual support plans and shall provide that list to the
348 department.

349 (d) The department and the statewide self-determination advisory board shall develop
350 informational materials and training for department staff regarding self-determination. Training
351 shall include how to explain the concept and practice of self-determination and shall inform
352 department staff about the mechanics of self-determination including, but not limited to: (i) the
353 development of individual budgets; (ii) the selection, purchase and use of services, supports and
354 goods by participants; (iii) information about the types of providers and services that may be
355 utilized; (iv) information about the selection and supervision of vendors; (v) the respective roles
356 of independent facilitators, financial management services and the department; and (vi) the
357 methods of identifying and reporting instances of suspected waste, fraud and abuse. The
358 department shall annually educate all department staff, except for department staff classified as
359 janitorial, maintenance or secretarial, on all service options including, but not limited to, self-
360 direction.

361 (e) The department, in administering self-determination, shall:

362 (i) facilitate and assist in the preparation of a person-centered plan, individual
363 support plan and individual budget for each participant and, if applicable, the selection of a
364 financial management service or independent facilitator;

365 (ii) collect and disclose information to participants about providers and vendors
366 who provide goods and services to participants; provided, however, that such information shall
367 be in a format that employs standard categories of services, supports and goods and enables a
368 participant or a participant's chosen planning team to compare various combinations of possible
369 budget expenditures; provided further, that such information shall include the costs of goods, on
370 a per unit basis, and rates for supports and services known to the department which are likely to
371 be charged against a participant's individual budget if the participant utilizes any such service,
372 support or good; provided further, that such information shall include information about the costs
373 likely to be charged against a participant's budget by a specific provider or vendor of financial

374 management services or independent facilitation services; provided further, that where specific
375 information is not available to the department, the department shall provide average rates for
376 such services; and provided further, that the department shall not disclose any information that
377 violates privacy protections under section 7 of chapter 4, section 2 of chapter 66A, section 17 of
378 chapter 123B or any other state or federal privacy law;

379 (iii) set minimum qualifications and guidelines for financial management service
380 providers and independent facilitators; provided, however, that independent facilitators and
381 financial management service providers shall owe participants a fiduciary duty; and provided
382 further, that the department shall provide a list to each participant of the persons or organizations
383 qualified to act as a financial management service provider or independent facilitator;

384 (iv) in accordance with subsection (i), set individual budgets annually in a fair,
385 equitable and transparent manner in consultation with the participant and the participant's
386 individual support plan; provided, however, that each individual budget shall be provided in a
387 standard format that provides a breakdown of the individual budget into standard categories
388 determined by the department including, but not limited to, services, supports and goods; and
389 provided, further, that the individual budget shall specify whether a service, support or good has
390 a rate that was negotiated by the department;

391 (v) in consultation with the self-determination advisory board, review existing
392 methodologies and develop alternative methodologies for computing and adjusting individual
393 budgets as needed;

394 (vi) ensure that the value of a participant's individual budget is equivalent to the
395 amount the department would have spent providing services, supports or goods to the participant
396 if the participant had chosen to receive services, supports and goods through a traditional service
397 model supported by the department; provided, however, that the department shall establish an
398 appeals process for decisions regarding the individual budget;

399 (vii) establish a process for providing funds under an individual budget to the
400 participant in a timely manner ensuring that a participant is able purchase services, supports or
401 goods without experiencing an interruption in services;

402 (viii) promulgate standard forms on which the financial management service
403 provider for each participant shall annually report the participant's total expenditures for the year
404 to the department; provided, however, that the report shall facilitate the collection of information
405 under clause (ii);

406 (ix) approve a qualified financial management service provider who may provide
407 services to participants; provided, however, that the department shall negotiate with the financial
408 management service provider uniform rates for each given unit of service, to be paid by each
409 participant from the participant's individual budget; provided further, that the department may

410 approve additional qualified financial management providers upon a determination by the
411 department that providing additional service options will not materially increase participants'
412 costs or have a material adverse effect on the department's oversight of individual budgets;
413 provided further, that the department may reduce the number of qualified financial management
414 service providers in order to control costs or enhance oversight of individual budgets; and
415 provided further, that the department may opt to not require a participant to use a designated
416 financial management service if the participant is using the agency with choice model under
417 section 1915(c) of the Social Security Act, codified at 42 U.S.C. 1396n et seq.;

418 (x) monitor the expenditure of funds from individual budgets;

419 (xi) make efforts to ensure that participants are reasonably representative of the
420 diversity of individuals eligible for services from the department;

421 (xii) facilitate individual and family understanding of self-determination and
422 related issues of budgeting, planning, service and provider selection and staff and employee
423 management;

424 (xiii) provide information on the department's website about all service options
425 including, but not limited to, self-determination and options for residential placements;
426 provided, however, that the website shall inform individuals, at minimum, that with self-
427 determination: (A) the participant has control over the annual budget; (B) the participant is
428 central to and directs the decision-making process and determines what supports are utilized; and
429 (C) the service system is flexible so the participant may tailor the participant's supports to meet
430 the participant's needs; and provided further, that the website shall provide other information as
431 determined by the department in consultation with the statewide self-determination advisory
432 board;

433 (xiv) provide the information described in subclauses (A) to (C), inclusive, of
434 clause (xiii) to individuals upon: (A) notification to an individual of priority for
435 services; (B) commencement of the development of an individual support plan; (C)
436 commencement of the renewal of an individual support plan; (D) annual notification to persons
437 who have declined an individual support plan of their option to participate in the individual
438 support plan; and (E) the person's entry into the department's turning 22 program;

439 (xv) provide information on providers of self-determination supports, services or
440 goods through its website or another means as determined by the department;

441 (xvi) hold meetings, briefings and orientations, as necessary, with providers,
442 organizations and businesses to offer introductory and ongoing information on self-determination
443 and discuss ways the department can work with parties to establish and improve services,
444 supports or goods that facilitate self-determination;

445 (xvii) ensure that the participant and the participant's chosen planning team
446 comprehend and commit to appropriate means of identifying, monitoring, preventing and
447 reporting to the disabled persons protection commission suspected instances of abuse or neglect
448 of participants, including financial abuse;

449 (xviii) provide, in consultation with the advisory board established in subsection
450 (c), an annual report to the chairs of the house and senate committees on ways and means and to
451 the house and senate chairs of the joint committee on children, families and persons with
452 disabilities, not later than September 1; provided, however, that the report shall: (A) set forth any
453 modifications or improvements made by the department to the administration of self-
454 determination; (B) specify any recommended legislation; (C) provide an assessment of the
455 performance of providers, vendors and persons who have received funds for the provision of
456 services, supports and goods under this section; (D) specify the number of participants utilizing
457 self-determination during the previous fiscal year; (E) specify the number of participants per
458 region in the commonwealth; (F) specify types and amounts of services, supports or goods
459 purchased under self-determination in a manner that facilitates analyses and year-to-year
460 comparisons; (G) provide ranges and averages for expenditures from all individual budgets,
461 inclusive of any adjustments to individual budgets made pursuant to subsection (i); and (H)
462 specify the number of participants who withdrew voluntarily from the option; and

463 (xix) provide, except as is necessary to comply with privacy laws, any
464 information requested by the attorney general, state auditor, inspector general, senate or house
465 committees on post audit and oversight, disabled persons protection commission or any other
466 department, agency or law enforcement body investigating suspected neglect or physical,
467 emotional or financial abuse. The superior court shall have jurisdiction over disputed requests
468 for information.

469 (f) Participation in self-determination shall be available to any individual who receives
470 services from the department and who agrees to the following terms and conditions:

471 (i) the participant and participant's chosen planning team shall be responsible for
472 implementation of the person-centered plan and the individual support plan, including the hiring
473 or purchasing of necessary services, supports or goods;

474 (ii) the participant shall utilize the services of a financial management service
475 unless an exception applies; and

476 (iii) the participant, the participant's chosen planning team and the participant's
477 individual support plan team members shall attend an orientation prior to enrollment, the subject
478 matter of which shall include, but not be limited to: (A) the concept and practice of self-
479 determination; (B) related issues of budgeting, planning, services and provider selection; and (C)
480 staff and employee management and the respective roles of independent facilitators, financial

481 management services and the department; provided, however, that no person shall be required to
482 attend more than 1 orientation per year if working with multiple participants.

483 (g) Participation in self-determination shall be voluntary. An individual may choose to
484 take part in or seek other department services at any time; provided, however, that the individual
485 budget shall follow a participant who seeks other department services. The department shall not
486 require or prohibit participation in self-determination as a condition of eligibility for or delivery
487 of services, supports or goods otherwise available.

488 (h) If a participant voluntarily terminates self-determination or ceases participation in
489 self-determination due to a medical event or other change in condition, the department shall
490 provide for the participant's transition to other eligible services or supports. The transition shall
491 include the development of a new individual support plan which reflects the services, supports
492 and goods necessary to meet the individual's needs and objectives. The department shall ensure
493 that there is no gap in services, supports or goods during the transition period.

494 (i) The department, in consultation with the participant and the participant's chosen
495 planning team, shall determine the initial and any revised individual budget for the participant.

496 The amount of the individual budget shall be available to the participant each year for the
497 purchase of self-determination services, supports or goods. An individual budget may be
498 recalculated by the department based on the needs of the participant. An individual budget shall
499 not be increased to cover the cost of an independent facilitator except as provided by the
500 department by regulation.

501 Employees of entities providing services, supports and goods to participants shall be
502 eligible for a proportional amount of any additional appropriation designated for the increase in
503 salary for workers employed by the department or its providers.

504 Funds not spent by the annual individual budget shall revert back to the department. The
505 department shall consider adjusting a participant's individual budget when a participant does not
506 utilize all funds in the participant's individual budget within the designated year.

507 (j) The self-determination option established under this section shall be contingent upon
508 federal financial participation. The department shall seek reimbursement through federal
509 Medicaid funding, the Home and Community-Based Waiver or other federal reimbursement
510 mechanisms of the department.

511 In adopting or modifying regulations, the department shall seek to maximize federal
512 financial participation in or funding or reimbursement for self-determination.

513 (k) The provider of financial management services shall provide the participant and the
514 department with a monthly individual budget statement in a format specified by the department
515 through regulation.

516 (l) The department, in consultation with the advisory board established in subsection (c),
517 shall determine which persons shall be subject to criminal background checks as a condition of
518 providing services, supports or goods to participants and shall promulgate or amend its
519 regulations as necessary to require and implement criminal background checks; provided,
520 however, that participants shall not be required to pay the cost of a criminal background check
521 required under this subsection.

522 (m) (1) Any member of a participant's chosen planning team, any member of the
523 advisory board established in subsection (c), any mandated reporter of the disabled persons
524 protection commission, as defined in section 1 of chapter 19C, and any other person involved in
525 the preparation or implementation of the self-determination plan who suspects financial abuse
526 including, but not limited, to mismanagement, misappropriation or waste of a participant's self-
527 determination funds or individual budget shall immediately report such suspicious actions or
528 inactions to the disabled persons protection commission. The disabled persons protection
529 commission shall evaluate and forward the report to the appropriate law enforcement or state
530 agency and shall forward all reports of suspected financial abuse to the state auditor. The
531 disabled persons protection commission shall provide an annual itemization to the house and
532 senate chairs of the joint committee on children, families and persons with disabilities detailing
533 the number, types and geographic locations of specific reports and the agencies to which the
534 complaint was referred.

535 (n) The department shall adopt and may modify regulations to implement this section.

536 (o) The state auditor, pursuant to section 12 of chapter 11, shall audit the self-
537 determination option as the state auditor determines necessary and shall make recommendations
538 to the department, the senate and house committees on ways and means and the joint committee
539 on children, families and persons with disabilities about changes in laws or regulations that may
540 improve the efficiency of the self-determination option, decrease costs, improve services or
541 prevent waste, fraud or abuse.

542 (p) The attorney general or the department may independently investigate any allegations
543 of mistreatment, waste, abuse, fraud or breach of any explicit or implied duties under this
544 section. The attorney general or the department, on behalf of a participant, may seek to recover
545 any monies lost because of mistreatment, waste, abuse, fraud or breach of any explicit or implied
546 duties under this section in the superior court.

547 SECTION 51. Section 54 of chapter 21 of the General Laws, as so appearing, is hereby
548 amended by striking out, in line 35, the words "department of highways" and inserting in place
549 thereof the following words:- division of highways.

550 SECTION 52. Section 11C of chapter 21A of the General Laws, as so appearing, is
551 hereby amended by striking out, in lines 59 and 60, the words "department of highways" and
552 inserting in place thereof the following words:- division of highways.

553 SECTION 53. Section 18A of said chapter 21A, as so appearing, is hereby amended by
554 striking out, in lines 50, 69, 72, 76 and 77, and in line 79, the words “telecommunications and
555 energy” and inserting in place thereof, in each instance, the following words:- public utilities.

556 SECTION 54. Section 7 of chapter 21C of the General Laws, as so appearing, is hereby
557 amended by striking out, in line 57, and in lines 67 and 68, the words “telecommunications and
558 energy” and inserting in place thereof, in each instance, the following words:- public utilities.

559 SECTION 55. Section 8 of said chapter 21C, as so appearing, is hereby amended by
560 striking out, in line 12, the words “telecommunications and energy” and inserting in place
561 thereof the following words:- public utilities.

562 SECTION 56. Section 5 of chapter 21E of the General Laws, as so appearing, is hereby
563 amended by striking out, in lines 240 and 241, the words “telecommunications and energy” and
564 inserting in place thereof the following words:- public utilities.

565 SECTION 57. Section 19 of chapter 21G of the General Laws, as so appearing, is hereby
566 amended by striking out, in lines 2, 4 and 5, and in line 11, the words “telecommunications and
567 energy” and inserting in place thereof, in each instance, the following words:- public utilities.

568 SECTION 58. Section 2 of chapter 21H of the General Laws is hereby amended by
569 striking out, in line 67, as so appearing, the word “retarded” and inserting in place thereof the
570 following words:- intellectually disabled.

571 SECTION 59. Section 21 of chapter 22 of the General Laws, inserted by section 8 of
572 chapter 93 of the acts of 2011, is hereby repealed.

573 SECTION 60. Said chapter 22 is hereby further amended by adding the following
574 section:-

575 Section 23. There shall be a special commission to investigate and study improving
576 information and resource sharing among the office of probation, the department of criminal
577 justice information services, the parole board, the department of correction and the offices of the
578 sheriffs. The commission shall consist of the secretary of public safety and security or the
579 secretary’s designee, who shall serve as chair; the commissioner of probation or the
580 commissioner’s designee; commissioner of criminal justice information services or the
581 commissioner’s designee; the chair of the parole board or the chair’s designee; the commissioner
582 of correction or the commissioner’s designee; the commissioner of youth services or the
583 commissioner’s designee; and the president of the Massachusetts Sheriffs Association or the
584 president’s designee.

585 The investigation shall include, but not be limited to:

586 (a) identifying and eliminating redundant and duplicative practices, while
587 promoting public safety and cost-effectiveness;

588 (b) developing a common risk and needs assessment tool for supervised
589 individuals, to be used by the office of probation, the office of community corrections, the parole
590 board, the department of correction and the sheriffs;

591 (c) developing policies and protocols for individuals who have been sentenced to
592 supervision under more than 1 the agency or department concurrently to ensure that supervision
593 is meted out in an orderly and effective manner for those individuals;

594 (d) establishing procedures for the sharing of information on supervised
595 individuals, including procedures for addressing any privacy issues raised by the sharing of
596 information between agencies; provided, however, that if the commission discovers legal
597 impediments to sharing information between the organizations, it shall draft and report
598 legislative recommendations to address such impediments;

599 (e) investigating the creation of a common office of performance management to
600 track the effectiveness and outcomes of programs used by the office of probation, the office of
601 community corrections, the parole board, the department of correction and the sheriffs' offices;
602 and

603 (f) investigating the effectiveness of the office of community corrections,
604 potential improvements to its function and organization, including the feasibility and advisability
605 of relocating it to the executive office of public safety and security.

606 The commission shall annually report on its activities and its findings and
607 recommendations to the house and senate chairs of the joint committee on the judiciary, the
608 house and senate chairs of the joint committee on public safety and homeland security and the
609 chairs of the senate and house committees on ways and means not later than December 31.

610 SECTION 61. Section 66 of said chapter 22C of the General Laws, as appearing in the
611 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in place
612 thereof the following sentence:- The colonel may, at the request of the director of career
613 services, appoint employees of the department of career services as special police officers.

614 SECTION 62. Section 3C of chapter 23A of the General Laws, as so appearing, is
615 hereby amended by striking out, in lines 36 and 37, and in line 47, the words "commerce and
616 labor" and inserting in place thereof, in each instance, the following words:- labor and
617 workforce development.

618 SECTION 63. Section 58 of said chapter 23A, as so appearing, is hereby amended by
619 striking out, in line 24, the words "commerce and labor" and inserting in place thereof the
620 following words:- labor and workforce development.

621 SECTION 64. Section 61 of said chapter 23A, as so appearing, is hereby amended by
622 striking out, in line 26, the words “commerce and labor” and inserting in place thereof the
623 following words:- labor and workforce development.

624 SECTION 65. Section 3 of chapter 23E of the General Laws, as so appearing, is hereby
625 amended by striking out, in line 54, the word “and”.

626 SECTION 66. Section 17 of said chapter 23E, as so appearing, is hereby amended by
627 striking out, in line 13, the words “commerce and labor” and inserting in place thereof the
628 following words:- labor and workforce development.

629 SECTION 67. Section 3 of chapter 23G of the General Laws is hereby amended by
630 striking out, in line 107, as so appearing, the words “telecommunications and energy” and
631 inserting in place thereof the following words:- public utilities.

632 SECTION 68. Section 1 of chapter 23H of the General Laws, as so appearing, is hereby
633 amended by striking out, in line 13, the word “division” and inserting in place thereof the
634 following word:- department.

635 SECTION 69. Chapter 25A of the General Laws is hereby amended by striking out the
636 title, as so appearing, and inserting in place thereof the following title:-

637 DEPARTMENT OF ENERGY RESOURCES.

638 SECTION 70. Section 11G of said chapter 25A, as so appearing, is hereby amended by
639 striking out, in line 13, the words “telecommunications and energy” and inserting in place
640 thereof the following words:- public utilities.

641 SECTION 71. Section 2PPP of chapter 29 of the General Laws, as so appearing, is
642 hereby amended by striking out, in lines 15 and 16, the words “clause (6) of subsection (b) of
643 section 35 of chapter 118G” and inserting in place thereof the following words:- section 65 of
644 chapter 118E.

645 SECTION 72. Section 2RRR of said chapter 29, as so appearing, is hereby amended by
646 striking out the second sentence and inserting in place thereof the following sentence:- There
647 shall be credited to the fund: (i) any federal financial participation received by the
648 commonwealth as a result of expenditures funded by such assessments; and (ii) any interest
649 thereon.

650 SECTION 73. Said section 2RRR of said chapter 29, as so appearing, is hereby further
651 amended by striking out, in lines 16 and 17, the word “an” and inserting in place thereof, in each
652 instance, the following words:- a.

653 SECTION 74. Section 2WWW of said chapter 29, as so appearing, is hereby amended by
654 striking out subsection (d) and inserting in place thereof the following subsection:-

655 (d) There shall be credited to the fund any revenue from appropriations or other monies
656 authorized by the general court and specifically designated to be credited to the fund, including
657 funds transferred from the Gaming Economic Development Fund established in section 2DDDD,
658 and any gifts, grants, private contributions, investment income earned on the fund's assets and all
659 other sources. Money remaining in the fund at the end of a fiscal year shall not revert to the
660 General Fund.

661 SECTION 75. Said section 2WWW of said chapter 29, as so appearing, is hereby further
662 amended by inserting after subsection (h) the following subsection:-

663 (h $\frac{1}{2}$) A portion of the grant fund shall be used to address the gap between the skills held
664 by workers and the skills needed by employers for jobs that require more than a high school
665 diploma but less than a 4-year degree. Grants awarded under this program shall focus on building
666 relationships and partnerships among geographic clusters of high schools, vocational-technical
667 schools, community colleges, state universities, institutions of higher education, local employers,
668 industry partners, local workforce investment boards, labor organizations to support the creation
669 of training opportunities for civilians or for veterans who have recently separated from the
670 military, and workforce development entities, in order to create multiple and seamless pathways
671 to employment through enhanced coordination of existing institutions and resources. Each
672 cluster shall designate 1 entity or organization as the lead partner for each cluster and approved
673 procurements shall be jointly applied for by, at a minimum, a public educational institution
674 including a community college, at least 1 regional workforce investment board, and at least 1
675 regional employer in a high growth sector. Grants made under this program shall include
676 consideration of, but not be limited to: defining and establishing the process for students to
677 transition from adult basic education programs to college-based programs; programs accessible
678 to working, unemployed or underemployed adults; programs that focus on the recruitment,
679 training and employment of older workers; programs to prepare low income or underemployed
680 adults for employment in emerging industries; support of education and workforce development
681 initiatives that collaborate with the efforts or initiatives of public educational institutions,
682 including development of stackable certificates and credentials, non-semester-based modular
683 programs and accelerated associate degree programs, provided, however, that the grants issued
684 from this fund shall serve to supplement, and not supplant, ongoing initiatives at community
685 colleges; providing sector-based training including developmental education and certification
686 programs; providing student support services; using competency-based placement assessments;
687 leveraging regional resources, including shared equipment and funding; partnering with 2 or
688 more training organizations in a region; implementing effective short-term, high-intensity
689 training programs; and partnering with 2 or more employers in a region. This portion of the grant
690 fund may also be used to develop regional centers of excellence, which shall be aligned to the
691 commonwealth's economic development strategies to meet the needs of employers in high
692 growth sectors including, but not limited to, health care, life sciences, information technology

693 and advanced manufacturing. Each center of excellence shall be located at a community college,
694 state university, vocational or technical high school or collaboration between these entities.

695 A project grant program shall be designed by Commonwealth Corporation, in
696 consultation with a middle skills subcommittee of the advisory committee, which shall include,
697 at a minimum, a representative from the business community to be appointed by the secretary of
698 labor and workforce development; the director of the Center for Labor Market Studies at
699 Northeastern University or a designee; a representative of adult basic education or nontraditional
700 college students in the commonwealth to be appointed by the secretary of education; the
701 Massachusetts Workforce Board Association; the Massachusetts Workforce Professionals
702 Association; a representative from a nonprofit trade association with a state-approved
703 apprenticeship program; and the Massachusetts AFL-CIO, as well as any representatives of the
704 other mandatory advisory committee constituencies under subsection (b).

705 SECTION 76. Said section 2WWW of said chapter 29, as so appearing, is hereby further
706 amended by striking out subsection (k) and inserting in place thereof the following 2
707 subsections:-

708 (k) The director of workforce development and the advisory committee established under
709 subsection (b) shall examine and make an ongoing assessment of the effectiveness of the grant
710 fund, considering any similar educational or workforce development grant programs funded by
711 the commonwealth. The director and committee shall encourage coordination of existing
712 workforce development initiatives and strategies of employers and employer associations, local
713 workforce investment boards, labor organizations, community-based organizations, including
714 adult basic education providers, institutions of higher education, vocational education
715 institutions, one-stop career centers, local workforce development entities, and nonprofit
716 education, training or other service providers, and, when applicable, shall inform grant applicants
717 of the availability and eligibility for other workforce training funds. The establishment of the
718 Workforce Competitiveness Trust Fund shall not replace, displace or serve as a substitute for any
719 other workforce training fund, including community college workforce development programs or
720 the Workforce Training Trust Fund established in section 2RR, and an award of any grant funds
721 from the Workforce Competitiveness Trust Fund shall not make an applicant ineligible for any
722 other funds.

723 (l) Each grant recipient shall submit an annual report for the duration of the program or
724 partnership funded through a grant to the committee for its review. Before grants are awarded,
725 the Commonwealth Corporation shall reach agreement with each eligible entity that receives a
726 grant on performance measures and indicators that will be used to evaluate the performance of
727 the eligible entity in carrying out the activities described in their application.

728 SECTION 77. Said chapter 29 is hereby further amended striking out section 2FFFF, as
729 so appearing, and inserting in place thereof the following 2 sections:-

730 Section 2FFFF. (a) There is hereby established and set up on the books of the
731 commonwealth a separate fund to be known as the Health Care Workforce Transformation Fund.
732 The fund shall be administered by the secretary of labor and workforce development in
733 consultation with the health care workforce advisory board established in subsection (b). The
734 secretary shall make expenditures from the fund, without further appropriation; provided,
735 however, that not more than 10 per cent of the amount held in the fund in any 1 year shall be
736 used by the secretary for the combined cost of program administration, technical assistance to
737 grantees and program evaluation. The secretary may contract with any appropriate entity to
738 administer the fund or any portion therein.

739 (b) There shall be a health care workforce advisory board to make
740 recommendations to the secretary concerning the administration and allocation of the fund and
741 establishing evaluation criteria.

742 The board shall consist of the secretary of labor and workforce development who shall
743 serve as chairperson, the executive director of the commission or a designee, the commissioner
744 of public health or a designee and not more than 13 members who shall be appointed by the
745 secretary and who shall reflect a broad distribution of diverse perspectives on the health care
746 system and health care workforce needs, including health care providers, health care payers,
747 health care employers, labor organizations, educational institutions and consumer
748 representatives.

749 (c) The comptroller shall annually transfer not less than 20 per cent of available
750 funds in the fund to the department of public health, without requiring the approval of the
751 secretary of labor and workforce development, to be expended on the following programs:

752 (1) the health care workforce loan repayment program established in section 25N
753 of chapter 111, as administered by the health care workforce center;

754 (2) the primary care residency grant program established in section 25N ½ of
755 chapter 111; and

756 (3) a primary care workforce development and loan forgiveness grant program at
757 community health centers established under section 25N ¾ of chapter 111.

758 The secretary may also designate up to 10 per cent of available funds to be transferred by
759 the comptroller to the Massachusetts Nursing and Allied Health Workforce Development Trust
760 Fund established in section 33 of chapter 305 of the acts of 2008 to develop and support
761 strategies that increase the number of public higher education faculty members and students who
762 participate in programs that support careers in fields related to nursing and allied health. The
763 secretary shall only designate funds for this purpose to the extent that the Massachusetts Nursing
764 and Allied Health Workforce Development Trust Fund does not receive adequate funding in the
765 general appropriation act.

766 (d) Any monies remaining in the fund shall be expended on programs that have at
767 least 1 of the following purposes, with a focus on aligning expenditures with industry needs:

768 (1) supporting the development and implementation of programs to enhance
769 health care worker retention rates;

770 (2) addressing critical health care workforce shortages;

771 (3) improving employment in the health care industry for low-income individuals
772 and low-wage workers;

773 (4) providing training, educational or career ladder services for currently
774 employed or unemployed health care workers who are seeking new positions or responsibilities
775 within the health care industry;

776 (5) providing training or educational services for health care workers in emerging
777 fields of care delivery models; or

778 (6) funding rural health rotation programs, rural health clerkships and rural health
779 preceptorships at medical and nursing schools to expose students to practicing in rural and small
780 town communities.

781 (e) The secretary shall establish a competitive grant process for funds expended on
782 programs under subsection (d). Eligible applicants shall include: employers and employer
783 associations; local workforce investment boards; labor organizations; joint labor-management
784 partnerships; community-based organizations; institutions of higher education; vocational
785 education institutions; one-stop career centers; local workforce development entities; and any
786 partnership or collaboration between eligible applicants. Expenditures from the fund for such
787 purposes shall complement and not replace existing local, state, private or federal funding for
788 training and educational programs. All approved activities funded through the fund shall support
789 the commonwealth's efforts to meet the health care cost growth benchmark established in section
790 9 of chapter 6D.

791 (f) A grant proposal submitted under subsection (e) shall include, but not be
792 limited to:

793 (1) a plan that defines specific goals for health care workforce training and
794 educational improvements;

795 (2) the evidence-based programs the applicant shall use to meet the goals;

796 (3) a budget necessary to implement the plan, including a detailed description of
797 any funding or in-kind contributions that an applicant will be providing in support of the
798 proposal;

799 (4) any other private funding or private sector participation the applicant
800 anticipates in support of the proposal; and

801 (5) the anticipated number of individuals who would receive a benefit due to the
802 implementation of the plan.

803 Priority may be given to proposals that target areas of critical labor needs for the health
804 care industry or that are projected to be critical labor needs of the health care industry in the near
805 future, consistent with the state health plan developed under section 16T of chapter 6A. Priority
806 may also be given to proposals that target geographic areas with specific health care workforce
807 needs or that target geographic areas with unemployment levels higher than the state average. If
808 no proposals were offered in areas of particular need, the secretary may provide technical
809 assistance and planning grant funding directly to eligible applicants in order to develop grant
810 proposals.

811 The secretary shall, in consultation with the health care workforce advisory board,
812 develop guidelines for an annual review of the progress being made by each grantee. Each
813 grantee shall participate in any evaluation or accountability process implemented by or
814 authorized by the secretary.

815 (g) There shall be credited to the fund all monies payable pursuant to: (i) funds
816 that are paid to the health care workforce loan repayment program established in section 25N of
817 chapter 111 as a result of a breach of contract and private funds contributed from other sources;
818 and (ii) any revenue from appropriations or other monies authorized by the general court and
819 specifically designated to be credited to the fund and any gifts, grants, private contributions,
820 investment income earned on the fund's assets and all other sources. Money remaining in the
821 fund at the end of a fiscal year shall not revert to the General Fund and shall be available for
822 expenditure in the following fiscal year.

823 (h) The fund shall supplement and not replace existing publically-financed health
824 care workforce development programs.

825 (i) The secretary shall annually report on its strategy for administration and allocation of
826 the fund, including relevant evaluation criteria, and short-term and long-term programmatic and
827 policy recommendations to improve workforce performance, and on expenditures from fund.
828 The report shall include, but not be limited to: (i) the revenue credited to the fund; (ii) the
829 amount of fund expenditures attributable to administrative costs; (iii) an itemized list of the funds
830 expended through the competitive grant process, loan repayment program, and primary care
831 residency program, and a description of the grantee activities; and (iv) the results of the
832 evaluation of the effectiveness of the activities funded through grants. The report shall be
833 provided to the secretary of administration and finance, the chairpersons of the house and senate
834 committees on ways and means, the joint committee on public health, the joint committee on

835 health care financing and the joint committee on labor and workforce development and shall be
836 posted on the executive office of labor and workforce development's website.

837 (j) The secretary shall promulgate regulations necessary to carry out this section.

838 Section 2GGGG. (a) There shall be established and set upon the books of the
839 commonwealth a separate fund to be known as the Distressed Hospital Trust Fund to be
840 expended, without further appropriation, by the health policy commission. The fund shall consist
841 of public and private sources, such as gifts, grants and donations, interest earned on such
842 revenues and any funds provided from other sources.

843 The board of the health policy commission, as trustee, shall administer the fund and shall
844 make expenditures from the fund consistent with this section; provided, however, that not more
845 than 10 per cent of the amounts held in the fund in any 1 year shall be used by the commission
846 for the combined cost of program administration, technical assistance to grantees or program
847 evaluation.

848 (b) Revenues deposited in the fund that are unexpended at the end of the fiscal
849 year shall not revert to the General Fund and shall be available for expenditure in the following
850 fiscal year.

851 (c) All expenditures from the fund shall support the commonwealth's efforts to
852 meet the health care cost growth benchmark established in section 9 of chapter 6D and shall be
853 consistent with any activities funded by the e-Health Institute, the Healthcare Payment Reform
854 Fund and any delivery system transformation initiative funds authorized by the federal
855 government. All expenditures shall have at least 1 of the following purposes: (i) to improve and
856 enhance the ability of community hospitals to serve populations efficiently and effectively; (ii) to
857 advance the adoption of health information technology, including interoperable electronic health
858 records systems; (iii) to accelerate the ability to electronically exchange information with other
859 providers in the community to ensure continuity of care; (iv) to support infrastructure
860 investments necessary for the transition to alternative payment methodologies, including
861 technology investments in data analysis functions and performance management programs and
862 systems to promote provider price transparency, necessary to aggregate and analyze clinical data
863 on a population level; (v) to aid in the development of care practices and other operational
864 standards necessary for certification as an ACO under section 15 of chapter 6D; and (vi) to
865 improve the affordability and quality of care.

866 (d) The commission shall annually award a grant by a competitive grant process
867 to qualified acute hospitals. To be eligible to receive a grant under this subsection, a qualified
868 acute hospital shall not include: (i) a hospital that is a teaching hospital; (ii) a hospital whose
869 relative prices are above the statewide median relative price, as determined by the center for
870 health information analysis; or (iii) a for-profit hospital or a hospital that is part of a for-profit
871 hospital system.

872 (e) A grant proposal submitted under subsection (d) shall include, but not be
873 limited to: (i) a plan that defines specific goals for improving the efficiency and affordability of
874 hospital care over a multi-year period; (ii) the evidence-based programs the applicant shall use to
875 meet the goals; (iii) a budget necessary to implement the plan, including a detailed description of
876 any funding or in-kind contributions an applicant will be providing in support of the proposal;
877 (iv) a plan for sustaining any investments after the expiration of grant funds; and (v) any other
878 private funding or private sector participation the applicant anticipates in support of the proposal.

879 In reviewing the grant applications, the commission shall consider, among other factors:
880 (i) the financial health of the qualified acute hospital and the demonstrated need for investment,
881 taking into account all resources available to the particular provider including the relationship or
882 affiliation of the particular provider to a health care delivery system and the capacity of the
883 system to provide financial support for the acute hospital; (ii) the anticipated return on
884 investment, as measured by improved health care coordination and a reduction in health care
885 costs; (iii) whether the investment will support innovative health care delivery and payment
886 models as identified by the health care policy commission; and (iv) geographic need and
887 population need. In assessing financial health, the commission shall, in consultation with the
888 center for health information and analysis, take into account days cash on hand, net working
889 capital and earnings before income tax, payer mix, uncompensated care, and depreciation and
890 amortization, and access to working capital. If the commission determines that no suitable
891 proposals have been received, such that the specific needs remain unmet, the commission may
892 work directly with qualified acute hospitals to develop grant proposals.

893 (f) All approved grants shall contain a limit on the amount an acute hospital may
894 spend on administrative or overhead spending related to the approved project, as determined by
895 the commission.

896 (g) Funding for all approved interoperable health information technology projects
897 for qualified acute hospitals shall be prioritized from any available funds in the fund before any
898 funds from the e-Health Institute Trust Fund may be utilized.

899 (h) As a condition of an award, the commission may require a qualified hospital
900 to agree to an independent financial and operational audit to recommend steps to increase
901 sustainability and efficiency of the acute hospital.

902 (i) The commission shall develop guidelines for an annual review of the progress
903 being made by each grantee. Each grantee shall participate in any evaluation or accountability
904 process implemented or authorized by the commission. In the event that any recipient of grant
905 monies from this trust does not utilize funding in a manner consistent with the approved grant
906 application, the recipient shall be required to repay to the commission all or a portion thereof, as
907 determined by the commission, of the grant funds previously provided to the recipient under this
908 section.

909 (j) The commission shall, annually on or before January 31, report on
910 expenditures from the fund. The report shall include, but not be limited to: (i) the revenue
911 credited to the fund; (ii) the amount of fund expenditures attributable to the administrative costs
912 of the commission; (iii) an itemized list of the funds expended through the competitive grant
913 process and a description of the grantee activities; and (iv) the results of the evaluation of the
914 effectiveness of the activities funded through grants. The report shall be provided to the
915 chairpersons of the house and senate committees on ways and means and the joint committee on
916 health care financing and shall be posted on the commission's website.

917 (k) The commission shall promulgate regulations necessary to carry out this
918 section.

919 SECTION 78. Said chapter 29 is hereby further amended by inserting after section 7H
920 the following section:-

921 Section 7H ½. (a) As used in this section, the following words shall have the
922 following meanings unless the context clearly requires otherwise:

923 "Actual economic growth benchmark", the actual annual percentage change in the
924 per capita state's gross state product as established by the secretary of administration and finance
925 under subsection (c).

926 "Growth rate of potential gross state product", the long-run average growth rate of
927 the commonwealth's economy, excluding fluctuations due to the business cycle.

928 (b) On or before January 15, the secretary of administration and finance shall
929 meet with the house and senate committees on ways and means and shall jointly develop a
930 growth rate of potential gross state product for the ensuing calendar year which shall be agreed to
931 by the secretary and the committees. In developing a growth rate of potential gross state product
932 the secretary and the committees, or subcommittees of the committees, may hold joint hearings
933 on the economy of the commonwealth; provided, however, that in the first year of the term of
934 office of a governor who has not served in the preceding year, the parties shall agree to the
935 growth rate of potential gross state product not later than January 31 of that year. The secretary
936 and the committees may agree to incorporate this hearing into any consensus tax revenue
937 forecast hearing held under section 5B. The growth rate of potential gross state product shall be
938 included with the consensus tax revenue forecast joint resolution under said section 5B and
939 placed before the members of the general court for their consideration. The joint resolution, if
940 passed by both branches of the general court, shall establish the growth rate of potential gross
941 state product to be used by the health policy commission to establish the health care cost growth
942 benchmark under section 9 of chapter 6D.

943 (c) Not later than September 15 of each year, the secretary shall report the actual
944 economic growth benchmark for the previous calendar year, based on the best information

945 available at the time. The information shall be provided to the health policy commission
946 established under chapter 6D.

947 SECTION 79. Section 39B of chapter 30 of the General Laws, as appearing in the 2012
948 Official Edition, is hereby amended by striking out, in lines 9, 13 and 14, 18 and 33, the words
949 “telecommunications and energy” and inserting in place thereof, in each instance, the following
950 words:- public utilities.

951 SECTION 80. Section 39C of said chapter 30, as so appearing, is hereby amended by
952 striking out, in line 5, the words “telecommunications and energy” and inserting in place thereof
953 the following words:- public utilities.

954 SECTION 81. Section 39E of said chapter 30, as so appearing, is hereby amended by
955 striking out, in line 8, the words “telecommunications and energy” and inserting in place thereof
956 the following words:- public utilities.

957 SECTION 82. Section 39M of said chapter 30, as so appearing, is hereby amended by
958 striking out, in line 88 and 89, the words “state department of highways at prices established by
959 the said department” and inserting in place thereof the following words:- division of highways at
960 prices established by the division.

961 SECTION 83. Section 1 of chapter 30B of the General Laws is hereby amended by
962 striking out, in lines 9 and 10, as so appearing, the words “the provisions of sections thirty-eight
963 A1/2 to thirty-eight O, inclusive, of chapter seven” and inserting in place thereof the following
964 words:- 44 to 57, inclusive, of chapter 7C.

965 SECTION 84. Said section 1 of said chapter 30B is hereby further amended by striking
966 out, in lines 16 and 17, as so appearing, the words “state department of highways, and at prices
967 established by the department” and inserting in place thereof the following words:- division of
968 highways, and at prices established by the division.

969 SECTION 85. Said section 1 of said chapter 30B is hereby further amended by striking
970 out, in line 104, as so appearing, the word “subclause (r)” and inserting in place thereof the
971 following words:- subclause (s) of clause Twenty-sixth.

972 SECTION 86. Said chapter 30B is hereby further amended by striking out section 23, as
973 so appearing, and inserting in place thereof the following section:-

974 Section 23. (a) Notwithstanding any general or special law to the contrary and to the
975 extent permitted by federal law, a governmental body may, by a majority vote, establish a
976 preference for the procurement of products or services by businesses, as defined in section 3A of
977 chapter 23A, with their principal place of business in the commonwealth.

978 (b) If a governmental body establishes a preference under subsection (a), the procurement
979 officer responsible for procuring products and services on behalf of the governmental body shall
980 effectuate such preference for the procurement in: (i) advertising for bids, contracts or otherwise
981 and making reasonable efforts to facilitate the purchase of such products or services; and (ii)
982 purchasing products or services by businesses, as defined in said section 3A of said chapter 23A,
983 with their principal place of business in the commonwealth, unless the price of such goods or
984 services exceed, by more than 10 per cent, the price of such goods or services produced by
985 businesses with their principal place of business outside of the commonwealth.

986 SECTION 87. Section 47 of chapter 31 of the General Laws, as so appearing, is hereby
987 amended by striking out, in line 31, the words “mentally retarded” and inserting in place thereof
988 the following words:- intellectually disabled.

989 SECTION 88. Section 48 of said chapter 31, as so appearing, is hereby amended by
990 striking out, in line 10, the words “telecommunications and energy” and inserting in place
991 thereof the following words:- public utilities.

992 SECTION 89. Said section 48 of said chapter 31, as so appearing, is hereby further
993 amended by striking out, in lines 12 and 13, the words “division of employment and training”
994 and inserting in place thereof the following words:- department of career services.

995 SECTION 90. Section 3 of chapter 32 of the General Laws is hereby amended by striking
996 out, in lines 286 and 287, as so appearing, the words “Massachusetts military reservation” and
997 inserting in place thereof the following words:- Joint Base Cape Cod.

998 SECTION 91. Section 4 of said chapter 32 , as so appearing, is hereby amended by
999 striking out, in lines 256 and 257, and in lines 267 and 268, the words “division of employment
1000 and training” and inserting in place thereof, in each instance, the following words:- department
1001 of career services.

1002 SECTION 92. Section 23 of said chapter 32, as so appearing, is hereby amended by
1003 striking out, in line 54, the word “(c) No” and inserting in place thereof the following word:- (b
1004 ½) No.

1005 SECTION 93. Said section 23 of said chapter 32, as so appearing, is hereby further
1006 amended by striking out the word “(d) Prior” and inserting in place thereof the following word:-
1007 (b 2/3) Prior.

1008 SECTION 94. Section 89A of said chapter 32, as so appearing, is hereby amended by
1009 striking out, in lines 98 and 99 and in lines 107 and 108, the words “department of highways or
1010 public health,” and inserting in place thereof, in each instance, the following words:- division of
1011 highways, the department of public health.

1012 SECTION 95. Section 94A of said chapter 32 is hereby amended by striking out, in lines
1013 8 and 9, as so appearing, the words “Massachusetts military reservation” and inserting in place
1014 thereof the following words:- Joint Base Cape Cod.

1015 SECTION 96. Section 94B of said chapter 32 is hereby amended by striking out, in lines
1016 10 and 11, as so appearing, the words “Massachusetts military reservation” in inserting in place
1017 thereof the following words:- Joint Base Cape Cod.

1018 SECTION 97. Section 100 of said chapter 32 is hereby amended by striking out, in line
1019 89, as so appearing, the words “Massachusetts military reservation” and inserting in place
1020 thereof the following words:- Joint Base Cape Cod.

1021 SECTION 98. Section 100A of said chapter 32 is hereby amended by striking out, in
1022 lines 36 and 37, as so appearing, the words “Massachusetts military reservation” and inserting in
1023 place thereof the following words:- Joint Base Cape Cod.

1024 SECTION 99. Section 6 of chapter 34B of the General Laws, as so appearing, is hereby
1025 amended by striking out, in line 70, the words “department of highways” and inserting in place
1026 thereof the following words:- division of highways.

1027 SECTION 100. Section 26 of chapter 35 of the General Laws, as so appearing, is hereby
1028 amended by striking out, in line 16, the words “department of highways” and inserting in place
1029 thereof the following words:- division of highways.

1030 SECTION 101. Said section 26 of said chapter 35, as so appearing, is hereby further
1031 amended by striking out, in line 17, the word “department” and inserting in place thereof the
1032 following word:- division.

1033 SECTION 102. Section 3 of chapter 38 of the General Laws is hereby amended by
1034 striking out, in line 21, as so appearing, the words “or mental retardation institution” and
1035 inserting in place thereof the following words:- institution or any other institution for a person
1036 with an intellectual disability.

1037 SECTION 103. Section 8 of said chapter 38, as so appearing, is hereby amended by
1038 striking out, in line 9, the words “telecommunications and energy” and inserting in place thereof
1039 the following words:- public utilities.

1040 SECTION 104. Section 9 of said chapter 38, as so appearing, is hereby amended by
1041 striking out, in lines 2 and 3, the words “telecommunications and energy” and inserting in place
1042 thereof the following words:- public utilities.

1043 SECTION 105. Section 22B of chapter 40 of the General Laws, as so appearing, is
1044 hereby amended by striking out, in lines 23 and 24, the words “department of highways,” and
1045 inserting in place thereof the following words:- division of highways.

1046 SECTION 106. Section 22D of said chapter 40, as so appearing, is hereby amended by
1047 striking out, in line 36, the words “telecommunications and energy” and inserting in place
1048 thereof the following words:- public utilities.

1049 SECTION 107. Section 39C of said chapter 40, as so appearing, is hereby amended by
1050 striking out, in line 21, the words “state department of highways” and inserting in place thereof
1051 the following words:- division of highways.

1052 SECTION 108. Said section 39C of said chapter 40, as so appearing, is hereby further
1053 amended by striking out, in line 26, the words “telecommunications and energy” and inserting in
1054 place thereof the following words:- public utilities.

1055 SECTION 109. Section 21 of chapter 40D of the General Laws, as so appearing, is
1056 hereby amended by striking out, in line 41, the words “department of highways” and inserting in
1057 place thereof the following words:- division of highways.

1058 SECTION 110. Section 6D of chapter 40J of the General Laws, as amended by section
1059 38 of chapter 287 of the acts of 2014, is hereby amended by striking out paragraphs (I) to (K),
1060 inclusive,

1061 SECTION 111. Said section 6D of said chapter 40J, as so amended, is hereby further
1062 amended by adding the following 3 subsections:-

1063 (g) The institute shall establish a pilot partnership with community colleges or vocational
1064 technology schools in the commonwealth to support health information technology curriculum
1065 development and workforce development. Funding for the program shall be from the Health
1066 Care Workforce Transformation Fund established in section 2FFFF of chapter 29.

1067 (h) The institute shall encourage and promote the implementation by hospitals, clinics,
1068 and health care networks of evidence-based best practice clinical decision support tools for the
1069 ordering provider of advanced diagnostic imaging services by January 1, 2017. Advanced
1070 diagnostic imaging services shall include, but not limited to, computerized tomography,
1071 magnetic resonance imaging, magnetic resonance angiography, positron emission tomography,
1072 nuclear medicine and such other imaging services. The institute shall develop clinical decision
1073 support guidelines and protocols that may be incorporated into the provider order entry systems
1074 of hospitals and the electronic health records, or EHR, of providers, to the maximum extent
1075 possible for certified EHR technology. The use of such decision support tools shall meet the
1076 privacy and security standards promulgated pursuant to the federal Health Insurance Portability
1077 and Accountability Act of 1996 ,Public Law 104-191.

1078 In addition, the institute shall advance the dissemination of innovative technologies,
1079 including, but not limited to, those technologies that would allow diagnostic imaging exams to be

1080 seamlessly processed and transferred electronically through means that may include, but shall
1081 not be limited to, cloud-based technologies.

1082 (i) The institute shall file an annual report, not later than January 30, with the joint
1083 committee on health care financing, the joint committee on economic development and emerging
1084 technologies and the house and senate committees on ways and means concerning the activities
1085 of the institute in general and, in particular, describing the progress to date in implementing
1086 interoperable provider electronic health records systems and recommending such further
1087 legislative action as it considers appropriate.

1088 SECTION 112. The last sentence of the first paragraph of section 111F of chapter 41 of
1089 the General Laws, as appearing in section 8 of chapter 313 of the acts of 2014, is hereby
1090 amended by striking out the words “Massachusetts military reservation”, each time they appear,
1091 and inserting in place thereof, in each instance, the following words:- Joint Base Cape Cod.

1092 SECTION 113. Section 1 of chapter 50 of the General Laws, as appearing in the 2012
1093 Official Edition is hereby amended by striking out, in lines 44 and 45, the words “42 USC 1973
1094 gg to 1973 gg-10”, and inserting in place thereof the following words:- 52 U.S.C. 20501 to
1095 20511.

1096 SECTION 114. Section 42G of chapter 51 of the General Laws, as appearing in the 2012
1097 Official Edition, is hereby amended by striking out, in line 2, the words “42 USC 1973 gg-5” and
1098 inserting in place thereof the following words:- 52 U.S.C. 20506.

1099 SECTION 115. Section 38H of chapter 59 of the General Laws, as so appearing, is
1100 hereby amended by striking out, in line 2, and in lines 139 and 140, the words
1101 “telecommunications and energy” and inserting in place thereof, in each instance, the following
1102 words:- public utilities.

1103 SECTION 116. Section 6M of chapter 62 of the General Laws, inserted by section 2 of
1104 chapter 193 of the acts of 2012, is hereby repealed.

1105 SECTION 117. Said chapter 62 is hereby further amended by inserting after section 6N
1106 the following section:-

1107 Section 6O. A person filing an individual or joint return may voluntarily contribute all or
1108 part of any refund to which such person is entitled, or may voluntarily add an amount on to any
1109 amount due, to be credited to the Homeless Animal Prevention and Care Fund established in
1110 section 35WW of chapter 10.

1111 A contribution under this section may be made with respect to any taxable year at the
1112 time of filing a return of the tax established by this chapter for such taxable year. The
1113 commissioner shall prescribe the manner in which the contribution shall be made on the face of
1114 the return required by section 5 of chapter 62C; provided, however, that the commissioner shall

1115 assure that taxpayers filing any such forms shall be made clearly aware of their ability to make
1116 the contributions provided for in this section.

1117 The commissioner shall annually report the total amount designated under this section to
1118 the state treasurer who shall credit such amount to the Homeless Animal Prevention and Care
1119 Fund.

1120 SECTION 118. Section 21 of chapter 62C of the General Laws is hereby amended by
1121 striking out, in lines 56 and 57, and in lines 97 and 98, as appearing in the 2012 Official Edition,
1122 the words “deputy director of the division of employment and training” and inserting in place
1123 thereof, in each instance, the following words:- director of career services.

1124 SECTION 119. Said section 21 of said chapter 62C is hereby further amended by
1125 striking out, in line 100, as so appearing, the words “division of employment and training” and
1126 inserting in place thereof the following words:- department of career services.

1127 SECTION 120. Said section 21 of said chapter 62C is hereby further amended by
1128 striking out, in line 140, as so appearing, the word “division” and inserting in place thereof the
1129 following word:- department.

1130 SECTION 121. Section 3 of chapter 62E of the General Laws, as so appearing, is hereby
1131 amended by striking out the last paragraph and inserting in place thereof the following
1132 paragraph:-

1133 This chapter shall not apply to the utilization and dissemination of wage records by the
1134 department of unemployment assistance.

1135 SECTION 122. Section 12 of said chapter 62E is hereby amended by striking out, in line
1136 14, and in line 19, the first time it appears, as so appearing, the word “division” and inserting in
1137 place thereof, in each instance, the following word:- department.

1138 SECTION 123. Section 6 of chapter 64H of the General Laws is hereby amended by
1139 striking out, in lines 338 and 339, as so appearing, the words “(as defined by the department of
1140 telecommunications and energy)” and inserting in place thereof the following words:- , as
1141 defined by the department of public utilities.

1142 SECTION 124. Chapter 68 of the General Laws is hereby amended by striking out
1143 section 28, as amended by section 19 of chapter 62 of the acts of 2014, and inserting in place
1144 thereof the following section:-

1145 Section 28. (a) No charitable organization, professional fundraising counsel, commercial
1146 co-venturer or professional solicitor subject to sections 18 to 35, inclusive, shall use or exploit
1147 the fact of registration so as to lead the public to believe that such registration in any manner
1148 constitutes an endorsement or approval by the commonwealth.

1149 (b) No person shall, in connection with the solicitation of contributions for or the sale of
1150 goods or services of a person other than a charitable organization, misrepresent to or mislead
1151 anyone by any manner, means, practice or device to believe that the person on whose behalf such
1152 solicitation or sale is being conducted is a charitable organization or that the proceeds of such
1153 solicitation or sale will be used for charitable purposes if such is not the fact.

1154 (c) No person shall, in connection with the solicitation of contributions or the sale of
1155 goods or services for charitable purposes represent to or lead anyone by any manner, means,
1156 practice or device to believe that any other person sponsors or endorses such solicitation of
1157 contributions or sale of goods or services for charitable purposes or approves of such charitable
1158 purposes or a charitable organization connected therewith when such other person has not given
1159 consent to the use of such name for these purposes. A member of a board of directors or board of
1160 trustees of a charitable organization or any other person who has agreed to serve or participate in
1161 any voluntary capacity in the campaign shall be deemed thereby to have given consent to the use
1162 of such person's name in connection with the progress of that campaign.

1163 (d) No person shall make any representation that such person is soliciting contributions
1164 for or on behalf of a charitable organization and no person shall use or display any emblem,
1165 device or printed matter belonging to or associated with a charitable organization for the purpose
1166 of soliciting or inducing the contribution of funds from the public without first being authorized
1167 to do so by the charitable organization.

1168 (e) No commercial co-venturer or professional solicitor shall solicit in the name of or on
1169 behalf of a charitable organization unless such person has in such person's possession the written
1170 authorization of 2 officers of such organization, a copy of which shall be filed with the division,
1171 and exhibits such written authorization on request to any person solicited, to a police officer or to
1172 an agent of the division. Such authorization shall bear the signature of the solicitor and shall state
1173 on its face the period for which the authorization is valid and such period shall not exceed 1 year
1174 from the date of issuance.

1175 (f) No person or organization shall claim to be a representative of a veterans' charitable
1176 organization with the intent to solicit contributions that benefit or profit any person or
1177 organization other than the veterans' charitable organization.

1178 SECTION 125. Subsection (a) of section 1J of chapter 69 of the General Laws, as
1179 appearing in the 2012 Official Edition, is hereby amended by inserting after the word "based", in
1180 line 37, the following word:- on.

1181 SECTION 126. Said section 1J of said chapter 69, as so appearing, is hereby further
1182 amended by striking out, in line 113, the second time it appears, the word "and".

1183 SECTION 127. Said section 1J of said chapter 69, as so appearing, is hereby further
1184 amended by striking out, in line 133, the words “and graduation” and inserting in place thereof
1185 the following words:- , graduation.

1186 SECTION 128. Said section 1J of said chapter 69, as so appearing, is hereby further
1187 amended by striking out, in lines 160, 161 and 162, the word “, or” and inserting in place thereof,
1188 in each instance, the following word:- or.

1189 SECTION 129. Said section 1J of said chapter 69, as so appearing, is hereby further
1190 amended by striking out, in lines 170 and 171, the word “reapplications. (8)” and inserting in
1191 place thereof the following word:- reapplications; (8).

1192 SECTION 130. Said section 1J of said chapter 69, as so appearing, is hereby further
1193 amended by inserting after the word “issues”, in line 272, the following word:- to.

1194 SECTION 131. Said section 1J of chapter 69, as so appearing, is hereby further amended
1195 by inserting after the word “for”, in line 272, the following word:- a.

1196 SECTION 132. Said section 1J of said chapter 69, as so appearing, is hereby further
1197 amended by striking out, in line 279, the word “who” and inserting in place thereof the following
1198 words:- of whom.

1199 SECTION 133. Said section 1J of said chapter 69, as so appearing, is hereby further
1200 amended by striking out, in line 297, the word “circumstance,” and inserting in place thereof the
1201 following word:- circumstance.

1202 SECTION 134. Said section 1J of said chapter 69, as so appearing, is hereby further
1203 amended by striking out, in lines 428 and 458, the words “,dismissal rates” and inserting in place
1204 thereof, in each instance, the following words:- and dismissal.

1205 SECTION 135. Said section 1J of said chapter 69, as so appearing, is hereby further
1206 amended by striking out, in line 459, the words “and graduation” and inserting in place thereof
1207 the following words:- , graduation.

1208 SECTION 136. Said section 1J of said chapter 69, as so appearing, is hereby further
1209 amended by striking out, in lines 485 to 487, inclusive, the words “administrator ,or teacher in
1210 the school, in order to attract or retain highly-qualified administrators or teachers or to reward
1211 administrators,. or” and inserting in place thereof the following words:- administrator or teacher
1212 in the school in order to attract or retain highly-qualified administrators or teachers or to reward
1213 administrators, or.

1214 SECTION 137. Said section 1J of said chapter 69, as so appearing, is hereby further
1215 amended by striking out, in line 514, the word “the” and inserting in place thereof the following
1216 word:- a.

1217 SECTION 138. Said section 1J of said chapter 69, as so appearing, is hereby further
1218 amended by striking out, in line 525, the figure “(7)” and inserting in place thereof the following
1219 figure:- (8).

1220 SECTION 139. Said section 1J of said chapter 69, as so appearing, is hereby further
1221 amended by striking out, in line 582, the word “, may” and inserting in place thereof the
1222 following word:- may.

1223 SECTION 140. Section 1K of said chapter 69, as so appearing, is hereby amended by
1224 striking out, in lines 42 and 114, the word “an” and inserting in place thereof, in each instance,
1225 the following word:- a.

1226 SECTION 141. Said section 1K of said chapter 69, as so appearing, is hereby further
1227 amended by striking out, in line 74, the word “meetings” and inserting in place thereof the
1228 following word:- meeting.

1229 SECTION 142. Said section 1K of said chapter 69, as so appearing, is hereby further
1230 amended by striking out, in line 86, the word “commissioner,” and inserting in place thereof the
1231 following word:- commissioner.

1232 SECTION 143. Said section 1K of said chapter 69, as so appearing, is hereby further
1233 amended by striking out, in line 122, the words “promotion and graduation” and inserting in
1234 place thereof the following words:- promotion, graduation.

1235 SECTION 144. Said section 1K of said chapter 69, as so appearing, is hereby further
1236 amended by striking out, in lines 146 and 148, the word “, or” and inserting in place thereof, in
1237 each instance, the following word:- or.

1238 SECTION 145. Said section 1K of said chapter 69, as so appearing, is hereby further
1239 amended by striking out, in line 163, the words “reapplications. turnaround plan” and inserting in
1240 place thereof the following:- reapplications.

1241 SECTION 146. Said section 1K of said chapter 69, as so appearing, is hereby further
1242 amended by striking out, in line 174, the word “the” and inserting in place thereof the following
1243 word:- a.

1244 SECTION 147. Said section 1K of said chapter 69, as so appearing, is hereby further
1245 amended by striking out, in line 217, the word “if” and inserting in place thereof the following
1246 word:- If.

1247 SECTION 148. Said section 1K of said chapter 69, as so appearing, is hereby further
1248 amended by inserting after the word “for”, in line 234, the following words:- a.

1249 SECTION 149. Said section 1K of said chapter 69, as so appearing, is hereby further
1250 amended by striking out, in line 242, the word “who” and inserting in place thereof the following
1251 words:- of whom.

1252 SECTION 150. Said section 1K of said chapter 69, as so appearing, is hereby further
1253 amended by striking out, in line 263, the word “circumstance,” and inserting in place thereof the
1254 following word:- circumstance.

1255 SECTION 151. Said section 1K of said chapter 69, as so appearing, is hereby further
1256 amended by striking out, in lines 268 and 277, the word “(g)” and inserting in place thereof the
1257 following word:- (h).

1258 SECTION 152. Said section 1K of said chapter 69, as so appearing, is hereby further
1259 amended by inserting after the word “in”, in line 297, the following word:- a.

1260 SECTION 153. Said section 1K of said chapter 69, as so appearing, is hereby further
1261 amended by striking out, in line 328, the word “(h)” and inserting in place thereof the following
1262 word:- (i).

1263 SECTION 154. Section 59C of chapter 71 of the General Laws, as so appearing, is
1264 hereby amended by striking out, in line 42, the figure “71A” and inserting in place thereof the
1265 following figure:- 71B.

1266 SECTION 155. Section 89 of said chapter 71, as so appearing, is hereby amended by
1267 striking out, in line 44, the word “conversion” and inserting in place thereof the following word:-
1268 conversions.

1269 SECTION 156. Said section 89 of said chapter 71, as so appearing, is hereby further
1270 amended by striking out, in line 143, the word “subdivisions,” and inserting in place thereof the
1271 following word:- subdivisions.

1272 SECTION 157. Said section 89 of said chapter 71, as so appearing, is hereby further
1273 amended by striking out, in line 144, the word “must” and inserting in place thereof the
1274 following word:- shall.

1275 SECTION 158. Said section 89 of said chapter 71, as so appearing, is hereby further
1276 amended by striking out, in line 265, the word “previous” and inserting in place thereof the
1277 following word:- previously.

1278 SECTION 159. Said section 89 of said chapter 71, as so appearing, is hereby further
1279 amended by striking out, in line 355, the word “of”, the first time it appears, and inserting in
1280 place thereof the following word:- to.

1281 SECTION 160. Said section 89 of said chapter 71, as so appearing, is hereby further
1282 amended by inserting after the word “vacant”, in line 378, the following word:- seats.

1283 SECTION 161. Said section 89 of said chapter 71, as so appearing, is hereby further
1284 amended by striking out, in line 431, the word “the”.

1285 SECTION 162. Said section 89 of said chapter 71, as so appearing, is hereby further
1286 amended by striking out, in line 749, the word “on” and inserting in place thereof the following
1287 word:- and.

1288 SECTION 163. Section 92 of said chapter 71, as so appearing, is hereby amended by
1289 striking out, in line 58, the figure “(xii)” and inserting in place thereof the following figure:-
1290 (xiii).

1291 SECTION 164. Said section 92 of said chapter 71, as so appearing, is hereby further
1292 amended by striking out, in line 158, the word “and”.

1293 SECTION 165. Said section 92 of said chapter 71, as so appearing, is hereby further
1294 amended by striking out, in line 161, the figure “(7)” and inserting in place thereof the following
1295 words:- and (vii).

1296 SECTION 166. Said section 92 of said chapter 71, as so appearing, is hereby further
1297 amended by striking out, in line 171, the word “, the” and inserting in place thereof the following
1298 word:- the.

1299 SECTION 167. Said section 92 of said chapter 71, as so appearing, is hereby further
1300 amended by striking out, in line 175, the word “the”, the second time it appears, and inserting in
1301 place thereof the following word:- , the.

1302 SECTION 168. Said section 92 of said chapter 71, as so appearing, is hereby further
1303 amended by striking out, in line 176, the word “schoolcommittee” and inserting in place thereof
1304 the following words:- school committee.

1305 SECTION 169. Section 3 of chapter 71B of the General Laws is hereby amended by
1306 striking out, in lines 163 and 204, as so appearing, the words “mental retardation” and inserting
1307 in place thereof, in each instance, the following words:- developmental services.

1308 SECTION 170. Section 40E of chapter 82 of the General Laws, as so appearing, is
1309 hereby amended by striking out, in line 2, the words “telecommunications and energy” and
1310 inserting in place thereof the following words:- public utilities.

1311 SECTION 171. Section 1 of chapter 83 of the General Laws, as so appearing, is hereby
1312 amended by striking out, in line 43, the words “telecommunications and energy” and inserting in
1313 place thereof the following words:- public utilities.

1314 SECTION 172. Section 4 of said chapter 83, as so appearing, is hereby amended by
1315 striking out, in line 16, the words “telecommunications and energy” and inserting in place
1316 thereof the following words:- public utilities.

1317 SECTION 173. Section 1 of chapter 90 of the General Laws is hereby amended by
1318 striking out, in line 405, as so appearing, the words “telecommunications and energy” and
1319 inserting in place thereof the following words:- public utilities.

1320 SECTION 174. Section 1A of said chapter 90, as so appearing, is hereby amended by
1321 striking out, in line 5, the words “telecommunications and energy” and inserting in place thereof
1322 the following words:- public utilities.

1323 SECTION 175. Section 7B of said chapter 90, as so appearing, is hereby amended by
1324 striking out, in lines 27 and 124, the words “telecommunications and energy” and inserting in
1325 place thereof, in each instance, the following words:- public utilities.

1326 SECTION 176. Section 8A of said chapter 90, as so appearing, is hereby amended by
1327 striking out, in lines 37, 41 and 42, 47, and in lines 51 and 52, the words “telecommunications
1328 and energy” and inserting in place thereof, in each instance, the following words:- public
1329 utilities.

1330 SECTION 177. Section 8A 1/2 of said chapter 90, as so appearing, is hereby amended
1331 by striking out, in lines 40 and 41, the words “telecommunications and energy” and inserting in
1332 place thereof the following words:- public utilities.

1333 SECTION 178. Section 8L of said chapter 90, as so appearing, is hereby amended by
1334 striking out, in line 5, the words “42 USC 1973 gg-3 and 1973 gg-5” and inserting in place
1335 thereof the following words:- 52 U.S.C. 20504 to 20506.

1336 SECTION 179. Section 9 of said chapter 90, as so appearing, is hereby amended by
1337 striking out, in lines 13 and 14, the words “telecommunications and energy” and inserting in
1338 place thereof the following words:- public utilities.

1339 SECTION 180. Section 24 of said chapter 90 is hereby amended by striking out, in line
1340 452, as so appearing, the word “corrections” and inserting in place thereof the following word:-
1341 correction.

1342 SECTION 181. Said section 24 of said chapter 90 is hereby amended by striking out, in
1343 line 461, as so appearing, the word “corrobing” and inserting in place thereof the following
1344 word:- corroborating.

1345 SECTION 182. Said section 24 of said chapter 90 is hereby further amended by striking
1346 out, in line 552, as so appearing, the word “restistrar” and inserting in place thereof the following
1347 word:- registrar.

1348 SECTION 183. Section 33 of said chapter 90, as so appearing, is hereby amended by
1349 striking out, in line 38, the words “telecommunications and energy” and inserting in place
1350 thereof the following words:- public utilities.

1351 SECTION 184. Section 116 of said chapter 90, as so appearing, is hereby amended by
1352 striking out, in line 116, the words “Threatened and Special Concern Species” and inserting in
1353 place thereof the following words:- threatened and special concern species.

1354 SECTION 185. Section 1 of chapter 90C of the General Laws, as so appearing, is hereby
1355 amended by striking out, in lines 73 and 74, the words “telecommunications and energy” and
1356 inserting in place thereof the following words:- public utilities.

1357 SECTION 186. Section 50 of chapter 92 of the General Laws, as so appearing, is hereby
1358 amended by striking out, in lines 6 and 7, the words “telecommunications and energy” and
1359 inserting in place thereof the following words:- public utilities.

1360 SECTION 187. Section 51 of said chapter 92, as so appearing, is hereby amended by
1361 striking out, in line 1, the words “telecommunications and energy” and inserting in place thereof
1362 the following words:- public utilities.

1363 SECTION 188. Section 67 of said chapter 92, as so appearing, is hereby amended by
1364 striking out, in lines 11 and 12, the words “telecommunications and energy” and inserting in
1365 place thereof the following words:- public utilities.

1366 SECTION 189. Section 68 of said chapter 92, as so appearing, is hereby amended by
1367 striking out, in line 6, the words “telecommunications and energy” and inserting in place thereof
1368 the following words:- public utilities.

1369 SECTION 190. Section 184D of chapter 94 of the General Laws is hereby amended by
1370 striking out, in line 81, as so appearing, the words “sections 56D and 56E” and inserting in place
1371 thereof the following words:- and section 56D.

1372 SECTION 191. Section 40 of chapter 111 of the General Laws, as so appearing, is
1373 hereby amended by striking out, in line 23, the words “mental retardation” and inserting in place
1374 thereof the following words:- developmental services.

1375 SECTION 192. Clause (2) of the second paragraph of subsection (b) of section 5Q of
1376 said chapter 111, as appearing in section 1 of chapter 150 of the acts of 2014, is hereby amended
1377 by striking out the word “that”, the first time it appears.

1378 SECTION 193. Section 62J of said chapter 111, as appearing in the 2012 Official
1379 Edition, is hereby amended by striking out, in lines 13 and 14, the words “ mental retardation”
1380 and inserting in place thereof the following words:- intellectual disabilities.

1381 SECTION 194. Section 67E of said chapter 111, as so appearing, is hereby amended by
1382 striking out, in line 38, the words “mental retardation” and inserting in place thereof the
1383 following words:- intellectual disability.

1384 SECTION 195. Section 69E of said chapter 111, as so appearing, is hereby amended by
1385 striking out, in line 8, the words “mental retardation” and inserting in place thereof the following
1386 words:- intellectual disabilities’.

1387 SECTION 196. Section 71 of said chapter 111, as so appearing, is hereby amended by
1388 striking out, in lines 9, 23, 75, 87, 129, 171, 174 and 212, the words “mentally retarded” and
1389 inserting in place thereof, in each instance, the following words:- intellectually disabled.

1390 SECTION 197. Said section 71 of said chapter 111, as so appearing, is hereby further
1391 amended by striking out, in line 180, the words “mental cases” and inserting in place thereof the
1392 following words:- intellectually disabled.

1393 SECTION 198. Section 72 of said chapter 111, as so appearing, is hereby amended by
1394 striking out, in lines 3 and 16, the words “mentally retarded” and inserting in place thereof the
1395 following words:- intellectually disabled.

1396 SECTION 199. Section 72Y of said chapter 111, as so appearing, is hereby amended by
1397 striking out, in line 10, the word “retarded” and inserting in place thereof the following words:-
1398 intellectually disabled.

1399 SECTION 200. Section 142N of said chapter 111, as so appearing, is hereby amended by
1400 striking out, in line 6, the words “telecommunications and energy” and inserting in place thereof
1401 the following words:- public utilities.

1402 SECTION 201. Section 193 of said chapter 111, as so appearing, is hereby amended by
1403 striking out, in line 12, the word “retarded” and inserting in place thereof the following words:-
1404 who have an intellectual disability.

1405 SECTION 202. Section 229 of said chapter 111, inserted by section 1 of chapter 371 of
1406 the acts of 2012, is hereby repealed.

1407 SECTION 203. Said chapter 111 is hereby further amended by adding the following
1408 section:-

1409 Section 233. (a) For the purposes of this section, the following terms shall have the
1410 following meanings:

1411 “Health care practitioner”, a person licensed or registered under section 2, 16, 74 or 74A
1412 of chapter 112, including an intern, resident, fellow or medical officer who conducts or assists
1413 with the performance of surgery.

1414 “Operating room circulator”, a licensed registered nurse who is educated, trained and
1415 experienced in perioperative nursing and who is immediately available to physically intervene in
1416 providing care to the surgical patient.

1417 “Surgical facility”, an entity that provides surgical health care services, whether inpatient
1418 or outpatient and whether overnight or ambulatory, including, but not limited to, a hospital, clinic
1419 or private office of a health care practitioner, whether conducted for charity or for profit and
1420 whether or not subject to section 25C, and an organization, partnership, association, corporation,
1421 trust or the commonwealth or any subdivision thereof.

1422 “Surgical technologist”, a person who provides surgical technology services and who is
1423 not a health care practitioner.

1424 “Surgical technology”, surgical patient care, including, but not limited to, any of the
1425 following:

1426 (i) collaboration with an operating room circulator prior to a surgical procedure to
1427 carry out the plan of care by preparing the operating room, gathering and preparing sterile
1428 supplies, instruments and equipment, preparing and maintaining the sterile field using sterile and
1429 aseptic technique and ensuring that surgical equipment is functioning properly and safely;

1430 (ii) intraoperative anticipation and response to the needs of a surgeon and other
1431 team members by monitoring the sterile field and providing the required instruments or supplies;

1432 (iii) performance of tasks at the sterile field, as directed in an operating room
1433 setting, including: (1) passing supplies, equipment or instruments; (2) sponging or suctioning an
1434 operative site; (3) preparing and cutting suture material; (4) transferring and irrigating with
1435 fluids; (5) transferring, but not administering, drugs within the sterile field; (6) handling
1436 specimens; (7) holding retractors; and (8) assisting in counting sponges, needles, supplies and
1437 instruments with an operating room circulator.

1438 (b) A surgical facility shall not employ or otherwise retain the services of a person to
1439 perform surgical technology tasks or functions unless such person: (i) has successfully completed
1440 an accredited educational program for surgical technologists and holds and maintains a certified
1441 surgical technologist credential administered by a nationally recognized surgical technologist
1442 certifying body accredited by the National Commission for Certifying Agencies and recognized
1443 by the American College of Surgeons and the Association of Surgical Technologists; (ii) has
1444 successfully completed an accredited school of surgical technology but has not, as of the date of
1445 hire, obtained the certified surgical technologist certification required in clause (i); provided,
1446 however, that such certification shall be obtained within 12 months of the graduation date; (iii)
1447 was employed as a surgical technologist in a surgical facility on or before July 1, 2013; (iv) has
1448 successfully completed a training program for surgical technology in the Army, Navy, Air Force,
1449 Marine Corps or Coast Guard of the United States or in the United States Public Health Service
1450 which has been deemed appropriate by the commissioner; or (v) is performing surgical
1451 technology tasks or functions in the service of the federal government, but only to the extent the
1452 person is performing duties related to that service.

1453 (c) A person employed or otherwise retained to practice surgical technology in a health
1454 care facility may assist in the performance of operating room circulator duties under the direct
1455 clinical supervision, limited to clinical guidance, of the operating room circulator if: (i) the
1456 operating room circulator is present in the operating room for the duration of the procedure; (ii)
1457 the assistance has been assigned to that person by the operating room circulator; and (iii) the
1458 assistance is consistent with the education, training and experience of the person providing the
1459 assistance.

1460 (d) Nothing in this section shall prohibit a registered nurse, licensed or registered health
1461 care provider or other health care practitioner from performing surgical technology tasks or
1462 functions if such person is acting within the scope of such person’s license.

1463 (e) Notwithstanding subsection (b), a surgical facility may employ a surgical technologist
1464 who does not meet the requirements of this section if the surgical facility receives a waiver from
1465 the department signifying that the surgical facility: (i) has made a diligent and thorough effort to
1466 employ qualified surgical technologists who meet the requirements of this section; and (ii) is
1467 unable to employ enough qualified surgical technologists for its needs. The department, in
1468 consultation with an advisory committee of clinicians, shall establish criteria for said waiver.

1469 SECTION 204. Section 2 of chapter 117A of the General Laws, as appearing in the 2012
1470 Official Edition, is hereby amended by striking out, in lines 7 and 8, the words “division of
1471 employment and training” and inserting in place thereof, the following words:- department of
1472 career services.

1473 SECTION 205. Chapter 118E of the General Laws is hereby amended by striking out
1474 section 10H, inserted by section 19 of chapter 258 of the acts of 2014, and inserting in place
1475 thereof the following section:-

1476 Section 10I. For the purposes of this section, the following terms shall have the
1477 following meanings unless the context clearly requires otherwise:

1478 “Acute treatment services”, 24-hour medically-supervised addiction treatment for adults
1479 or adolescents provided in a medically-managed or medically-monitored inpatient facility, as
1480 defined by the department of public health, that provides evaluation and withdrawal management
1481 and which may include biopsychosocial assessment, individual and group counseling,
1482 psychoeducational groups and discharge planning.

1483 “Clinical stabilization services”, 24-hour clinically-managed post detoxification treatment
1484 for adults or adolescents, as defined by the department of public health, usually following acute
1485 treatment services for substance abuse, which may include intensive education and counseling
1486 regarding the nature of addiction and its consequences, relapse prevention, outreach to families
1487 and significant others and aftercare planning, for individuals beginning to engage in recovery
1488 from addiction.

1489 The division and its contracted health insurers, health plans, health maintenance
1490 organizations, behavioral health management firms and third-party administrators under contract
1491 to a Medicaid managed care organization or primary care clinician plan shall cover the cost of
1492 medically-necessary acute treatment services and shall not require a preauthorization prior to
1493 obtaining treatment.

1494 The division and its contracted health insurers, health plans, health maintenance
1495 organizations, behavioral health management firms and third-party administrators under contract
1496 to a Medicaid managed care organization or primary care clinician plan shall cover the cost of
1497 medically-necessary clinical stabilization services for up to 14 days and shall not require
1498 preauthorization prior to obtaining clinical stabilization services; provided, however, that the
1499 facility shall provide to the carrier both notification of admission and the initial treatment plan
1500 within 48 hours of admission; and provided further, that utilization review procedures may be
1501 initiated on day 7.

1502 Medical necessity shall be determined by the treating clinician, in consultation with the
1503 patient, and noted in the patient’s medical record.

1504 SECTION 206. Section 23 of chapter 119 of the General Laws, as so appearing, is
1505 hereby amended by striking out, in line 47, the words “mental retardation” and inserting in place
1506 thereof the following words:- an intellectual disability.

1507 SECTION 207. Section 39L of said chapter 119, as so appearing, is hereby amended by
1508 striking out, in lines 7 and 11, the words “in need of services petition”, and inserting in place
1509 thereof, in each instance, the following words:- requiring assistance application.

1510 SECTION 208. Said section 39L of said chapter 119, as so appearing, is hereby further
1511 amended by striking out, in line 22, and in lines 34 and 35, the words “in need of services” and
1512 inserting in place thereof, in each instance, the following words:- requiring assistance.

1513 SECTION 209. Section 2 of chapter 119A of the General Laws, as so appearing, is
1514 hereby amended by striking out, in lines 79 and 80, the words “child support trust fund” and
1515 inserting in place thereof the following words:- Child Support Trust Fund.

1516 SECTION 210. Section 5 of said chapter 119A, as so appearing, is hereby amended by
1517 striking out, in lines 62 and 63, the words “child support trust fund” and inserting in place
1518 thereof the following words:- “Child Support Trust Fund.

1519 SECTION 211. Section 9 of said chapter 119A, as so appearing, is hereby amended by
1520 striking out, in lines 2 and 3, the words “child support trust fund” and inserting in place thereof
1521 the following words:- Child Support Trust Fund.

1522 SECTION 212. Section 10 of said chapter 119A, as so appearing, is hereby amended by
1523 striking out, in lines 1 and 2, and in lines 2 and 3, the words “child support trust fund” and
1524 inserting in place thereof, in each instance, the following words:- Child Support Trust Fund.

1525 SECTION 213. Section 11 of said chapter 119A, as so appearing, is hereby amended by
1526 striking out, in line 2, and in lines 6 and 7, the words “child support trust fund” and inserting in
1527 place thereof, in each instance, the following words:- Child Support Trust Fund.

1528 SECTION 214. Section 38A of chapter 121B of the General Laws, as so appearing, is
1529 hereby amended by striking out, in line 30, the words “mental retardation” and inserting in place
1530 thereof the following words:- intellectual disabilities.

1531 SECTION 215. Section 1 of chapter 122 of the General Laws, as so appearing, is hereby
1532 amended by striking out, in line 11, the words “mental retardation” and inserting in place thereof
1533 the following words:- intellectual disabilities’.

1534 SECTION 216. Section 14 of said chapter 122, as so appearing, is hereby amended by
1535 striking out, in line 3, the words “, mental retardation” and inserting in place thereof the
1536 following words:- or intellectual disability.

1537 SECTION 217. Section 1 of chapter 123A of the General Laws, as so appearing, is
1538 hereby amended by striking out, in line 42, the words “a mentally retarded” and inserting in
1539 place thereof the following words:- an intellectually disabled.

1540 SECTION 218. Chapter 123B of the General Laws is hereby amended by striking out the
1541 title, as so appearing, and inserting in place thereof the following title:-

1542 DEVELOPMENTAL SERVICES.

1543 SECTION 219. Section 3 of said chapter 123B, as so appearing, is hereby amended by
1544 striking out, in line 5, the words “mentally retarded” and inserting in place thereof the following
1545 words:- intellectually disabled.

1546 SECTION 220. Section 133E of chapter 127 of the General Laws, as so appearing, is
1547 hereby amended by striking out, in line 14, the words “a mentally retarded” and inserting in
1548 place thereof the following words:- an intellectually disabled.

1549 SECTION 221. Said section 133E of said chapter 127, as so appearing, is hereby further
1550 amended by striking out, in line 15, the word “age14” and inserting in place thereof the
1551 following word:- age 14.

1552 SECTION 222. Section 13 of chapter 131 of the General Laws, as so appearing, is
1553 hereby amended by striking out, in lines 45 and 46, and in line 47, the words “mentally retarded”
1554 and inserting in place thereof, in each instance, the following words:- intellectually disabled.

1555 SECTION 223. Section 17 of chapter 138 of the General Laws, as so appearing, is
1556 hereby amended by striking out the introductory paragraph and inserting in place thereof the
1557 following paragraph:

1558 Except as otherwise provided in this chapter, the number of licenses issued in a city or
1559 town under sections 12 and 15 and in force and effect at any 1 time during a license year shall be
1560 limited as provided in this section.

1561 SECTION 224. Section 38 of said chapter 138, as so appearing, is hereby amended by
1562 striking out, in line 1, the word “of” and inserting in place thereof the following word:- to.

1563 SECTION 225. Section 2 of chapter 140E of the General Laws, as so appearing, is
1564 hereby amended by striking out, in line 38, the words “banks and banking” and inserting in place
1565 thereof the following words:- financial services.

1566 SECTION 226. Section 14 of chapter 142A of the General Laws, as so appearing, is
1567 hereby amended by striking out, in line 37, the words “telecommunications and energy” and
1568 inserting in place thereof the following words:- public utilities.

1569 SECTION 227. Section 71S of chapter 143 of the General Laws, as so appearing, is
1570 hereby amended by striking out, in lines 4 and 5, the words “telecommunications and energy”
1571 and inserting in place thereof the following words:- public utilities.

1572 SECTION 228. Section 1 of chapter 148 of the General Laws is hereby amended by
1573 striking out, in lines 7 and 8, as so appearing, the words “Massachusetts military reservation” and
1574 inserting in place thereof the following words:- Joint Base Cape Cod.

1575 SECTION 229. Section 26E of said chapter 148, as so appearing, is hereby amended by
1576 striking out, in line 29, the words “telecommunications and energy” and inserting in place
1577 thereof the following words:- public utilities.

1578 SECTION 230. Section 30A of chapter 149 of the General Laws is hereby amended by
1579 striking out, in line 21, as so appearing, the words “mental retardation” and inserting in place
1580 thereof the following words:- intellectual disabilities.

1581 SECTION 231. Said section 30A of said chapter 149 is hereby further amended by
1582 striking out, in lines 28 and 29, as so appearing, the words “Massachusetts military reservation”
1583 and inserting in place thereof the following words:- Joint Base Cape Cod.

1584 SECTION 232. Section 148 of said chapter 149, as so appearing, is hereby amended by
1585 striking out, in line 26, the words “telecommunications and energy” and inserting in place
1586 thereof the following words:- public utilities.

1587 SECTION 233. Section 7 of chapter 150E of the General Laws is hereby amended by
1588 striking out, in lines 26 and 39, as so appearing, the word “paragraph” and inserting in place
1589 thereof, in each instance, the following word:- subsection.

1590 SECTION 234. Said section 7 of said chapter 150E is hereby further amended by
1591 striking out subsection (d), as amended by section 110 of chapter 38 of the acts of 2013, and
1592 inserting in place thereof the following subsection:-

1593 (d) If a collective bargaining agreement reached by an employer and the exclusive
1594 representative contains a conflict between matters which are within the scope of negotiations
1595 pursuant to section 6 and any of the following, including any rule or regulation under any of the
1596 following, the terms of the collective bargaining agreement shall prevail:

1597 (1) a municipal personnel ordinance, by-law, rule or regulation;

1598 (2) regulations of a police chief pursuant to section 97A of chapter 41 or of a
1599 police commissioner or other head of a police or public safety department of a municipality;

1600 (3) regulations of a fire chief or other head of a fire department pursuant to
1601 chapter 48;

1602 (4) the second paragraph of section 28 or section 28A, of chapter 7;

1603 (5) section 6E of chapter 21;

1604 (6) section 24A, paragraphs (4) and (5) of section 45, inclusive, or paragraphs
1605 (1), (4) and (10) of section 46, section 49, as it applies to allocation appeals, and section 53 of
1606 chapter 30;

1607 (7) the third paragraph of section 58 of chapter 31;

1608 (8) sections 50 to 56, inclusive, of chapter 35;

1609 (9) sections 21A and 21B of chapter 40;

1610 (10) sections 108 D to 108I, inclusive, and sections 111 to 111I, inclusive, of
1611 chapter 41;

1612 (11) section 33A of chapter 44;

1613 (12) sections 57 to 59, inclusive, of chapter 48;

1614 (13) section 62 of chapter 92;

1615 (14) sections 14 to 17E, inclusive, of chapter 147;

1616 (15) sections 30 to 42, inclusive, of chapter 149;

- 1617 (16) section 17I of chapter 180;
1618 (17) sections 30, 33 and 39 of chapter 217;
1619 (18) sections 61, 63 and 68 of chapter 218;
1620 (19) sections 69 to 73, inclusive, and 75, 80 and 89 of chapter 221;
1621 (20) section 53C of chapter 262;
1622 (21) sections 84, 85, 89, 94 and 99B of chapter 276; or
1623 (22) section 8 of chapter 211B.

1624 SECTION 235. Section 13 of chapter 151A of the General Laws, as appearing in the
1625 2012 Official Edition, is hereby amended by striking out, in lines 33 and 34, the words
1626 “commerce and labor” and inserting in place thereof the following words:- labor and workforce
1627 development.

1628 SECTION 236. Section 14F of said chapter 151A, as so appearing, is hereby amended
1629 by striking out, in lines 4 and 5, the words “commerce and labor” and inserting in place thereof
1630 the following words:- labor and workforce development.

1631 SECTION 237. Subsection (a) of section 14P of said chapter 151A, as so appearing, is
1632 hereby amended by striking out clauses (1) and (2) and inserting in place thereof the following 2
1633 clauses:-

1634 (1) “Department”, the department of unemployment assistance.

1635 (2) “Director”, the director of unemployment assistance.

1636 SECTION 238. Said section 14P of said chapter 151A, as so appearing, is hereby further
1637 amended by striking out, in lines 11, 21 and 22, 30 and 50, the word “division” and inserting in
1638 place thereof, in each instance, the following word:- department.

1639 SECTION 239. Section 22 of said chapter 151A, as so appearing, is hereby amended by
1640 striking out, in line 4, the word “division” and inserting in place thereof the following word:-
1641 department.

1642 SECTION 240. Section 47 of said chapter 151A is hereby amended by striking out, in
1643 line 106, as so appearing, the words “commerce and labor” and inserting in place thereof the
1644 following words:- labor and workforce development.

1645 SECTION 241. Section 62 of said chapter 151A, as so appearing, is hereby amended by
1646 striking out, in lines 25 and 26, the words “commerce and labor” and inserting in place thereof
1647 the following words:- labor and workforce development.

1648 SECTION 242. Section 62A of said chapter 151A, as so appearing, is hereby amended
1649 by striking out, in lines 1, 6, 10, 15, 20, 22, 25, 27, 32, 38, 39, 43, 45, 48, 51 and 56, and in lines
1650 57 and 58, the word “division” and inserting in place thereof, in each instance, the following
1651 word:- department.

1652 SECTION 243. Said section 62A of said chapter 151A, as so appearing, is hereby further
1653 amended by striking out, in line 34, the word “division’s” and inserting in place thereof the
1654 following word:- department’s.

1655 SECTION 244. Section 4 of chapter 151B of the General Laws, as so appearing, is
1656 hereby amended by striking out, in lines 628 and 629, the words “division of employment and
1657 training” and inserting in place thereof, the following words:- department of career services.

1658 SECTION 245. Section 1 of chapter 152 of the General Laws, as so appearing, is hereby
1659 amended by striking out, in lines 166, 170, 174 and 175, and in lines 178 and 179, the words
1660 “deputy director of the division of employment and training” and inserting in place thereof, in
1661 each instance, the following words:- director of career services.

1662 SECTION 246. Section 28 of said chapter 152, as so appearing, is hereby amended by
1663 striking out, in lines 12 and 13, the words “mentally retarded” and inserting in place thereof the
1664 following words:- intellectually disabled.

1665 SECTION 247. Section 39 of chapter 158 of the General Laws, as so appearing, is
1666 hereby amended by striking out, in line 8, the words “telecommunications and energy” and
1667 inserting in place thereof the following words:- public utilities.

1668 SECTION 248. Section 40 of said chapter 158, as so appearing, is hereby amended by
1669 striking out, in line 4, the words “telecommunications and energy” and inserting in place thereof
1670 the following words:- public utilities.

1671 SECTION 249. Section 59 of chapter 159 of the General Laws, as so appearing, is
1672 hereby amended by striking out, in lines 11 and 12, and in lines 16, 26 and 28, the words
1673 “telecommunications and energy” and inserting in place thereof, in each instance, the following
1674 words:- public utilities.

1675 SECTION 250. Section 65 of said chapter 159, as so appearing, is hereby amended by
1676 striking out, in lines 5 and 6, 18, 24, 27 and 29, and in lines 37 and 38, the words
1677 “telecommunications and energy” and inserting in place thereof, in each instance, the following
1678 words:- public utilities.

1679 SECTION 251. Section 70 of said chapter 159, as so appearing, is hereby amended by
1680 striking out, in lines 20 and 21, 50 and 51, and in line 65, the words “telecommunications and
1681 energy” and inserting in place thereof, in each instance, the following words:- public utilities.

1682 SECTION 252. Section 73 of said chapter 159, as so appearing, is hereby amended by
1683 striking out, in lines 5 and 6, the words “telecommunications and energy” and inserting in place
1684 thereof the following words:- public utilities.

1685 SECTION 253. Section 74 of said chapter 159, as so appearing, is hereby amended by
1686 striking out, in lines 4, 17 and 21, and in lines 46 and 47, the words “telecommunications and
1687 energy” and inserting in place thereof, in each instance, the following words:- public utilities.

1688 SECTION 254. Section 78 of said chapter 159, as so appearing, is hereby amended by
1689 striking out, in lines 18 and 19, the words “telecommunications and energy” and inserting in
1690 place thereof the following words:- public utilities.

1691 SECTION 255. Section 79 of said chapter 159, as so appearing, is hereby amended by
1692 striking out, in lines 5 and 6, the words “telecommunications and energy” and inserting in place
1693 thereof the following words:- public utilities.

1694 SECTION 256. Section 80 of said chapter 159, as so appearing, is hereby amended by
1695 striking out, in lines 23, 34 and 35, 36, and in lines 40 and 41, the words “telecommunications
1696 and energy” and inserting in place thereof, in each instance, the following words:- public
1697 utilities.

1698 SECTION 257. Section 1 of chapter 159A of the General Laws, as so appearing, is
1699 hereby amended by striking out, in line 31, the words “telecommunications and energy” and
1700 inserting in place thereof the following words:- public utilities.

1701 SECTION 258. Section 2 of said chapter 159A, as so appearing, is hereby amended by
1702 striking out, in lines 3 and 4, the words “telecommunications and energy” and inserting in place
1703 thereof the following words:- public utilities.

1704 SECTION 259. Section 2 of chapter 159B of the General Laws, as so appearing, is
1705 hereby amended by striking out, in lines 21 and 22, the words “the department of
1706 telecommunications and energy” and inserting in place thereof the following words:- public
1707 utilities.

1708 SECTION 260. Said section 2 of said chapter 159B, as so appearing, is hereby amended
1709 by striking out, in lines 38 and 88, the words “telecommunications and energy” and inserting in
1710 place thereof, in each instance, the following words:- public utilities.

1711 SECTION 261. Section 5 of chapter 159C of the General Laws, as so appearing, is
1712 hereby amended by striking out, in line 13, the word “energy” and inserting in place thereof the
1713 following words:- cable.

1714 SECTION 262. Section 104 of chapter 160 of the General Laws, as so appearing, is
1715 hereby amended by striking out, in lines 15 and 21, the words “telecommunications and energy”
1716 and inserting in place thereof, in each instance, the following words:- public utilities.

1717 SECTION 263. Section 127A of said chapter 160, as so appearing, is hereby amended by
1718 striking out, in line 1, the words “telecommunications and energy” and inserting in place thereof
1719 the following words:- public utilities.

1720 SECTION 264. Section 134A of said chapter 160, as so appearing, is hereby amended by
1721 striking out, in lines 29 and 30, and in line 34, the words “telecommunications and energy” and
1722 inserting in place thereof, in each instance, the following words:- public utilities.

1723 SECTION 265. Section 145 of said chapter 160, as so appearing, is hereby amended by
1724 striking out, in lines 3 and 4, the words “telecommunications and energy” and inserting in place
1725 thereof the following words:- public utilities.

1726 SECTION 266. Section 147A of said chapter 160, as so appearing, is hereby amended by
1727 striking out, in lines 3 and 4, the words “telecommunications and energy” and inserting in place
1728 thereof the following words:- public utilities.

1729 SECTION 267. Section 82 of chapter 161 of the General Laws, as so appearing, is
1730 hereby amended by striking out, in line 9, the words “telecommunications and energy” and
1731 inserting in place thereof the following words:- public utilities.

1732 SECTION 268. Section 85 of said chapter 161, as so appearing, is hereby amended by
1733 striking out, in lines 15 and 16, 18 and 19, 21, and in lines 25 and 26, the words
1734 “telecommunications and energy” and inserting in place thereof, in each instance, the following
1735 words:- public utilities.

1736 SECTION 269. Section 1 of chapter 161A of the General Laws, as so appearing, is
1737 hereby amended by striking out, in line 71, the words “telecommunications and energy” and
1738 inserting in place thereof the following words:- public utilities.

1739 SECTION 270. Section 5 of said chapter 161A, as so appearing, is hereby amended by
1740 striking out, in line 175, the words “telecommunications and energy” and inserting in place
1741 thereof the following words:- public utilities.

1742 SECTION 271. Section 39 of said chapter 161A, as so appearing, is hereby amended by
1743 striking out, in lines 2 and 4, the words “telecommunications and energy” and inserting in place
1744 thereof, in each instance, the following words:- public utilities.

1745 SECTION 272. Section 47 of said chapter 161A, as so appearing, is hereby amended by
1746 striking out, in line 7, the words “telecommunications and energy” and inserting in place thereof
1747 the following words:- public utilities.

1748 SECTION 273. Section 6 of chapter 161B of the General Laws, as so appearing, is
1749 hereby amended by striking out, in line 60, the words “telecommunications and energy” and
1750 inserting in place thereof the following words:- public utilities.

1751 SECTION 274. Section 8 of said chapter 161B is hereby amended by striking out, in line
1752 82, as so appearing, the words “telecommunications and energy” and inserting in place thereof
1753 the following words:- public utilities.

1754 SECTION 275. Section 16 of said chapter 161B, as so appearing, is hereby amended by
1755 striking out, in lines 2 and 4, the words “telecommunications and energy” and inserting in place
1756 thereof, in each instance, the following words:- public utilities

1757 SECTION 276. Section 69G of chapter 164 of the General Laws, as so appearing, is
1758 hereby amended by striking out, in line 18, the words “telecommunications and energy” and
1759 inserting in place thereof the following words:- public utilities

1760 SECTION 277. Section 69H 1/2 of said chapter 164, as so appearing, is hereby amended
1761 by striking out, in line 20, the words “telecommunications and energy” and inserting in place
1762 thereof the following words:- public utilities.

1763 SECTION 278. Section 76B of said chapter 164, as so appearing, is hereby amended by
1764 striking out, in line 5, the words “telecommunications and energy” and inserting in place thereof
1765 the following words:- public utilities.

1766 SECTION 279. Section 8 of chapter 164A of the General Laws, as so appearing, is
1767 hereby amended by striking out, in lines 72 and 73, the words “telecommunications and energy”
1768 and inserting in place thereof the following words:- public utilities

1769 SECTION 280. Section 28 of chapter 165 of the General Laws, as so appearing, is
1770 hereby amended by striking out, in lines 3 and 4, the words “telecommunications and energy”
1771 and inserting in place thereof the following words:- public utilities.

1772 SECTION 281. Section 5 of chapter 166 of the General Laws, as so appearing, is hereby
1773 amended by striking out the last sentence and inserting in place thereof the following sentence:-
1774 For the purposes of this chapter, the word “department”, shall mean the department of
1775 telecommunications and cable unless otherwise provided.

1776 SECTION 282. Section 22A of said chapter 166, as so appearing, is hereby amended by
1777 striking out, in line 5, the words “telecommunications and energy” and inserting in place thereof
1778 the following words:- public utilities.

1779 SECTION 283. Section 22L of said chapter 166, as so appearing, is hereby amended by
1780 striking out, in lines 4 and 5, the words “of telecommunications and energy”.

1781 SECTION 284. Section 25A of said chapter 166, as so appearing, is hereby amended by
1782 striking out, in line 42, the words “of telecommunications and energy” and inserting in place
1783 thereof the following words:- public utilities.

1784 SECTION 285. Section 27 of said chapter 166, as so appearing, is hereby amended by
1785 striking out, in lines 6 and 7, the words “of telecommunications and energy” and inserting in
1786 place thereof the following words:- public utilities.

1787 SECTION 286. Section 2A of chapter 167 of the General Laws, as so appearing, is
1788 hereby amended by striking out, in lines 40 and 46, the words “banks and banking” and inserting
1789 in place thereof , in each instance, the following words:- financial services.

1790 SECTION 287. Section 14 of said chapter 167, as so appearing, is hereby amended by
1791 striking out, in line 38, the words “banks and banking” and inserting in place thereof the
1792 following words:- financial services.

1793 SECTION 288. Section 2 of chapter 167F of the General Laws, as so appearing, is hereby
1794 amended by striking out, in line 344, the words “banks and banking” and inserting in place
1795 thereof the following words:- financial services.

1796 SECTION 289. Section 34C of chapter 168 of the General Laws, as so appearing, is
1797 hereby amended by striking out, in line 30, the words “banks and banking” and inserting in place
1798 thereof the following words:- financial services.

1799 SECTION 290. Section 26C of chapter 170 of the General Laws, as so appearing, is
1800 hereby amended by striking out, in line 29, the words “banks and banking” and inserting in place
1801 thereof the following words:- financial services.

1802 SECTION 291. Section 6A of chapter 171 of the General Laws, as so appearing, is
1803 hereby amended by striking out, in line 21, the words “banks and banking” and inserting in place
1804 thereof the following words:- financial services.

1805 SECTION 292. Section 67 of said chapter 171, as so appearing, is hereby amended by
1806 striking out, in line 13, the figure “1961.” and inserting in place thereof the following figure:-
1807 1961;

1808 SECTION 293. The first paragraph of said section 67 of said chapter 171, as so
1809 appearing, is hereby amended by striking out clause (o) and inserting in place thereof the
1810 following clause:-

1811 (o) in any obligations, bank stocks, bank holding company stocks, insurance
1812 stocks or preferred stocks of public utility companies which appear on the list of legal
1813 investments prepared pursuant to said section 15A of said chapter 167; provided, however, that:

1814 (i) not more than 10 per cent of the assets of a credit union shall be
1815 invested in bank stocks or bank holding company stocks or insurance stocks or preferred stocks
1816 of public utility companies or in all 4 of such types of stocks appearing on the list and not more
1817 than \$15,000 or 2 per cent of the assets of a credit union, whichever is greater, shall be invested
1818 in the stock of any 1 such bank, bank holding company, insurance company or preferred stock of
1819 public utility companies;

1820 (ii) not more than 20 per cent of the assets of a credit union shall be
1821 invested in railroad obligations appearing on the list and not more than 1.5 per cent of the shares
1822 and deposits of any such credit union shall be invested in the obligations of any 1 operating
1823 railroad corporation;

1824 (iii) not more than 20 per cent of the assets of a credit union shall be
1825 invested in the obligations of telephone companies appearing on the list and not more than 4 per
1826 cent of the shares and deposits of such credit union shall be invested in the obligations of any 1
1827 such company;

1828 (iv) not more than 25 per cent of the assets of a credit union shall be
1829 invested in obligations of public utility companies appearing on the list and not more than 4 per
1830 cent of the deposits of such credit union shall be invested in the obligations of any 1 such
1831 company; and

1832 (v) not more than 10 per cent of the assets of a credit union shall be
1833 invested in interest bearing obligations authorized for investment under section 15B of chapter
1834 167 and appearing on the list of legal investments prepared pursuant to said section 15A of said
1835 chapter 167 and not more than $\frac{1}{2}$ of 1 per cent of the shares and deposits of such credit union
1836 shall be so invested in the obligations of any one obligor, but the foregoing limitations shall not
1837 apply to obligations of telephone companies, of companies engaged primarily in the distribution
1838 and sale of electricity or gas, or both, or of railroad companies other than terminal companies;

1839 SECTION 294. Said section 67 of said chapter 171, as so appearing, is hereby further
1840 amended by striking out, in line 82, the word "funds." and inserting in place thereof the
1841 following word:- funds;

1842 SECTION 295. Said section 67 of said chapter 171, as so appearing, is hereby further
1843 amended by striking out, in lines 103 and 104, the words "clause (i) of this paragraph" and
1844 inserting in place thereof the following word:- subclause (i).

1845 SECTION 296. Said section 67 of said chapter 171, as so appearing, is hereby further
1846 amended by striking out, in line 113, the word "commonwealth." and inserting in place thereof
1847 the following word:- commonwealth;

1848 SECTION 297. Said section 67 of said chapter 171, as so appearing, is hereby further
1849 amended by striking out, in line 133, the word “and”.

1850 SECTION 298. Said section 67 of said chapter 171, as so appearing, is hereby further
1851 amended by striking out, in line 134, the word “Boston.” and inserting in place thereof the
1852 following words:- Boston; and.

1853 SECTION 299. Said section 67 of said chapter 171, as so appearing, is hereby further
1854 amended by striking out, in line 135, the word “paragraph” and inserting in place thereof the
1855 following word:- clause.

1856 SECTION 300. Said section 67 of said chapter 171, as so appearing, is hereby further
1857 amended by striking out, in line 139, the word “paragraphs” and inserting in place thereof the
1858 following word:- clauses.

1859 SECTION 301. Section 67A of said chapter 171, as so appearing, is hereby amended by
1860 striking out, in line 5, the figure “(1)”.

1861 SECTION 302. Said section 67A of said chapter 171, as so appearing, is hereby further
1862 amended by striking out, in line 9, the figure “(2)”.

1863 SECTION 303. Said section 67A of said chapter 171, as so appearing, is hereby further
1864 amended by striking out, in line 13, the figure “(3)”.

1865 SECTION 304. Said chapter 171 is hereby further amended by striking out section 71, as
1866 so appearing, and inserting in place thereof the following section:-

1867 Section 71. At least 5 per cent of the total assets of a credit union shall be carried as cash
1868 on hand or in the following investments which shall be the absolute property and shall be under
1869 the control of the credit union or be held by book entry procedure when required; provided,
1870 however, that whenever the aforesaid ratio falls below 5 per cent of the total assets of a credit
1871 union, no further loans shall be made until the ratio as herein provided has been reestablished:

1872 (a) shares in the Central Credit Union Fund, Inc.;

1873 (b) shares in a federally chartered corporate credit union;

1874 (c) deposits in savings banks incorporated in the commonwealth;

1875 (d) paid-up shares and accounts of and in cooperative banks incorporated in the
1876 commonwealth;

1877 (e) shares of savings and loan associations incorporated in the commonwealth;

1878 (f) balances due from banks and trust companies or banking companies which are
1879 members of the Federal Deposit Insurance Corporation;

- 1880 (g) shares of federal savings and loan associations having a usual place of
1881 business within the commonwealth;
- 1882 (h) bonds or notes of the United States or of any state or subdivision thereof with
1883 a maturity of up to 5 years;
- 1884 (i) bonds or notes of other federal agencies which are on the list of legal
1885 investments prepared pursuant to section 15A of chapter 167 with a maturity of up to 3 years;
- 1886 (j) repurchase agreements secured by United States government obligations up to
1887 1 year maturity;
- 1888 (k) in a common trust unit plan organized for the purchase of bonds or notes of
1889 the United States or of any subdivision thereof which are on the list of legal investments
1890 prepared pursuant to said section 15A of said chapter 167 and which has as its custodian a
1891 banking institution authorized to accept deposits from a credit union or from a savings bank;
- 1892 (l) securities of the Government National Mortgage Association;
- 1893 (m) federal funds;
- 1894 (n) in any bonds or notes which are on the list of legal investments prepared
1895 pursuant to said section 15A of said chapter 167 with a maturity of up to 3 years; provided,
1896 however, that such bonds or notes are rated as A, AA, or AAA; and
- 1897 (o) certificates of deposit of up to 1 year maturity which otherwise meet the
1898 criteria in clauses (a) to (i), inclusive, or clause (q) of the first paragraph of section 67.

1899 SECTION 305. Section 47X of chapter 175 of the General Laws, as so appearing, is
1900 hereby amended by striking out, in line 20, the word “[f)] Any” and inserting in place thereof
1901 the following word:- Any.

1902 SECTION 306. Said chapter 175 is hereby further amended by striking out section
1903 47BB, inserted by section 3 of chapter 234 of the acts of 2012, and inserting in place thereof the
1904 following section:-

1905 Section 47CC. An individual policy of accident and sickness insurance issued under
1906 section 108 that provides hospital expense and surgical expense insurance and any group blanket
1907 or general policy of accident and sickness insurance issued under section 110 that provides
1908 hospital expense and surgical expense insurance, which is issued or renewed within or without
1909 the commonwealth, that covers a child under the age of 18 shall cover the cost of treating cleft
1910 lip and cleft palate for the child. The coverage shall include benefits for medical, dental, oral and
1911 facial surgery, surgical management and follow-up care by oral and plastic surgeons, orthodontic
1912 treatment and management, preventative and restorative dentistry to ensure good health and
1913 adequate dental structures for orthodontic treatment or prosthetic management therapy, speech

1914 therapy, audiology and nutrition services, if such services are prescribed by the treating
1915 physician or surgeon and such physician or surgeon certifies that such services are medically
1916 necessary and consequent to the treatment of the cleft lip, cleft palate or both. The coverage
1917 required by this section shall be subject to the terms and conditions applicable to other benefits.
1918 Payment for dental or orthodontic treatment not related to the management of the congenital
1919 conditions of cleft lip and cleft palate shall not be covered under this section.

1920 SECTION 307. Section 120A of said chapter 175, as appearing in the 2012 Official
1921 Edition, is hereby amended by striking out, in lines 2 and 3, the words “mental retardation” and
1922 inserting in place thereof the following words:- intellectual disability.

1923 SECTION 308. Section 6 of chapter 175C of the General Laws, as so appearing, is
1924 hereby amended by striking out, in line 2, the words “companies,, the” and inserting in place
1925 thereof the following words:- companies, the.

1926 SECTION 309. Section 8Y of chapter 176A of the General Laws, as so appearing, is
1927 hereby amended by striking out, in line 18, the word “[f] Any” and inserting in place thereof
1928 the following word:- Any.

1929 SECTION 310. Section 9B of chapter 176O of the General Laws, as so appearing, is
1930 hereby amended by striking out, in line 4, the figure “176U” and inserting in place thereof the
1931 following figure:- 176T.

1932 SECTION 311. Section 23 of said chapter 176O is hereby amended by striking out, in
1933 line 5, as so appearing, the words “insured,” and inserting in place thereof the following word:-
1934 insured.

1935 SECTION 312. Section 24 of said chapter 176O, as so appearing, is hereby amended by
1936 striking out, in line 2, the figure “176U” and inserting in place thereof the following figure:-
1937 176T.

1938 SECTION 313. Said section 24 of said chapter 176O, as so appearing, is hereby further
1939 amended by striking out, in line 7, the word “that” and inserting in place thereof the following
1940 word:- than.

1941 SECTION 314. Subsection (d) of said section 24 of said chapter 176O, as so appearing,
1942 is hereby amended by striking out the last sentence and inserting in place thereof the following
1943 sentence:- The office of patient protection shall establish expedited review procedures
1944 applicable to emergency and urgent care situations.

1945 SECTION 315. Section 3 of chapter 176Q of the General Laws is hereby amended by
1946 striking out, in line 85, as so appearing, the word “division” and inserting in place thereof the
1947 following word:- department.

1948 SECTION 316. Section 1 of chapter 176T of the General Laws is hereby amended by
1949 striking out, in line 4, as so appearing, the second time it appears, the word “payer”.

1950 SECTION 317. Said section 1 of said chapter 176T is hereby further amended by
1951 striking out, in line 83, as so appearing, the word “alternate” and inserting in place thereof the
1952 following word:- alternative.

1953 SECTION 318. Said section 1 of said chapter 176T is hereby further amended by
1954 striking out, in lines 84 and 85, as so appearing, the words “of insurance”.

1955 SECTION 319. Section 3 of said chapter 176T, as so appearing, is hereby amended by
1956 striking out, in line 7, the words “to be”.

1957 SECTION 320. Section 4 of said chapter 176T, as so appearing, is hereby amended by
1958 striking out, in line 39, the letter “J”.

1959 SECTION 321. Section 17A of chapter 186 of the General Laws, as so appearing, is
1960 hereby amended by striking out, in lines 67 and 68, the words “mentally retarded” and inserting
1961 in place thereof the following words:- intellectually disabled.

1962 SECTION 322. Section 5-101 of chapter 190B of the General Laws is hereby amended
1963 by inserting after clause (3), as so appearing, the following clause:-

1964 (3½) Intellectually disabled person, an individual who has a substantial limitation in
1965 present functioning beginning before age 18, manifested by significantly subaverage intellectual
1966 functioning existing concurrently with related limitations in at least 2 of the following applicable
1967 adaptive skills areas: communication, self-care, home living, social skills, community use, self-
1968 direction, health and safety, functioning academics, leisure and work.

1969 SECTION 323. Said section 5-101 of said chapter 190B is hereby further amended by
1970 striking out clause (12), as so appearing.

1971 SECTION 324. Section 5-304 of said chapter 190B, as so appearing, is hereby amended
1972 by striking out, in line 16, the words “mentally retarded” and inserting in place thereof the
1973 following words:- intellectually disabled.

1974 SECTION 325. Section 5-309 of said chapter 190B, as so appearing, is hereby amended
1975 by striking out, in line 54 the words “mental retardation facility” and inserting in place thereof
1976 the following words:- facility for the intellectually disabled.

1977 SECTION 326. Section 32 of chapter 209 of the General Laws, as so appearing, is
1978 hereby amended by striking out, in line 6, the words “mental retardation” and inserting in place
1979 thereof the following words:- intellectual disability.

1980 SECTION 327. Section 1 of chapter 211B of the General Laws, as so appearing, is
1981 hereby further amended by striking out the words “herein provided”, in line 7, and inserting in
1982 place thereof the following words:- provided in this chapter.

1983 SECTION 328. Section 5 of said chapter 211B, as so appearing, is hereby amended by
1984 striking out the word “his”, in line 9, and inserting in place thereof the following words:- the
1985 justice’s.

1986 SECTION 329. Section 5A of said chapter 211B, as so appearing, is hereby amended by
1987 striking out the first paragraph and inserting in place thereof the following paragraph:-

1988 The office of the deputy court administrator of a department of the trial court, as provided
1989 in section 1, shall be filled by appointment by the court administrator and the chief justice of
1990 each department of the trial court; provided, however, that said deputy court administrator shall
1991 not be a justice of the trial court and shall devote full time to the duties of the office. A deputy
1992 court administrator shall hold said office for a term that shall be coterminous with the term of the
1993 chief justice of the respective court department and shall be eligible to be reappointed to serve
1994 additional terms. A deputy court administrator, so appointed, may be removed from that office
1995 prior to the expiration of the deputy’s term by the court administrator and the chief justice of the
1996 respective court department.

1997 SECTION 330. Section 6 of said chapter 211B, as so appearing, is hereby amended by
1998 striking out the fifth sentence and inserting in place thereof the following sentence:-

1999 The chief justice of the trial court shall retain the commission as associate justice of the
2000 trial court, or of a predecessor court to which the justice was appointed, while serving as chief
2001 justice of the trial court, and may continue to perform such judicial duties as the justice may have
2002 exercised as associate justice, and such other responsibilities as otherwise provided by law.

2003 SECTION 331. Section 6A of said chapter 211B, as so appearing, is hereby amended by
2004 striking out the first 4 sentences and inserting in place thereof the following 4 sentences:-

2005 There shall be an advisory board to assist the justices of the supreme judicial court, the
2006 chief justice of the trial court and the court administrator. The board shall consist of the attorney
2007 general, or a designee, the executive director of the Massachusetts office of victim assistance and
2008 the following 10 additional members appointed by the supreme judicial court: 2 persons who
2009 shall have significant experience in public administration, 2 persons who shall have significant
2010 experience in business administration, 1 lawyer who shall have significant experience in the
2011 practice of criminal law, 1 lawyer who shall have significant experience in the practice of civil
2012 law, 1 lawyer who shall have significant experience in the practice of probate and family law, 1
2013 lawyer who shall have significant experience in the representation of juveniles in the courts, 1
2014 lawyer who shall have significant judicial experience but not a current justice of the
2015 commonwealth or a retired justice serving the commonwealth pursuant to judicial recall and 1

2016 person who shall have significant experience in information technology. The board shall choose
2017 its chair. The appointed members of said board shall serve for terms of 3 years.

2018 SECTION 332. Section 6B of said chapter 211B, as so appearing, is hereby amended by
2019 striking out the word “Said”, in lines 4 and 8, and inserting in place thereof, in each instance, the
2020 following word:- The.

2021 SECTION 333. Said section 6B of said chapter 211B, as so appearing, is hereby further
2022 amended by striking out the fourth sentence and inserting in place thereof the following word:-
2023 The court administrator shall hold said office for a term of 5 years, shall be eligible to be
2024 reappointed for additional 5-year terms and shall devote full time to the duties of the office.

2025 SECTION 334. Said chapter 211B is hereby further amended by striking out section 7, as
2026 so appearing, and inserting in place thereof the following section:-

2027 Section 7. In the case of a vacancy in the office of chief justice of a department of the
2028 trial court due to the absence of the chief justice or due to the chief justice’s inability to perform
2029 the duties of the office, the office of chief justice in such event shall be filled as provided in
2030 section 5. The temporary chief justice so appointed may hold said office until the incumbent
2031 shall resume the duties and subject to the chief justice of the trial court, but in no event longer
2032 than 6 months. A temporary chief justice shall be eligible to serve a consecutive full term as
2033 chief justice.

2034 In the case of a vacancy in the office of deputy court administrator of a department of the
2035 trial court due to the absence of the deputy court administrator or due to the deputy’s inability to
2036 perform the duties, the office of deputy court administrator in such event shall be filled as
2037 provided in section 5A. The temporary deputy court administrator so appointed may hold said
2038 office until the incumbent shall resume the duties, but in no event longer than 6 months. A
2039 temporary deputy court administrator shall be eligible to serve a consecutive full term as deputy
2040 court administrator.

2041 In the case of a vacancy in the office of chief justice of the trial court due to the absence
2042 of the chief justice of the trial court or due to the chief’s inability to perform the duties of the
2043 office, said office shall be filled by the justices of the supreme judicial court until the chief
2044 justice of the trial court shall resume the duties and subject to the justices of said court or until a
2045 new chief justice of the trial court is qualified as provided in section 6, but in no event shall such
2046 office be so filled for longer than 6 months. The justice appointed as chief justice of the trial
2047 court under this section shall be eligible to serve a consecutive full term as chief justice of the
2048 trial court. A chief justice of the trial court may be removed by a majority vote of the justices of
2049 the supreme judicial court.

2050 In the case of a vacancy in the office of court administrator due to the absence of the
2051 court administrator or due to the court administrator’s inability to perform the duties of the

2052 office, said office shall be filled by the justices of the supreme judicial court until the court
2053 administrator shall resume the duties and subject to the justices of said court or until a new court
2054 administrator is qualified as provided in section 6B, but in no event shall such office be so filled
2055 for longer than 6 months. The court administrator appointed under this section shall be eligible
2056 to serve a consecutive full term as court administrator of the trial court. A court administrator
2057 may be removed by a majority vote of the justices of the supreme judicial court.

2058 SECTION 335. Section 8 of said chapter 211B, as so appearing, is hereby further
2059 amended by striking out the first paragraph and inserting in place thereof the following
2060 paragraph:-

2061 There shall be an advisory committee on personnel standards to consist of: the court
2062 administrator or a designee, who shall serve as chair of the committee; the chief justice of the
2063 trial court or a designee; the chief justices of the trial court departments, or their designees; the
2064 commissioner of probation; and a clerk of the superior court, a clerk of the district court and a
2065 register of probate who shall be appointed by the chief justice of the trial court.

2066 SECTION 336. Said section 8 of said chapter 211B, as so appearing, is hereby further
2067 amended by striking out, in lines 15 and 16, the words “the provisions of”.

2068 SECTION 337. Said section 8 of said chapter 211B, as so appearing, is hereby further
2069 amended by striking out the fifth paragraph and inserting in place thereof the following
2070 paragraph:-

2071 Subject to the terms of applicable collective bargaining agreements, any officer or
2072 employee whose appointment is subject to this section may be removed by the appointing
2073 authority, in accordance with the standards promulgated by the committee; provided, however,
2074 that any such removal is not for arbitrary or capricious reasons and, if the employee so requests,
2075 is approved by the committee. Every removal of an officer or employee whose appointment was
2076 subject to this section shall be reviewed by the committee, and no such removal shall be final
2077 until approved by the committee. If any such officer or employee has served 3 full years in a
2078 position, appointment to which is subject to this section, the officer or employee shall have the
2079 right to appear personally before the committee before the committee reaches its decision as to
2080 whether to affirm the removal. The committee shall also advise the court administrator in the
2081 establishment of salaries and pay scales of all court personnel unless otherwise provided by
2082 statute.

2083 SECTION 338. Said chapter 211B is hereby amended by striking out section 9, as so
2084 appearing, and inserting in place thereof the following section:-

2085 Section 9. The chief justice of the trial court, in addition to the chief’s judicial duties and
2086 subject to the superintendence power of the supreme judicial court as provided in section 3 of
2087 chapter 211, shall have general superintendence of the judicial policy of the trial court including,

2088 without limitation, the improvement of the administration of such courts and the securing of their
2089 proper and efficient administration.

2090 The chief justice shall be the policy and judicial head of the trial court of the
2091 commonwealth.

2092 In order to achieve the ends stated in this section, the chief justice of the trial court shall
2093 be responsible for planning, development, promulgation and evaluation of trial court policies,
2094 standards and practices and shall have the authority necessary to carry out these responsibilities
2095 including, but not limited to:

2096 (i) the responsibility to provide planning and policy-making functions, including the
2097 implementation of such planning and policy-making decisions;

2098 (ii) the responsibility to monitor and to assist in the case processing and case flow
2099 management capabilities of the trial court departments;

2100 (iii) the power, upon request by the supreme judicial court, to review the record and
2101 make recommendations in any appeals by justices against whom disciplinary actions have been
2102 taken by any chief justice;

2103 (iv) the responsibility to hear, for final determination, appeals by justices claiming to be
2104 aggrieved by an order of a chief justice assigning or transferring said justice to a particular court
2105 other than that to which the justice was appointed;

2106 (v) the responsibility to hear, for final determination, appeals by first justices who have
2107 been removed by chief justices;

2108 (vi) the responsibility to establish, manage and implement a mandatory emergency
2109 judicial response system for all judges, except when the chief justice of the trial court determines
2110 that the participation by a particular judge would create a hardship for such judge;

2111 (vii) the responsibility to provide recommendations regarding management of the
2112 judicial recall process;

2113 (viii) the responsibility to supervise the implementation of the continuing education
2114 programs for judicial personnel;

2115 (ix) the power to appoint such personnel as the chief justice of the trial court may deem
2116 necessary for the office of the chief justice of the trial court; the power to discipline, supervise
2117 and define the duties of such personnel and the power to dismiss such personnel;

2118 (x) the power, if there are pending cases involving the same party or the same issue in
2119 different departments of the trial court, and if a request for consolidation is made to the chief
2120 administrative justice to consolidate such cases for hearing by 1 justice, and to assign said justice

2121 to sit as a justice of other departments and exercise the powers of justices of other departments,
2122 in order to dispose of such cases with efficient use of judicial resources;

2123 (xi) the power to assign a justice appointed to any department of the trial court to sit in
2124 any other department of the court, for such period or periods of time as the chief justice deems
2125 will best promote the speedy dispatch of judicial business; provided, however, that:

2126 (a) prior to making such assignments, said chief justice of the trial court shall
2127 ascertain the respective preferences of the justices of the trial court as to the department or
2128 departments, if any, including the department to which the justice is appointed, to which each
2129 such justice desires to be assigned and, in making such assignments to any department of said
2130 court shall, to the extent consistent with the effective administration of justice, including the
2131 maintenance of the respective specialized functions of the land, housing, probate and family, and
2132 juvenile court departments, the administrative responsibilities of any justice and the speedy
2133 dispatch of judicial business in each of the several departments of the trial court, assign to any
2134 department on a basis of first priority justices who have expressed as aforesaid their preferences
2135 for assignment thereto;

2136 (b) a justice, if aggrieved for cause by an order of the chief justice of the trial
2137 court assigning the justice to sit in a particular location or department of the court other than that
2138 to which the justice was appointed may appeal the order of said chief justice of the trial court to
2139 the supreme judicial court, which shall forthwith hear and determine the matter; and

2140 (c) a chief justice shall notify the chief justice of the trial court of, and may report
2141 to the supreme judicial court, any order made by said chief justice of the trial court pursuant to
2142 this paragraph which, in the opinion of such chief justice, impairs the orderly operation of the
2143 chief justice's department;

2144 (xii) upon the joint request of the chief justices of 2 or more departments of the trial
2145 court, authorize the transfer of cases from 1 department to another;

2146 (xiii) establish procedures, subject to the rule-making power of the justices of the
2147 supreme judicial court, for the assignment of matters coming before the trial court which do not
2148 warrant the use of a judge to other appropriate personnel, including clerk-magistrates, mediators
2149 and arbitrators, and authorize such personnel to review, hear and dispose of such matters, subject
2150 to appropriate judicial review;

2151 (xiv) the chief justice of the trial court shall be provided with offices that are proximate
2152 to the supreme judicial court at the expense of the commonwealth but only after said chief justice
2153 of the trial court has not found sufficient office space in any facility owned by the
2154 commonwealth and proximate to the supreme judicial court;

2155 (xv) the chief justice of the trial court may visit any department or any division or any
2156 place for holding court within such a department the chief justice may from time to time call
2157 conferences of any or all of the chief justices of the departments;

2158 (xvi) notwithstanding this section, the chief justice of the trial court, in order to provide
2159 for the speedy administration of justice in the counties of Dukes and Nantucket, shall designate,
2160 from time to time, justices sitting in the division of the district court department for either of said
2161 counties as justices of the superior court department sitting in either of said counties, with power
2162 to grant injunctive relief to the same extent as a justice appointed to the superior court
2163 department;

2164 (xvii) the chief justice of the trial court may delegate such chief's responsibilities and
2165 powers under this section and as otherwise provided by law to a chief justice, justice, regional
2166 justice, first justice, presiding justice, court officer, clerk, or any employee of such chief's
2167 department, for such period of time and with such limitations as the chief justice may impose, if
2168 in the chief's opinion such delegation of authority will expedite the judicial business of the trial
2169 court;

2170 (xviii) the authority to hear and resolve interdepartmental disputes or disagreements
2171 regarding (1) transferring cases in order to facilitate the efficient administration of justice and (2)
2172 making adjustments in the scheduling and location of court sessions in order to facilitate the
2173 efficient administration of justice;

2174 (xix) the responsibility to review and make recommendations regarding the expeditious
2175 clearing of outstanding warrants throughout the courts of the commonwealth;

2176 (xx) in consultation with the court administrator, the authority to resolve any dispute
2177 arising between a first justice of a division and a clerk of court concerning the management and
2178 administration of the clerk's office, the duties, powers and obligations of the clerk's staff, or the
2179 interpretation of the personnel standards provided for under section 8; provided, however, that
2180 any such dispute shall be submitted to the chief justice of the trial court in writing by the clerk,
2181 clerk-magistrate or first justice and the chief justice shall, within 30 days of receipt of the written
2182 notification of such dispute and conduct a hearing in order to determine the matter; provided,
2183 further that the decision of the chief justice shall be binding on the parties;

2184 (xxi) notwithstanding any general or special law to the contrary, the authority to suspend
2185 any particular session of the trial court; move sessions so that the availability of court personnel
2186 is consistent with the needs of individual courts; transfer cases and matters from a court to any
2187 other court, consolidate cases and make such periodic adjustments in the scheduling and
2188 locations of court sessions as are deemed necessary for the proper administration of justice; and

2189 (xxii) the authority to exercise any inherently judicial power not otherwise specified in
2190 this section; provided, however, that nothing in this section shall authorize the chief justice to
2191 exercise any power reserved to the full court; and

2192 (xxiii) the authority to approve, upon the request of the court administrator, the court
2193 administrator's application for an acceptance on behalf of the commonwealth of any funds,
2194 including grants, bequests, gifts or contributions, from any person which shall be deposited in a
2195 separate account and may be expended by the court administrator, without further appropriation,
2196 in accordance with chapter 29 and any rules or regulations promulgated thereunder.

2197 SECTION 339. Section 9A of said chapter 211B, as so appearing, is hereby amended by
2198 striking out, in line 46, the words "provision is to" and inserting in place thereof the following
2199 word:- clause shall.

2200 SECTION 340. Said section 9A of said chapter 211B, as so appearing, is hereby further
2201 amended by striking out, in lines 80 to 87, inclusive the words, "days. The first justice of the
2202 court to where the employee is transferred shall provide the first justice of the court to where the
2203 employee is permanently assigned with appropriate personnel records and records of activities,
2204 including records necessary for the payment of compensation; and provided, however, that this
2205 provision shall not apply to a clerk or clerk-magistrate, whether elected or appointed by the
2206 governor, register of probate or recorder" and inserting in place thereof the following words:-
2207 days; provided, however, that the first justice of the court to which the employee is transferred
2208 shall provide the first justice of the court to which the employee is permanently assigned with
2209 appropriate personnel records and records of activities, including records necessary for the
2210 payment of compensation; and provided, further, that this clause shall not apply to a clerk or
2211 clerk-magistrate, whether elected or appointed by the governor, register of probate or recorder.

2212 SECTION 341. Section 9A of said chapter 211B is hereby amended by striking out
2213 clause (xiii), as so appearing, and inserting in place thereof the following clause:-

2214 (xiii) (a) notwithstanding any general or special law to the contrary, from July 1
2215 through April 30 of any fiscal year, to transfer funds from any item of appropriation of any trial
2216 court department to any other item of appropriation within the same trial court department;
2217 provided, however, that the transfers shall be made in accordance with schedules submitted to
2218 the house and senate committees on ways and means; provided further, that no such transfer shall
2219 occur until the schedules have been approved by the committees; and provided further, that the
2220 schedules shall include the reasons for the necessity of the transfers with reference to actual and
2221 projected expenditures throughout the trial court for the fiscal year;

2222 (b) notwithstanding any general or special law to the contrary, from May 1
2223 through June 30 of any fiscal year, to transfer an amount not to exceed \$65,000 from any item of
2224 appropriation of any trial court department to any other item of appropriation within the same
2225 trial court department; provided, however, that any funds transferred from an (AA) subsidiary, as

2226 defined in the schedule of subsidiary accounts, established by the house and senate committees
2227 on ways and means under section 27 of chapter 29 of any item of appropriation may only be
2228 transferred to the (AA) subsidiary of any other item of appropriation within the same department
2229 of the trial court; and provided further, that funds shall not be transferred into an (AA) subsidiary
2230 of any item of appropriation other than from another (AA) subsidiary of any item of
2231 appropriation within the same department of the trial court;

2232 SECTION 342. Said section 9A of said chapter 211B is hereby further amended by
2233 striking out, in line 113, as so appearing, the words “the court administrator shall”.

2234 SECTION 343. Said section 9A of said chapter 211B is hereby further amended by
2235 striking out, in line 128, as so appearing, the words “the court administrator shall be authorized”.

2236 SECTION 344. Said section 9A of said chapter 211B is hereby further amended by
2237 striking out, in line 132, as so appearing, the following words, “the court administrator shall”.

2238 SECTION 345. Said section 9A of said chapter 211B is hereby further amended by
2239 striking out, in line 136, as so appearing, the word “any” and inserting in place thereof the
2240 following words:- resolve any.

2241 SECTION 346. Said section 9A of said chapter 211B is hereby further amended by
2242 striking out, in line 140, as so appearing, the words “shall be” and inserting in place thereof the
2243 following words:- which is.

2244 SECTION 347. Said section 9A of said chapter 211B is hereby further amended by
2245 striking out, in lines 146 and 169, as so appearing, each time they appear, the words “the court
2246 administrator shall”.

2247 SECTION 348. Clause (xix) of said section 9A of said chapter 211B, as so appearing, is
2248 hereby amended by striking out the words “for the purpose of providing” and inserting in place
2249 thereof the following words:- to provide.

2250 SECTION 349. Said section 9A of said chapter 211B is hereby further amended by
2251 striking out clause (xxi), as so appearing, and inserting in place thereof the following clause:-

2252 (xxi) to delegate such responsibilities and powers under this section and as otherwise
2253 provided by law to a deputy court administrator, court officer, clerk or any employee of the
2254 administrator’s department, for such period of time and with such limitations as the court
2255 administrator may impose, if in the opinion of the court administrator such delegation of
2256 authority will expedite the judicial business of the trial court;

2257 SECTION 350. Section 10A of said chapter 211B, as so appearing, is hereby amended by
2258 striking out, in lines 1, 2 and 22 the word “his” and inserting in place thereof, in each instance,
2259 the following words:- the first justice’s.

2260 SECTION 351. Said section 10A of said chapter 211B, as so appearing, is hereby further
2261 amended by striking out clauses (i) to (iv), inclusive, and inserting in place thereof the following
2262 4 clauses:-

2263 (i) the power, subject to the approval of the deputy court administrator of the justice's
2264 department, to appoint, dismiss, discipline, supervise, assign, evaluate, transfer and define the
2265 duties of all non-judicial personnel within the justice's court, including special masters, court
2266 reporters, law clerks and other support personnel; except personnel in the office of the clerk,
2267 recorder or register; provided, however, that any such non-judicial personnel aggrieved by any
2268 action under this paragraph may appeal to the deputy court administrator who shall forthwith
2269 hear and determine the matter; provided, further that any person aggrieved by a decision of the
2270 deputy court administrator under this paragraph may appeal the decision to the court
2271 administrator, who shall, within 30 days, hear and determine the matter;

2272 (ii) the power, subject to the approval of the chief justice of the justice's department, to
2273 supervise and assign duties to all justices appointed to or assigned to the justice's court; and to
2274 authorize such justices to delegate the calling of the list to the clerk of the court as appropriate to
2275 the administration of justice;

2276 (iii) the responsibility to bring to the attention of the deputy court administrator of the
2277 justice's department all disputes concerning all clerks, recorders and registers, or their personnel,
2278 appointed to or assigned to the justice's court; provided, however, that any person aggrieved by
2279 any action under this paragraph may appeal to the deputy court administrator of the department
2280 who shall forthwith hear and determine the matter; provided, further that any person aggrieved
2281 by a decision of the deputy court administrator under this paragraph may appeal the decision to
2282 the court administrator, who shall, within 30 days, hear and determine the matter; and

2283 (iv) periodically prepare and submit to the deputy court administrator of the justice's
2284 department an estimate, in detail, for the ordinary maintenance of the division or place for
2285 holding court, and all revenues therefrom as provided in clause (5) of the first paragraph of
2286 section 3 of chapter 29. The estimate shall include estimates of all sums which the
2287 commonwealth is obligated to pay under chapter 29A, together with any information which the
2288 deputy court administrator may require. In turn, the deputy court administrator shall periodically
2289 prepare and submit to the court administrator an estimate, in detail, for the ordinary maintenance
2290 of the first paragraph of section 3 of chapter 29. The estimate shall include salaries of all officers
2291 and employees within the office and shall include estimates of all sums which the
2292 commonwealth is obligated to pay under chapter 29A, together with any other information which
2293 the court administrator may require.

2294 SECTION 352. Subsection (d) of section 10B of said chapter 211B, as so appearing, is
2295 hereby amended by striking out, in line 29, the words "clause (xxx)" and inserting in place
2296 thereof the following words:- clause (xx).

2297 SECTION 353. The first paragraph of section 12 of said chapter 211B, as so appearing, is
2298 hereby amended by striking out the fourth sentence and inserting in place thereof the following
2299 sentence:- The court administrator shall hold that office for a term of 5 years, shall be eligible to
2300 be reappointed for additional 5-year terms and shall devote full time to the duties of the office.

2301 SECTION 354. Section 2 of chapter 217 of the General Laws, as so appearing, is hereby
2302 amended by striking out, in line 27, the word “his” and inserting in place thereof the following
2303 word:- the.

2304 SECTION 355. Section 58 of chapter 218 of the General Laws, as so appearing, is hereby
2305 amended by striking out, in lines 31 and 34, the word “his” and inserting in place thereof, in
2306 each instance, the following word:- the.

2307 SECTION 356. Section 85V of chapter 231 of the General Laws, as so appearing, is
2308 hereby amended by striking out, in line 22, the words “mentally retarded” and inserting in place
2309 thereof the following words:- intellectually disabled.

2310 SECTION 357. Section 23E of chapter 233 of the General Laws, as so appearing, is
2311 hereby amended by striking out, in lines 34 and 47, the words “mental retardation” and inserting
2312 in place thereof, in each instance, the following words:- an intellectual disability.

2313 SECTION 358. Section 34 of chapter 262 of the General Laws, as so appearing, is
2314 hereby amended by striking out, in lines 55, 59, 66 and 70, the words “telecommunications and
2315 energy” and inserting in place thereof, in each instance, the following words:- public utilities.

2316 SECTION 359. Section 13F of chapter 265 of the General Laws, as so appearing, is
2317 hereby amended by striking out, in lines 20 and 21, the words “mentally retarded person upon
2318 another mentally retarded person” and inserting in place thereof the following words:- person
2319 with an intellectual disability upon another person with an intellectual disability.

2320 SECTION 360. Section 120D of chapter 266 of the General Laws, as so appearing, is
2321 hereby amended by striking out, in line 41, the words “telecommunications and energy” and
2322 inserting in place thereof the following words:- public utilities.

2323 SECTION 361. Section 7 of chapter 268A of the General Laws, as so appearing, is
2324 hereby amended by striking out, in line 63, the words “mentally retarded” and inserting in place
2325 thereof the following words:- intellectually disabled.

2326 SECTION 362. Section 9 of chapter 276A of the General Laws, as so appearing, is
2327 hereby amended by striking out, in line 5, the words “deputy director of the division of
2328 employment and training” and inserting in place thereof the following words:- director of career
2329 services.

2330 SECTION 363. Section 1 of chapter 2 of the acts of 1973 is hereby amended by striking
2331 out, in line 2, the word “Districting” and inserting in place thereof the following words:-
2332 District.

2333 SECTION 364. Chapter 36 of the acts of 2012 is hereby amended by striking out section
2334 24 and inserting in place thereof the following section:-

2335 Section 24. Item 1599-1705 of section 2A of chapter 52 of the acts of 2011 is hereby
2336 amended by adding the following words:- ; and provided further, that \$353,000 shall be
2337 expended for reimbursements to school districts for education transportation cost increases due
2338 to the tornado.

2339 SECTION 365. Subsection (a) of section 34 of chapter 240 of the acts of 2012 is hereby
2340 amended by inserting after the word “commissioner”, in line 9, the following word:- of.

2341 SECTION 366. Said subsection (a) of said section 34 of said chapter 240 is hereby
2342 further amended by inserting after the word “of”, in line 10, the second time it appears, the
2343 following word:- elementary.

2344 SECTION 367. Subsection (c) of section 35 of said chapter 240 is hereby amended by
2345 inserting after the word “program”, in line 3, the following word:- in.

2346 SECTION 368. Section 4 of chapter 196 of the acts of 2014 is hereby amended by
2347 striking out the word “section 1” and inserting in place thereof the following word:- section 3.

2348 SECTION 369. Chapter 212 of the acts of 2014 is hereby amended by striking out the
2349 first sentence and inserting in place thereof the following sentence:- The Essex probate and
2350 family court in the city of Salem shall be designated and known as the Thaddeus Buczko
2351 Building, in honor of the Honorable Thaddeus Buczko, the former justice of the Essex county
2352 probate and family court, Massachusetts state auditor, city councilor of the city of Salem, and
2353 member of the Massachusetts house of representatives.

2354 SECTION 370. Chapter 255 of the acts of 2014 is hereby amended by striking out
2355 sections 3 and 4 and inserting in place thereof the following 2 sections:-

2356 Section 3. Subject to appropriation, the department of developmental services shall
2357 contract with an independent research organization or academic institution not later than August
2358 1, 2019 to evaluate self-determination authorized in section 21 of chapter 19B of the General
2359 Laws and recommend improvements to the self-determination option.

2360 Section 4. Notwithstanding any general or special law to the contrary, the department of
2361 developmental services shall only approve 1 qualified financial management service provider
2362 under clause (ix) of subsection (e) of section 21 of chapter 19B of the General Laws.

2363 The department of developmental services shall hold a meeting, briefing or orientation at
2364 least once annually under clause (xvi) of subsection (e) of section 21 of chapter 19B of the
2365 General Laws.

2366 SECTION 371. Said chapter 255 of the acts of 2014 is hereby further amended by
2367 striking out section 7 and inserting in place thereof the following section:-

2368 Section 7. The state auditor, pursuant to section 12 of chapter 11 of the General Laws,
2369 shall audit the self-determination option established under section 21 of chapter 19B of the
2370 General Laws at least once during the first 4 years of its operation.

2371 SECTION 372. The first sentence of subsection (a) of section 54 of chapter 286 of the
2372 acts of 2014 is hereby amended by striking out the figure “11” and inserting in place thereof the
2373 following figure:- 16.

2374 SECTION 373. Chapter 294 of the acts of 2014 is hereby repealed.

2375 SECTION 374. Section 9 shall take effect as of June 6, 2014.

2376 SECTION 375. Section 10 shall take effect as of July 23, 2014.

2377 SECTION 376. Section 15VVVVV of chapter 6 of the General Laws, inserted by section
2378 11, shall take effect as of June 6, 2014.

2379 SECTION 377. Section 15WWWWW of chapter 6 of the General Laws, inserted by
2380 section 11, shall take effect as of July 23, 2014.

2381 SECTION 378. Section 15XXXXX of chapter 6 of the General Laws, inserted by section
2382 11, shall take effect as of November 18, 2014.

2383 SECTION 379. Section 172M of chapter 6 of the General laws, inserted by section 17,
2384 shall take effect on January 1, 2015.

2385 SECTION 380. Section 40 shall take effect as of November 4, 2014.

2386 SECTION 381. Section 86 shall take effect as of August 5, 2010.

2387 SECTION 382. Sections 202 and 203 shall take effect as of July 1, 2013.

2388 SECTION 383. Section 364 shall take effect as of June 21, 2011.

2389 SECTION 384. Section 373 shall take effect as of November 18, 2014.