

HOUSE No. 3332

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

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

1 by striking out all after the enacting clause and inserting in place thereof the following
2 text:—

3 SECTION 1. To provide for supplementing certain items in the general appropriation act
4 and other appropriation acts for fiscal year 2015, the sums set forth in section 2 are hereby
5 appropriated from the General Fund unless specifically designated otherwise in this act or in
6 those appropriation acts, for the several purposes and subject to the conditions specified in this
7 act or in those appropriation acts and subject to the laws regulating the disbursement of public
8 funds for the fiscal year ending June 30, 2015. These sums shall be in addition to any amounts
9 previously appropriated and made available for the purposes of those items.

10 SECTION 2.

11 JUDICIARY

12 Committee for Public Counsel Services

13 0321-1510\$34,708,792

14 SECRETARY OF THE COMMONWEALTH

15	0521-0000	\$585,590
16	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
17	Office of the Secretary of Administration and Finance	
18	1599-4444	\$8,267,872
19	Group Insurance Commission	
20	1108-5200	\$190,000,000
21	Human Resources Division	
22	1750-0300	\$836,137
23	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
24	Office of the Executive Office of Health and Human Services	
25	4000-0005	\$2,200,000
26	Department of Developmental Services	
27	5930-1000	\$3,365,693
28	Department of Elder Affairs	
29	9110-1455	\$2,100,000
30	Department of Public Health	
31	4590-0915	\$1,983,386

32 Department of Children and Families

33 4800-0038\$7,622,823

34 4800-0041\$27,384,824

35 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

36 Department of Housing and Community Development

37 7004-0101\$51,500,000

38 7004-0108\$3,000,000

39 EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

40 Department of Transportation

41 1595-6368\$50,000,000

42 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

43 Department of Correction

44 8900-0001\$5,691,913

45 OFFICE OF THE STATE COMPTROLLER

46 Office of the State Comptroller

47 1599-3384\$6,000,000

48 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to

49 provide for an alteration of purpose for current appropriations and to meet certain requirements

of law, the sum set forth in this section is hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2015. This sum shall be in addition to any amounts previously appropriated and made available for the purposes of that item. This sum shall be made available until June 30, 2015.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary of Administration and Finance

1599-2015 For a reserve to reimburse state agencies for extraordinary expenses incurred as a result of severe winter storms affecting the commonwealth in 2015; provided, that the secretary of administration and finance may transfer from this item to other items of appropriation and allocations thereof for fiscal year 2015 amounts necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed not less than 15 days in advance with the house and senate committees on ways and means\$7,000,000

SECTION 3. Section 39A of chapter 127 of the General Laws, inserted by section 4 of chapter 446 of the acts of 2014, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-

(b) Except in exigent circumstances that would create an unacceptable risk to the safety of any person or where no secure treatment unit bed is available, a segregated inmate diagnosed with a serious mental illness in accordance with clinical standards adopted by the department shall not be housed in a segregated unit for more than 30 days and shall be placed in

72 a secure treatment unit. Any such segregated inmate awaiting transfer to a secure treatment unit
73 shall be offered additional mental health services in accordance with clinical standards adopted
74 by the department of correction.

75 SECTION 4. Section 5 of chapter 128A of the General Laws, as appearing in the 2012
76 Official Edition, is hereby amended by inserting after the word “meetings”, in line 55, the
77 following words:- and, with the approval of the appropriate horsemen’s association representing
78 the horse owners racing at that meeting, for payment of administrative and horseracing
79 operations.

80 SECTION 5. Section 2 of chapter 128C of the General Laws, as so appearing, is hereby
81 amended by inserting after the word “purses”, in line 130, the following words:- or, with the
82 approval of the appropriate horsemen’s association representing the horse owners racing at that
83 meeting, used for payment of administrative and horseracing operations.

84 SECTION 6. Section 4 of said chapter 128C of the General Laws, as so appearing, is
85 hereby amended by inserting after the word “meetings”, in line 45, the following words:- or, with
86 the approval of the appropriate horsemen’s association representing the horse owners racing at
87 that meeting, for payment of administrative and horseracing operations.

88 SECTION 7. Said section 4 of said chapter 128C, as so appearing, is hereby further
89 amended by inserting after the word “purses”, in line 55, the following words:- or, with the
90 approval of the appropriate horsemen’s association representing the horse owners racing at that
91 meeting, for payment of administrative and horseracing operations.

92 SECTION 8. Said section 4 of said chapter 128C is hereby further amended by striking
93 out, in lines 106 to 110, the words “not less than three and one-half percent shall be paid to the

horse owners of the most recent live racing performance at the guest track, for purses, and the remaining portion shall be applied to the expenses as the racing meeting licensee is required to pay pursuant to contracts negotiated with the host track” and inserting in place thereof the following words:- in any year in which a running horse racing meeting of at least 1 day and not more than 50 days is conducted at a track owned by such licensee, such licensee and the appropriate horsemen’s association representing the horse owners racing at that meeting shall contract between themselves for not less than 0.5 per cent nor more than 2.5 per cent to be paid to said horse owners as purses.

SECTION 9. Notwithstanding section 2 of chapter 128A of the General Laws and sections 1, 2, 2A, and 4 of chapter 128C of the General Laws or any other general or special law, rule or regulation to the contrary, the running horse meeting licensee located in Suffolk county licensed to conduct live racing pursuant to said chapter 128A and simulcast wagering pursuant to said chapter 128C in calendar year 2014 shall remain licensed as a running horse racing meeting licensee until July 31, 2016, and said licensee shall remain authorized to conduct simulcast wagering pursuant to said chapter 128C for the entirety of any year in which at least 1 day and not more than 50 days of live running horse racing is conducted at said licensee’s facility; provided, that the days between January 1 and December 31 of each year shall be dark days pursuant to said chapter 128C, and said licensee shall be precluded from conducting live racing during that period, unless it applies for and is granted a supplemental live racing license pursuant to chapter 128A; provided further, that all simulcasts shall comply with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3001 et seq. or other applicable federal law; provided further, that all simulcasts from states which have racing associations that do not require approval in compliance with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec.

3004(a)(1)(A), except simulcasts during the month of August, shall require the approval of the New England Horsemen's Benevolent & Protective Association prior to being simulcast to a racing meeting licensee within the commonwealth; and provided further, that if the association agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for all otherwise eligible racing meeting licensees.

SECTION 10. (a) Notwithstanding any general or special law to the contrary, the University of Massachusetts, Lowell, through its chancellor or the chancellor's designee, may, for the purpose of establishing a satellite campus in the city of Haverhill, enter into a lease agreement for real property and any structures thereon, or to be constructed thereon, with the owner of the real property at the following locations: 2-18 Merrimack Street, 20-22 & 24-26 Merrimack Street, 32 Merrimack Street, 42-54 Merrimack Street, 56-66 Merrimack Street, 68-70 Merrimack Street and 72-74 Merrimack Street in the city of Haverhill. Said lease shall be exempt from sections 44 to 58, inclusive, of chapter 7C, section 39M of chapter 30, sections 44A to 44M, inclusive, of chapter 149 and chapter 149A of the General Laws or any other general or special law, rule or regulation. The term of the lease shall not exceed 10 years; provided, however, that the University may opt to renew or extend the lease for two additional 5 year terms.

(b) The lease agreement shall provide that the lessee be responsible for the build out of the leased property to suit the needs of the lessee and that the cost of construction, reconstruction, alteration, remodeling, repair and maintenance or improvements to the property and the design services relative to said build out shall be the obligation of the lessee and shall be subject to all general and special laws relative to public building projects including, without limitation, sections 44 to 58, inclusive, of chapter 7C, section 39M of chapter 30, sections 26 to

140 27F, inclusive, and sections 44A to 44M, inclusive, of chapter 149 and chapter 149A of the
141 General Laws.