

HOUSE No. 3333

The Commonwealth of Massachusetts

The committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 28) of the House Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 65, amended), reported recommending passage of the accompanying bill (House, No. 3333) [Total Appropriation: \$363,553,451.00]. March 31, 2015.

Brian S. Dempsey	Karen E. Spilka
Stephen Kulik	Sal N. DiDomenico
Todd M. Smola	Viriato M. deMacedo

HOUSE No. 3333

The Commonwealth of Massachusetts

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

An Act making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are to forthwith make supplemental appropriations for fiscal year 2015 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, 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. To provide for supplementing certain items in the general appropriation act and
2 other appropriation acts for fiscal year 2015, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2015. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items.

8 SECTION 2.

9 JUDICIARY

10		<i>Committee for Public Counsel Services</i>	
11	0321-1510	.....	\$34,708,792
12		SECRETARY OF THE COMMONWEALTH	
13	0521-0000	.....	\$585,590
14		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
15		<i>Office of the Secretary of Administration and Finance</i>	
16	1599-4444	.....	\$8,267,872
17		<i>Group Insurance Commission</i>	
18	1108-5200	.....	\$190,000,000
19		<i>Human Resources Division</i>	
20	1750-0300	.....	\$836,137
21		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
22		<i>Office of the Secretary</i>	
23	4000-0005	.....	\$2,200,000
24		<i>Department of Developmental Services</i>	
25	5930-1000	.....	\$3,365,693
26		<i>Department of Elder Affairs</i>	

28 *Department of Public Health*30 *Department of Children and Families*

32	4800-0041\$27,384,824
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34 *Department of Housing and Community Development*

36	7004-0108	\$3,000,000
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38 *Department of Transportation*

40 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

42	8900-0001	\$5,691,913
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2 of 29

45 1599-3384\$6,000,000

46 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
47 provide for an alteration of purpose for current appropriations and to meet certain requirements
48 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
49 specifically designated otherwise in this section, for the several purposes and subject to the
50 conditions specified in this section and subject to the laws regulating the disbursement of public
51 funds for the fiscal year ending June 30, 2015. These sums shall be in addition to any amounts
52 previously appropriated and made available for the purposes of those items. These sums shall be
53 made available until June 30, 2015.

54 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

55 *Office of the Secretary of Administration and Finance*

56 1599-2015 For a reserve to reimburse state agencies for extraordinary expenses
57 incurred as a result of severe winter storms affecting the commonwealth in 2015; provided, that
58 the secretary of administration and finance may transfer from this item to other items of
59 appropriation and allocations thereof for fiscal year 2015 amounts necessary to meet these costs
60 where the amounts otherwise available are insufficient for the purpose, in accordance with a
61 transfer plan which shall be filed not less than 15 days in advance with the house and senate
62 committees on ways and means\$7,000,000

63 1599-4299 For a reserve to meet the fiscal year 2015 costs of salary adjustments and
64 other economic benefits authorized by collective bargaining agreements with the University of

Massachusetts that have not yet been ratified by the general court; provided, that no funds shall be expended from this item before ratification of the collective bargaining agreements by the general court; and provided further, that funding in this item shall be equitably distributed to the campuses of Amherst, Boston, Dartmouth and Lowell.....\$2,200,000

SECTION 3. Subsection (a) of section 172 of chapter 6 of the General Laws, is hereby amended by striking out clause (31), added by section 2 of chapter 284 of the acts of 2014, and inserting in place thereof the following clause:-

(32) A person licensed pursuant to section 122 of chapter 140 may obtain from the department data permitted under section 172M.

SECTION 4. Said chapter 6 is hereby further amended by striking out section 172L, inserted by section 3 of said chapter 284, and inserting in place thereof the following section:-

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

SECTION 5. The second sentence of subsection (a) of section 13 of chapter 17 of the General Laws, as appearing in section 2 of chapter 258 of the acts of 2014, is hereby amended by striking out the figure “10” and inserting in place thereof the following figure:- 13.

SECTION 6. Section 8A of chapter 19 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The governor shall appoint a board of trustees for the Taunton state hospital and for the Worcester recovery center and hospital.

SECTION 7. Section 14 of said chapter 19, as so appearing, is hereby amended by striking out, in line 4, the word "fifteen" and inserting in place thereof the following words:- not fewer than 15.

SECTION 8. Section 29D of chapter 29 of the General Laws, as so appearing, is hereby amended by striking out, in lines 16 and 17, the words "COMPASS system, so-called" and inserting in place thereof the following words:- "COMMBUYS system".

SECTION 9. Section 57 of chapter 59 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding the first paragraph, if the last day for making a tax payment without incurring interest on a bill for real estate or personal property taxes occurs on a Saturday, Sunday or legal holiday, or on a day on which a municipal office is closed as authorized by charter, by-law, ordinance or otherwise for a weather-related or public safety emergency, the payment may be made on the next day on which a municipal office is open, without penalty or interest.

SECTION 10. Section 57C of said chapter 59, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding the preceding paragraphs, if the last day for making a tax payment without incurring interest on a bill for real estate or personal property taxes occurs on a Saturday,

107 Sunday or legal holiday, or on a day on which a municipal office is closed as authorized by
108 charter, by-law, ordinance or otherwise for a weather-related or public safety emergency, the
109 payment may be made on the next day on which a municipal office is open, without penalty or
110 interest.

111 SECTION 11. Section 59 of said chapter 59, as amended by section 16 of chapter 62 of
112 the acts of 2014, is hereby further amended by adding the following paragraph:-

113 Notwithstanding the foregoing provisions, if the last day for making an application for
114 abatement of tax falls on a Saturday, Sunday, legal holiday or day on which municipal offices are
115 closed as authorized by charter, by-law, ordinance or otherwise for a weather-related or public
116 safety emergency, the application may be made on the next day on which a municipal office is
117 open.

118 SECTION 12. Paragraph (a) of part B of section 3 of chapter 62 of the General Laws, as
119 so appearing, is hereby amended by inserting after subparagraph (16), in line 171, the following
120 subparagraph:-

121 (17) losses from wagering transactions, that were incurred at a gaming establishment
122 licensed in accordance with chapter 23K or at any racing meeting licensee or simulcasting
123 licensee, only to the extent of the gains from such transactions.

124 SECTION 13. The seventh paragraph of section 2 of chapter 62B of the General Laws, as
125 appearing in the 2012 Official Edition, is hereby amended by striking out the first sentence and
126 inserting in place thereof the following sentence:-

Every person, including the United States, the commonwealth or any other state, or any political subdivision or instrumentality of the foregoing, making any payment of lottery winnings which are subject to tax under chapter 62 and which are subject to withholding under section 3402 of the Internal Revenue Code, without the exception for keno and bingo in subsections (q)(5) and (r) of said section 3402 of the Internal Revenue Code, shall deduct and withhold from such payment an amount equal to 5 per cent of such payment, except that such withholding for purposes of this chapter shall apply to payments of winnings of \$600 or greater notwithstanding any contrary provision of the Internal Revenue Code.

SECTION 14. Said section 2 of said chapter 62B, as so appearing, is hereby amended by inserting after the seventh paragraph the following paragraph:-

Every gaming establishment licensed in accordance with chapter 23K making a payment of winnings of \$1200 or more from slot machine play shall file a form W-2G with respect to such payment. Every person making a payment of winnings of \$600 or more from pari-mutuel wagering shall file a form W-2G with respect to such payment if the proceeds are at least 300 times as large as the amount wagered. For purposes of this section, in determining whether such winnings equal or exceed the \$1200 or \$600 amounts, the amount of winnings shall not be reduced by the amount wagered. Every person making a payment of winnings from wagering at a gaming establishment or from pari-mutuel wagering which are subject to tax under chapter 62 and subject to withholding under section 3402 of the Internal Revenue Code shall deduct and withhold from such payment an amount equal to 5 per cent of such payment. Every person who is to receive a payment of winnings which are subject to withholding shall furnish the person making such payment a statement, made under the penalties of perjury, containing the name, address, and taxpayer identification number of the person receiving the payment and of each

150 person entitled to any portion of such payment. Notwithstanding any general or special law to the
151 contrary, any review or transmission of information required to be done by a gaming licensee
152 relative to the disbursement of cash or prize winnings shall be administered consistent with this
153 paragraph and based upon real-time information.

154 SECTION 15. The first sentence of section 3A of chapter 70B of the General Laws, as
155 appearing in section 8 of chapter 284 of the acts of 2014, is hereby amended by inserting after
156 the word “agency”, as appearing in section 8 of chapter 284 of the acts of 2014, the following
157 words:- or a designee.

158 SECTION 16. Section 1 of chapter 75 of the General Laws, as appearing in the 2012
159 Official Edition, is hereby amended by striking out, in lines 13 through 14, inclusive, the words
160 “sections thirty-eight A½ to forty three I, inclusive, of chapter 7,” and inserting in place thereof
161 the following:- sections 44 to 58, inclusive, of chapter 7C,.

162 SECTION 17. Section 25M of chapter 111 of the General Laws, as appearing in the 2012
163 Official Edition, is hereby amended by striking out, in lines 22 to 24, inclusive, the words “; 1 of
164 whom shall be a representative of the Massachusetts Center for Nursing, Inc.”.

165 SECTION 18. Said section 25M of said chapter 111, as so appearing, is hereby further
166 amended by striking out, in line 31, the word “and”, the first time it appears.

167 SECTION 19. Said section 25M of said chapter 111, as so appearing, is hereby further
168 amended by inserting after the word “professional”, in line 32, the following words:- ; and 1 of
169 whom shall be appointed by the governor at the governor’s discretion.

SECTION 20. Section 229 of said chapter 111, added by section 1 of chapter 371 of the acts of 2012, is hereby repealed.

SECTION 21. Said chapter 111 is hereby further amended by adding the following section:-

Section 235. (a) For the purposes of this section, the following terms shall have the following meanings unless the context clearly requires otherwise:

“Health care practitioner”, a person licensed or registered under section 2, 16, 74 or 74A of chapter 112 who conducts or assists with the performance of surgery; provided, however, that “health care practitioner” shall also include an intern, resident, fellow or medical officer.

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

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

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

“Surgical technology”, surgical patient care including, but not limited to, any of the following: (i) collaboration with an operating room circulator prior to a surgical procedure to

191 carry out the plan of care by preparing the operating room, gathering and preparing sterile
192 supplies, instruments and equipment, preparing and maintaining the sterile field using sterile and
193 aseptic techniques and ensuring that surgical equipment is functioning properly and safely; (ii)
194 intraoperative anticipation and response to the needs of a surgeon and other team members by
195 monitoring the sterile field and providing the required instruments or supplies; and (iii)
196 performance of tasks at the sterile field as directed in an operating room setting, including: (1)
197 passing supplies, equipment or instruments; (2) sponging or suctioning an operative site; (3)
198 preparing and cutting suture material; (4) transferring and irrigating with fluids; (5) transferring,
199 but not administering, drugs within the sterile field; (6) handling specimens; (7) holding
200 retractors; and (8) assisting in counting sponges, needles, supplies and instruments with an
201 operating room circulator.

202 (b) A surgical facility shall not employ or otherwise retain the services of a person to
203 perform surgical technology tasks or functions unless such person: (i) has successfully completed
204 an accredited educational program for surgical technologists and holds and maintains a certified
205 surgical technologist credential administered by a nationally-recognized surgical technologist
206 certifying body accredited by the National Commission for Certifying Agencies and recognized
207 by the American College of Surgeons and the Association of Surgical Technologists; (ii) has
208 successfully completed an accredited school of surgical technology but has not, as of the date of
209 hire, obtained the certified surgical technologist certification required by clause (i); provided,
210 however, that such certification shall be obtained within 12 months of the graduation date; (iii)
211 was employed as a surgical technologist in a surgical facility on or before July 1, 2013; (iv) has
212 successfully completed a training program for surgical technology in the United States Army,
213 Navy, Air Force, Marine Corps or Coast Guard or in the United States Public Health Service

which has been deemed appropriate by the commissioner; or (v) is performing surgical technology tasks or functions in the service of the federal government but only to the extent that such person is performing duties related to that service.

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

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

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

SECTION 22. The first paragraph of section 9 of chapter 112 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following clause:-

235 4. The applicant has applied to participate in the medical assistance program administered
236 by the secretary of health and human services in accordance with chapter 118E and Title XIX of
237 the Social Security Act and any federal demonstration or waiver relating to the medical
238 assistance program for the limited purpose of ordering and referring services covered under the
239 program if regulations governing such limited participation are promulgated under chapter 118E.

240 SECTION 23. Section 9F of said chapter 112, as so appearing, is hereby amended by
241 inserting after the first paragraph the following paragraph:-

242 The board shall require as a condition of granting or renewing a physician assistant's
243 certificate of registration that the physician assistant apply to participate in the medical assistance
244 program administered by the secretary of health and human services in accordance with chapter
245 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating
246 to such medical assistance program for the limited purpose of ordering and referring services
247 covered under the program if regulations governing such limited participation are promulgated
248 under chapter 118E.

249 SECTION 24. Section 24B 1/2 of said chapter 112, as so appearing, is hereby amended
250 by striking out, in lines 42 to 46, inclusive, the words “and (5) agree to complete, in each year of
251 the agreement, at least 5 additional contact hours or 0.5 continuing education units of board-
252 approved continuing education that addresses areas of practice generally related to collaborative
253 practice agreements” and inserting in place thereof the following words:- (5) agree to complete,
254 in each year of the agreement, at least 5 additional contact hours or 0.5 continuing education
255 units of board-approved continuing education that addresses areas of practice generally related to
256 collaborative practice agreements; and (6) apply to participate in the medical assistance program

administered by the secretary of health and human services in accordance with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating to such medical assistance program for the limited purpose of ordering and referring services covered under the program if regulations governing such limited participation are promulgated under chapter 118E.

SECTION 25. Section 119 of said chapter 112, as so appearing, is hereby amended by striking out, in line 12, the word “and”.

SECTION 26. Said section 119 of said chapter 112, as so appearing, is hereby further amended by inserting after the word “Association”, in line 15, the following words:- ; and

(e) has applied to participate in the medical assistance program administered by the secretary of health and human services in accordance with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating to such medical assistance program for the limited purpose of ordering and referring services covered under the program if regulations governing such limited participation are promulgated under chapter 118E; provided, however, that a psychologist who chooses to participate in a medical assistance program as a provider of services shall be deemed to have fulfilled this requirement.

SECTION 27. Section 131 of said chapter 112, as so appearing, is hereby amended by adding the following sentence:- Such individual shall also apply to participate in the medical assistance program administered by the secretary of health and human services in accordance with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating to such medical assistance program for the limited purpose of ordering and

referring services covered under the program if regulations governing such limited participation are promulgated under chapter 118E.

SECTION 28. Section 252 of said chapter 112, as so appearing, is hereby amended by striking out, in line 52, the figure “239” and inserting in place thereof the following figure:-

SECTION 29. Section 257 of said chapter 112, as so appearing, is hereby amended by striking out, in lines 2 and 14, in each instance, the figure “239” and inserting in place thereof the following figure:-

SECTION 30. 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 a secure treatment unit. Any such segregated inmate awaiting transfer to a secure treatment unit shall be offered additional mental health services in accordance with clinical standards adopted by the department of correction.

SECTION 31. Section 5 of chapter 128A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word “meetings”, in line 55, the following words:- and, with the approval of the appropriate horsemen’s association representing the horse owners racing at that meeting, for payment of administrative and horseracing operations.

300 SECTION 32. Section 2 of chapter 128C of the General Laws, as so appearing, is hereby
301 amended by inserting after the word “purses”, in line 130, the following words:- or, with the
302 approval of the appropriate horsemen’s association representing the horse owners racing at that
303 meeting, used for payment of administrative and horseracing operations.

304 SECTION 33. Section 4 of said chapter 128C of the General Laws, as so appearing, is
305 hereby amended by inserting after the word “meetings”, in line 45, the following words:- or, with
306 the approval of the appropriate horsemen’s association representing the horse owners racing at
307 that meeting, for payment of administrative and horseracing operations.

308 SECTION 34. Said section 4 of said chapter 128C, as so appearing, is hereby further
309 amended by inserting after the word “purses”, in line 55, the following words:- or, with the
310 approval of the appropriate horsemen’s association representing the horse owners racing at that
311 meeting, for payment of administrative and horseracing operations.

312 SECTION 35. Said section 4 of said chapter 128C is hereby further amended by striking
313 out, in lines 106 to 110, the words “not less than three and one-half percent shall be paid to the
314 horse owners of the most recent live racing performance at the guest track, for purses, and the
315 remaining portion shall be applied to the expenses as the racing meeting licensee is required to
316 pay pursuant to contracts negotiated with the host track” and inserting in place thereof the
317 following words:- in any year in which a running horse racing meeting of at least 1 day and not
318 more than 50 days is conducted at a track owned by such licensee, such licensee and the
319 appropriate horsemen’s association representing the horse owners racing at that meeting shall
320 contract between themselves for not less than 0.5 per cent nor more than 2.5 per cent to be paid
321 to said horse owners as purses.

322 SECTION 36. Section 44A of chapter 149 of the General Laws, as so appearing, is
323 hereby amended by striking out, in line 67, the word "COMPASS" and inserting in place thereof
324 the following word:- COMMBUYS.

325 SECTION 37. Section 44D½ of said chapter 149, as so appearing, is hereby amended by
326 striking out, in line 124, the words "COMPASS system, so-called" and inserting in place thereof
327 the following words:- COMMBUYS system.

328 SECTION 38. Section 44D¾ of said chapter 149, as so appearing, is hereby amended by
329 striking out, in line 112, the words "COMPASS system, so-called" and inserting in place thereof
330 the following words:- COMMBUYS system.

331 SECTION 39. Subsection (l) of section 190 of said chapter 149, as appearing in section 3
332 of chapter 148 of the acts of 2014, is hereby amended by striking out clause (iii) and inserting in
333 place there of the following clause:- (iii) if applicable, the provisions for days of rest, sick days,
334 vacation days, personal days, holidays, transportation, health insurance, severance and yearly
335 raises and whether or not earned vacation days, personal days, holidays, severance,
336 transportation and health insurance are paid or reimbursed;.

337 SECTION 40. Section 5 of chapter 149A of the General Laws, as appearing in the 2012
338 Official Edition, is hereby amended by striking out, in line 92, the words "COMPASS system,
339 so-called" and inserting in place thereof the following words:- COMMBUYS system.

340 SECTION 41. Section 8 of said chapter 149A, as so appearing, is hereby amended by
341 striking out, in line 66, the words "COMPASS system, so-called" and inserting in place thereof
342 the following words:- COMMBUYS system.

SECTION 42. Section 22 of chapter 176O of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the words "and nurse practicing in an advance practice nursing role" and inserting in place thereof the following words:- , nurse practicing in an advance practice nursing role, intern, resident, physician assistant, pharmacist with a collaborative practice agreement, psychologist and licensed independent clinical social worker.

SECTION 43. Section 2 of chapter 176Q of the General Laws, as so appearing, is hereby amended by striking out, in line 15, the words "for administration and finance, or a designee, who shall serve as chairperson; the director of medicaid" and inserting in place thereof the following words:- of health and human services or a designee who shall serve as chairperson; the secretary of administration and finance.

SECTION 44. Said section 2 of said chapter 176Q, as so appearing, is hereby further amended by striking out, in line 40, the word "annually" and inserting in place thereof the following word:- quarterly.

SECTION 45. The General Laws are hereby amended by inserting after chapter 277 the following chapter:-

CHAPTER 277B

Statewide Grand Jury

Section 1. Upon written application of the attorney general to the chief justice of the superior court department, with good cause stated therein, the chief justice may authorize the convening of a statewide grand jury with jurisdiction extending throughout the commonwealth.

Section 2. The chief justice of the superior court department shall, upon granting an application, receive recommendations from the attorney general as to the county in which the statewide grand jury shall sit. Upon receiving the attorney general's recommendations, the chief justice shall choose 1 of those recommended locations as the site where the grand jury shall sit. Once a county has been selected, the chief justice shall direct the regional justice from the county selected to appoint, and reappoint as necessary, a superior court justice to preside over the statewide grand jury.

Section 3. The superior court justice appointed to preside over the grand jury shall consult with the attorney general and district attorney for the relevant district about the nature and scope of the investigation and shall thereafter designate and authorize an existing county grand jury to serve as a statewide grand jury for the purposes of the investigation specified in the written application or, alternatively, the superior court justice may convene and preside over a specially-empaneled statewide grand jury.

Section 4. A specially-empaneled statewide grand jury shall be drawn and selected in the same manner as the county grand jury in the county in which the specially-empaneled statewide grand jury is to sit. A specially-empaneled statewide grand jury may, at the discretion of the presiding superior court justice, draw jurors from counties adjoining the county in which the statewide grand jury is to sit.

Section 5. A specially-empaneled statewide grand jury convened pursuant to this chapter shall sit for a period not to exceed 18 months. The superior court justice presiding over the statewide grand jury may extend that period if, in accordance with section 41 of chapter 234A

384 and section 1A of chapter 277, public necessity requires further time by the statewide grand jury
385 to complete an ongoing investigation.

386 Section 6. The attorney general or an assistant attorney general shall attend each session
387 of a statewide grand jury and may prosecute any indictment returned by it. The attorney general
388 or assistant attorney general shall have the same powers and duties in relation to a statewide
389 grand jury that the attorney general or assistant attorney general has in relation to a county grand
390 jury, except as otherwise provided by law.

391 Section 7. Indictments shall be returned in the county wherein the statewide grand jury
392 sits and shall thereafter be transferred to the county specified by the statewide grand jury on the
393 indictment. For the purposes of trial of offenses indicted by a statewide grand jury, venue shall
394 be in any county in which venue would otherwise be proper.

395 Section 8. Nothing in this chapter shall limit the jurisdiction of county grand juries or
396 district attorneys. Except as otherwise provided by law, an investigation by a statewide grand
397 jury shall not preempt an investigation by any other grand jury or agency having jurisdiction
398 over the same subject matter.

399 SECTION 46. Chapter 277B of the General Laws is hereby repealed.

400 SECTION 47. The first sentence of the second paragraph of subsection (c) of section
401 21D of chapter 703 of the acts of 1963, as appearing in section 30 of chapter 193 of the acts of
402 2004, is hereby amended by striking out the words “COMPASS system, so-called” and inserting
403 in place thereof the following words:- COMMBUYS system.

404 SECTION 48. The first sentence of subsection (f) of section 21G of said chapter 703, as
405 so appearing, is hereby amended by striking out the words “COMPASS system, so-called” and
406 inserting in place thereof the following words:- COMMBUYS system.

407 SECTION 49. Section 5 of chapter 624 of the acts of 1986, as amended by section 184
408 of chapter 165 of the acts of 2014, is hereby further amended by striking out the words “and use
409 of Turtle Lane, a private way, and the use of a private driveway shall be restricted to emergency
410 access, except that a temporary easement through Turtle lane shall be authorized for
411 rehabilitation of Elm Bank”.

412 SECTION 50. The penultimate sentence of section 30 of chapter 79 of the acts of 2014 is
413 hereby amended by striking out the words “October 31, 2014” and inserting in place thereof the
414 following words:- November 30, 2015.

415 SECTION 51. Item 3000-1000 of section 2 of chapter 165 of the acts of 2014, is hereby
416 amended by striking out the words “; provided further, that the total transfers from any 1 item
417 shall not exceed 3 per cent of the item’s total funding”.

418 SECTION 52. The last paragraph of section 236 of chapter 165 of the acts of 2014 is
419 hereby amended by striking out the figure " 2014" and inserting in place thereof the following
420 figure:- 2015.

421 SECTION 53. The last paragraph of section 272 of said chapter 165 is hereby amended
422 by striking out the words “December 31, 2014” and inserting in place thereof the following
423 words:- June 30, 2015.

SECTION 54. Subsection (a) of section 36 of chapter 465 of the acts of 1956, as appearing in section 55 of chapter 46 of the acts of 2013, is hereby amended by striking out, in line 4, the word “Bedford” and inserting in place thereof the following words:- Arlington, Bedford, Belmont.

SECTION 55. Said subsection (a) of said section 36 of said chapter 465, as so appearing, is hereby further amended by striking out, in line 5, the word “Cambridge” and inserting in place thereof the following words:- Cambridge, Canton.

SECTION 56. Said subsection (a) of said section 36 of said chapter 465, as so appearing, is hereby further amended by striking out, in line 6, the word “Malden” and inserting in place thereof the following words:- Lynn, Malden, Marblehead.

SECTION 57. Said subsection (a) of said section 36 of said chapter 465, as so appearing, is hereby further amended by striking out, in said line 6, the words “Revere, Scituate, Somerville” and inserting in place thereof the following words:- Randolph, Revere, Salem, Scituate, Somerville, Swampscott, Watertown.

SECTION 58. Notwithstanding section 23 of chapter 59 of the General Laws, section 31D of chapter 44 of the General Laws or any other general or special law to the contrary, a city or town may amortize over fiscal years 2016 to 2018, inclusive, in equal installments or more rapidly, the amount of its fiscal year 2015 snow and ice removal deficit. The local appropriating authority as defined in section 21C of said chapter 59 shall adopt a deficit amortization schedule in accordance with the preceding sentence before setting the municipality’s fiscal year 2016 tax rate. The commissioner of revenue may issue guidelines or instructions for reporting the amortization of deficits authorized by this section.

SECTION 59. 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 60. (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 2 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 27F, inclusive, and sections 44A to 44M, inclusive, of chapter 149 and chapter 149A of the General Laws.

SECTION 61. Notwithstanding section 11 of chapter 211D of the General Laws, for fiscal year 2015, the chief counsel of the committee for public counsel services may waive the annual cap on billable hours for private counsel appointed or assigned to cases undertaken by the children and family law program established by the committee provided that the chief counsel finds that: (i) there is limited availability of qualified counsel in that practice area; (ii) requirements for expertise rendering assignment to certain service providers would be more cost effective or (iii) demonstrated efficiency of the service provider shows that shifting the service to

other providers shall reduce the quality and increase the cost of the service; provided, however, that counsel appointed or assigned to such cases within the private counsel division shall not be paid for any time billed in excess of 1800 billable hours. It shall be the responsibility of private counsel to manage their billable hours.

SECTION 62. Notwithstanding section 57, section 57C or section 59 of chapter 59 of the General Laws, an owner of property subject to tax under chapter 59 of the General Laws who was required under said sections to make a payment or file an abatement application on February 2, 2015, and who made such payment on or before February 6, 2015, shall have any interest or other penalty waived.

SECTION 63. Notwithstanding any general or special law to the contrary, not later than 60 days after the effective date of this act, the sex offender registry board, as established under section 178K of chapter 6 of the General Laws, shall initiate revisions to the board's regulations to reflect recent supreme judicial court or appeals court decisions that have resulted in remands or reversals of the sex offender registry board's final classification decisions.

SECTION 64. The secretary of elder affairs and the undersecretary of consumer affairs and business regulation in consultation with relevant stakeholders, shall review the necessity and desirability of in-person and telephonic methods with respect to reverse mortgage counseling to ensure proper protections for eligible seniors. Such review shall include, but shall not be limited to, the advisability and overall protections for seniors, availability, costs and convenience of counseling opportunities and full compliance with all federal lending laws.

The secretary of elder affairs and the undersecretary of consumer affairs and business regulation shall file the report with the clerks of the house and senate and the house and senate committees on ways and means not later than 60 days of the effective date of this act.

SECTION 65. The salary adjustments and other economic benefits authorized by the following collective bargaining agreements shall be effective for the purposes of section 7 of chapter 150E of the General Laws:

(1) between the University of Massachusetts and the Massachusetts Society of Professors MTA/NEA, Amherst & Boston Campuses, Units A50 & B40;

(2) between the commonwealth and the Massachusetts Nurses Association, Unit 7;

(3) between the University of Massachusetts and the International Brotherhood of Police Officers, Local 432, Amherst Campus, Unit A06;

(4) between the University of Massachusetts and the New England Police Benevolent Protection Organization, Amherst Campus, Unit A07;

(5) between the University of Massachusetts and the University Staff Association/MTA/NEA, Amherst Campus, Unit A08;

(6) between the University of Massachusetts and the Classified Staff Union/MTA/NEA, Boston Campus, Units B31 and B32;

(7) between the University of Massachusetts and the AFT Massachusetts Maintainers AFL-CIO, Local 6350, Dartmouth Campus, Unit D83;

531 (8) between the University of Massachusetts and the International Brotherhood of
532 Teamsters, Local 25, Lowell Campus, Unit L94;

533 (9) between the University of Massachusetts and the Classified and Technical Union,
534 Lowell Campus, Unit L92;

535 (10) between the University of Massachusetts and the Maintenance and Trades
536 Unit/MTA/NEA, Lowell Campus, Unit L93;

537 (11) between the University of Massachusetts and the American Federation of
538 Teachers, Faculty, Librarians and Technical Staff, Dartmouth Campus, Units D80 and D81;

539 (12) between the University of Massachusetts and the International Brotherhood of
540 Teamsters, Local 25, Boston Campus, Unit B33; and

541 (13) between the sheriff of the county of Dukes County and the Massachusetts
542 Correction Officers Federated Union, Units A and B.

543 SECTION 66. Notwithstanding any general or special law to the contrary, the dog racing
544 meeting licensee in Suffolk County and the dog racing meeting licensee in Bristol County shall
545 not be required to pay the running horse racing meeting licensee in Suffolk county the 3 per cent
546 premium with respect to interstate running horse simulcasts received otherwise required by
547 section 2 of chapter 128C of the General Laws.

548 SECTION 67. Section 66 shall take effect upon commencement of gaming operations by
549 the category 2 licensee whose license was issued pursuant to chapter 23K of the General Laws as
550 certified by the Massachusetts Gaming Commission.

551 SECTION 68. Sections 66 and 67 are hereby repealed.

552 SECTION 69. Sections 9, 10 and 11 shall take effect as of January 26, 2015.

553 SECTION 70. Section 39 shall take effect on April 1, 2015.

554 SECTION 71. Section 46 shall take effect on December 31, 2020.

555 SECTION 72. Section 50 shall take effect as of October 31, 2014.

556 SECTION 73. Sections 52 and 53 shall take effect as of December 31, 2014.

557 SECTION 74. Section 68 shall take effect on July 31, 2016.