The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND AND SIXTEEN

AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2016 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 forthwith to make supplemental appropriations for fiscal year 2016 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:*

SECTION To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2016, the sums set forth in section 2 are hereby appropriated from the General Fund unless specifically designated otherwise in this act or in those appropriation acts, for the several purposes and subject to the conditions specified in this act or in those appropriation acts, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2016. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. These sums shall be made available until June 30, 2017. Notwithstanding any general or special law to the contrary, appropriations made in section 2 shall not revert and shall be available for expenditure until June 30, 2010.

SECTION

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Reserves*

1599-0017 $1,000,000

1599-4447 $2,704,221

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Office of the Secretary*

4000-0700 $164,000,000

*Department of Public Health*

4590-0918 $700,000

*Department of Children and Families*

4800-0038 $ 1,252,860

4800-0041 $ 1,280,754

SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2016, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for an alteration of purpose for current intragovernmental chargeback authorizations, and to meet certain requirements of law, the sums set forth in this section are hereby authorized from the Intragovernmental Service Fund for the several purposes specified in this section or in the appropriation acts, and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2016. These sums shall be in addition to any amounts previously authorized and made available for the purposes of those items.

TREASURER AND RECEIVER-GENERAL

0699-0018 $ 2,038,722

SECTION 2C.I. For the purpose of making available in fiscal year 2017 balances of appropriations which otherwise would revert on June 30, 2016, the unexpended balances of the appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of chapter 46 of the acts of 2015. However, for items which do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of said chapter 46; provided, however, that for items which do not appear in section 2 of said chapter 46, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. The unexpended balance of each appropriation in the Massachusetts management accounting and reporting system with a secretariat code of 01 or 17 is hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in said section 2 of said chapter 46. The sums re-appropriated in this section shall be in addition to any amounts available for said purposes.

DISTRICT ATTORNEYS

*Plymouth District Attorney*

0340-0802 $2,119,072

*Massachusetts District Attorneys’ Association*

0340-2100 $35,000

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

*Reserves*

1599-0044  $479,689

1599-0054  $617,386

1599-0999 $480,281

1599-4444 $104,042

1599-4445 $3,208,797

1599-4447 $318,041

*Human Resources Division*

1750-0601  $200,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

*Office of the Secretary*

4000-0007 $1,000,000

*Department of Veteran Services*

1410-1616 $50,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

*Office of the Secretary*

7002-0036 $1,500,000

7002-0039 $68,125

*Department of Housing and Community Development*

7004-9008 $1,000,000

7004-9024  $3,600,000

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

*Department of Career Services*

7002-1075 $1,700,000

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

*Department of Public Safety*

8315-1020 $300,000

SECTION Subsection (a) of section 45 of chapter 7C of the General Laws, as amended in section 5 of chapter 119 of the acts of 2015, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:

Eight members shall be appointed by the governor, 3 of whom shall be registered architects, or currently unregistered but with no fewer than 10 years previous experience as an architect registered by a National Council of Architectural Registration Boards (NCARB) member board, or who may be architects emeritus, none of whom shall have a record of disciplinary action; 3 of whom shall be registered engineers, or currently unregistered but with no fewer than 10 years previous experience as a registered engineer, none of whom shall have a record of disciplinary action; and 2 of whom shall be representatives of the public who are not architects, engineers or construction contractors.

SECTION Chapter 10 of the General Laws is hereby amended by inserting after section 35CCC the following section:-

Section 35DDD. There shall be established upon the books of the commonwealth a separate fund to be known as the State House Capital Fund. The fund shall be credited with all the proceeds of any license, lease or conveyance of real property related to the state house or the grounds of the state house. All monies, grants, gifts, bequests or other contributions received by the superintendent under this section shall be made payable to and deposited in the fund; provided, however, that the superintendent may retain funds to be expended, after consultation with the committee on rules of the 2 branches, acting concurrently, for capital improvements to the state house or the grounds of the state house. Any revenues, deposits, receipts, or funds received by the fund shall be deposited in the fund, and shall be available to superintendent for the purposes described in this section, without further appropriation. All available moneys in the fund that are unexpended at the end of each fiscal year shall not revert to the General Fund and shall be available for expenditure in any subsequent fiscal year.

SECTION Section 16 of chapter 15A of the General Laws, as amended by section 4 of chapter 141 of the acts of 2016, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:- There shall be a general scholarship program administered by the council for the purpose of providing financial assistance to students domiciled in the commonwealth and enrolled in and pursuing a program of higher education in any approved public or independent college, university or school of nursing, or any other approved institution furnishing a program of higher education.

SECTION Said section 16, as so amended, is hereby further amended by striking out the ninth paragraph and inserting in place thereof the following paragraph:-

There shall be a Public Service Scholarship Program to provide scholarships to the: (i) children and widowed spouses of Massachusetts police officers, firefighters and correction officers who were killed or died from injuries received while in the performance of their duties, including authorized training duty; (ii) children of prisoners of war or of military or service persons missing in action; and (iii) children of veterans whose service was credited to the commonwealth and who were killed in action or otherwise died as a result of such service.

SECTION Section 10 of chapter 25A, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 51, the figure, “$10,” and inserting in place thereof the following figure:- $20.

SECTION Section 3F of Chapter 60 of the General Laws, as inserted by section 12 of chapter 141 of the acts of 2016, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraphs:-

A city, town or district that accepts this section may designate a place on its municipal property tax bills or motor vehicle excise bills or mail with such bills a separate form whereby taxpayers of the city, town or district may voluntarily check off, donate and pledge an amount of money which shall increase the amount already due to establish and fund a municipal veterans assistance fund which shall be under the supervision of the local veterans’ agent.

Any amounts donated to the fund shall be deposited into a special account in the general treasury and shall be in the custody of the treasurer. The treasurer shall invest the funds at the direction of the officer, board, commission, committee or other agency of the city or town who or which is otherwise authorized and required to invest trust funds of the city or town and subject to the same limitations applicable to trust fund investments, except as otherwise specified herein. The fund, together with the interest earned thereon shall be used for the purpose specified in this section without further appropriation.

SECTION The first paragraph of section 3 of chapter 115 of the General Laws, as amended by section 15 of chapter 141 of the acts of 2016, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences:- The mayor of each city except Boston shall, and the board of selectmen of each town may appoint a veterans’ agent who shall serve for a term of up to 3 years and shall be eligible for reappointment. The veterans’ agent may act for the mayor or the board of selectmen in the disbursement of veterans’ benefits by the city or town; provided, however, that in each town that has a part-time veterans’ agent, the town clerk shall receive applications and assist applicants for veterans’ benefits and shall submit the applications to the veterans’ agent.

SECTION Section 12 of Chapter 115A, as inserted by section 16 of chapter 141 of the acts of 2016, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) There shall be within the department of veterans’ services an office of veterans’ homes and housing. The secretary of veterans’ services shall appoint an executive director of veterans’ homes and housing who shall have: (i) at least 5 years of management, healthcare experience and (ii) military or other experience working with veterans. The duties of the executive director shall include, but not be limited to: (i) oversight of the office; and (ii) service as an advisor to the secretary of veterans’ services on matters relative to veterans’ housing. The position of executive director shall be classified pursuant to section 45 of chapter 30. The executive director may, with the approval of the secretary of veterans’ services, appoint and remove any employees necessary to carry out the duties of the office. The office shall: (i) coordinate and oversee implementation and enforcement of laws, regulations and policies relative to the veterans’ homes and other housing for veterans under the oversight of the department of veterans’ services; and (ii) investigate and make recommendations on best practices for providing housing for veterans. The executive director shall meet with the board of trustees of the Soldiers’ Home in Massachusetts and the Soldiers’ Home in Holyoke jointly at least twice per calendar year. The executive director shall have access to all property of the commonwealth under the oversight of the department of veterans services to carry out the duties of the office; provided, however, that the boards of trustees of the Soldiers’ Home in Massachusetts and the Soldiers’ Home in Holyoke shall not be subject to the control of the executive director; and provided further, that the executive director shall not have control over the day-to-day operations of the Soldiers’ Home in Massachusetts or the Soldiers’ Home in Holyoke.

SECTION The third paragraph of section 32 of chapter 121B of the General Laws, as amended by section 17 of chapter 141 of the acts of 2016, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- Notwithstanding any general or special law to the contrary, in communities where no low-income family housing was developed pursuant to chapter 200 of the acts of 1948, a preference in admission shall be given to eligible and qualified veterans for all scattered site housing units acquired by a local housing authority pursuant to chapter 705 of the acts of 1966.

SECTION The fifth paragraph of section 32 of said chapter 121B, as amended by section 18 of chapter 141 of the acts of 2016, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- In determining the net income for the purpose of computing the rent of a totally unemployable disabled veteran, a housing authority shall exclude amounts of disability compensation paid by the United States government for disability occurring in connection with military service in excess of $1800 in any month, subject to adjustment for inflation after July 1, 2017; provided, however, that such exclusion shall apply only to state-aided projects as provided in sections 35 and 36.

SECTION Subsection (d) of section 11 of Chapter 211D, as added by section 119 of Chapter 133 of the Acts of 2016, is hereby amended by striking out the words “(c) and (d)” and inserting in place thereof the following words:- (b) and (c).

SECTION Item 4590-0918 of section 2 of chapter 46 of the acts of 2015, as amended by Section 10 of chapter 70 of the acts of 2016, is hereby further amended by striking out the figure,“ $18,000,000” and inserting in place thereof the following figure:- $18,700,000.

SECTION Item 1595-1068 of section 2E of said chapter 46 is hereby amended by adding the following words:- provided further, that the secretary of health and human services shall make a supplemental payment of up to $30,500,000 from the Medical Assistance Trust Fund to the Cambridge public health commission for dates of service in federal fiscal year 2016 only after the Cambridge public health commission transfers up to $15,250,000 of its funds to the Medical Assistance Trust Fund using a federally-permissible source of funds which shall fully satisfy the non-federal share of such payment; and provided further, that the secretary of health and human services shall make a payment of up to $89,608,450 from the Medical Assistance Trust Fund to the Cambridge public health commission for qualifying state fiscal year 2016 public hospital transformation and incentive initiative payments only after the Cambridge public health commission transfers up to $44,804,225 of its funds to the Medical Assistance Trust Fund using a federally-permissible source of funds which shall fully satisfy the non-federal share of such payment.

SECTION Said item 1595-1068 of said section 2E of said chapter 46 is hereby further amended by striking out the figure “$462,000,000” and inserting in place thereof the following figure:- $ 736,154,225.

SECTION Notwithstanding any general or special legislation to the contrary, after accounting for any re-appropriations in section 2C.I of this act, unexpended balances from item 7004-9024 in section 2 of chapter 46 of the acts of 2015, and unexpended balances from items 1599-0026, 7002-0021 and 7008-0900 which appear in section 2A of chapter 287 of the acts of 2014 shall revert to the General Fund at the end of fiscal year 2016.

SECTION Item 7004-0108 in section 2 of chapter 133 of the acts of 2016 is hereby amended by adding the following words:- ; provided further, that no family with a head of household who is over 60 years of age or who is disabled, who is in compliance with the requirements of a housing stabilization plan that reasonably accommodates disabilities, and who otherwise meets all program eligibility requirements shall be denied short-term housing assistance; provided further, that any such family with a head of household who is over 60 years of age or who is disabled shall not have engaged in, or be engaged in, any activity that threatens the health, safety or security of the family, other program participants or program staff.

SECTION Item 1599-2040 in section 2B of chapter 133 of the acts of 2016 is hereby amended by striking out the figure, “$10,000,000” and inserting in place thereof the following figure:- $20,000,000.

SECTION Notwithstanding subsection (c) of section 10 of chapter 152 of the acts of 1997, as amended, not later than June 30, 2016, a portion of the balance in the Convention Center Fund up to but not to exceed $60,000,000, which the state treasurer and the secretary of administration and finance have determined to exceed the amount necessary to satisfy the requirement of sufficiency under said subsection (c) of said section 10 of said chapter 152, as so amended, shall be, upon request of said secretary of administration and finance, transferred to the General Fund.

SECTION Notwithstanding any general or special law to the contrary, the Massachusetts Housing Finance Agency shall transfer $1,500,000 from funds previously appropriated, or loans repaid, that the Agency administers on behalf of the commonwealth as a result of the program established pursuant to item 1231-1020 of section 2 of chapter 151 of the acts of 1996, as inserted by section 72 of chapter 204 of the acts of 1996, to the comptroller to be credited to the General Fund in fiscal year 2016.

SECTION Notwithstanding any general or special law to the contrary, the department of housing and community development shall direct $7,500,000 from loans repaid under the program established pursuant to section 27 of chapter 23B of the General Laws, to the comptroller to be credited to the General Fund in fiscal year 2016;  and provided further that the provisions of sections 33-35 of chapter 260 of the General Laws shall not apply to impair the enforceability of any mortgage granted under the program established pursuant to section 27 of chapter 23B of the General Laws or any other mortgage in favor of the department of housing and community development, the Massachusetts Housing Finance Agency or any other public instrumentality that encumbers a multifamily residential property that is also the subject of a recorded affordable housing restriction enforceable by or on behalf of the mortgagee.

SECTION Notwithstanding any general or special law to the contrary, the comptroller shall count as revenue in fiscal year 2016 any payments received by the commonwealth in fiscal year 2017 that result from a settlement agreement that was executed by the commonwealth on or before June 30, 2016, upon receiving certification from the attorney general that the payment results from such an agreement.

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

“Agency”, the Massachusetts Development Finance Agency, which term shall include any entity wholly owned by said development finance agency.

“Commissioner”, the commissioner of the division of capital asset management and maintenance.

“Property”, one or more parcels of land located at the former Grafton state hospital, shown on a plan on file with the division of capital asset management and maintenance.

(b) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may convey the property, or one or more portions thereof, to the agency for nominal consideration, subject to subsection (c). The exact location and boundaries of the property to be conveyed shall be determined by the commissioner, based upon a survey. The property shall be conveyed by deed without warranties or representations by the commonwealth.

(c) In the event that the agency sells or leases any portion of the property conveyed to it pursuant to this section, the net proceeds from such sale or lease as determined by the agency and agreed to by the commissioner shall be paid to the commonwealth. In the event that the net proceeds, as so determined, is a negative amount, the commonwealth shall not be required to make any payments to the agency.

(d) Notwithstanding any general or special law to the contrary, the agency shall be reimbursed for reasonable costs and expenses of the transactions authorized in this section, including the costs of any environmental review, hazardous waste remediation, surveys, feasibility plans, legal and consultant fees, recording fees and deed preparation related to the conveyances and for all costs, liabilities and expenses of any nature and kind related to the agency’s ownership of the property and paid by the agency to one or more third parties not affiliated with the agency; provided, however, that such reimbursement shall be paid from the proceeds of any sale or lease of the property or any portion thereof and the commonwealth shall not be required to make any payments to the agency.

(e) (i) In the event that the agency does not complete its purchase of the property on or before December 31, 2017, then notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for terms of up to 99 years, including all renewals and extensions, or otherwise grant, convey or transfer to purchasers or lessees an interest in the property or portions thereof, subject to this section and on such terms and conditions that the commissioner considers appropriate. For the purposes of this subsection e(i), the purchase by the agency shall be considered complete upon the transfer of title to the property to the agency. Any disposition of the property, or portion thereof, by the commissioner shall be accomplished using appropriate competitive bidding processes and procedures. At least 30 days before the date on which bids, proposals or other offers to purchase or lease the property, or any portion thereof, are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of the property, the nature of the competitive bidding process and other information that the commissioner considers relevant, including the time, place and manner for the submission of bids and proposals and the opening of the bids or proposals.  
(ii) Except for transfer of the property, or a portion thereof, to the agency pursuant to subsection (b), the grantee or lessee of all or any portion of the property subject to this subsection (e) shall be responsible for costs and expenses including, but not limited to, costs associated with deed preparation and recording fees related to the conveyances and transfers authorized in this section as such costs may be determined by the commissioner.  
(iii) No agreement for the sale, lease, transfer or other disposition of the property or any portion thereof pursuant to this subsection (e), and no deed executed by or on behalf of the commonwealth, shall be valid unless the agreement or deed contains the following certification, signed by the commissioner:  
“I, the undersigned commissioner of capital asset management and maintenance, hereby certify under penalties of perjury that I have fully complied with the relevant provisions of general and special laws in connection with the property described in this document.”

(f). In any disposition pursuant to subsection (b) or subsection (e), the commissioner may retain, accept or acquire by purchase, transfer, lease, eminent domain pursuant to chapter 79 of the General Laws or otherwise and may grant by deed, transfer, lease or otherwise any rights-of-way or easements in, over or beneath the property or any portion thereof as the commissioner deems necessary and appropriate with respect to other real property of the commonwealth.

SECTION (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the governor may, in consultation with the commissioner of the division of capital asset management and maintenance, the commissioner of the department of conservation and recreation and the department of the state police:

1. grant temporary licenses to the owners of estates abutting on the land acquired by the commonwealth pursuant to chapter 256 of the acts of 1915 and chapter 250 of the acts of 1916 permitting entrance upon the grounds of the State House including portions that may be located on Joy Place, and the erection of temporary construction equipment, including scaffolding and related appurtenances, to the extent necessary for exterior maintenance and repairs of party walls and walls of buildings abutting lot lines of the state house property, and appurtenances thereto, and to perform construction work thereon as authorized by law;
2. take any other action deemed necessary to effect the purposes authorized pursuant to this section.

(b) A license executed by the governor as provided by this section shall be upon such terms, conditions and considerations as the governor, in consultation with the commissioner of the division of capital asset management and maintenance, the commissioner of the department of conservation and recreation and the superintendent of the state police, may determine.

(c) The consideration for said license shall be such reasonable amount as may be determined by the governor. All revenue received from the issuance of said license shall be deposited in the State House Capital Fund established pursuant to section 35DDD of chapter 10 of the General Laws.

SECTION  Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the governor may, in consultation with the commissioner of the division of capital asset management and maintenance, the commissioner of the department of conservation and recreation and the superintendent of the state police, convey to the owners of estates abutting on the land acquired by the commonwealth pursuant to chapter 256 of the Acts of 1915 and chapter 250 of the acts of 1916 a portion of the land acquired by the commonwealth pursuant to chapter 256 of the Acts of 1915 and chapter 250 of the acts of 1916 permanent easements or such lesser interests as the governor may determine for the purposes of using, maintaining and repairing existing walls, existing cornices, and existing decorative balconies and minor existing encroachments onto state house property that are appurtenant to existing buildings. Such easements may be granted for nominal consideration and shall be subject to such terms and conditions as the governor may determine; provided, however, that said easements shall not include the street area, accessibility ramp, or the window wells described in sections 27 through 29.

SECTION Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the governor may, in consultation with commissioner of the division of capital asset management and maintenance, the commissioner of the department of conservation and recreation, and the department of the state police, convey to SDC-DLJ Beacon Hill, LLC or its designee a fee or lesser interest in a certain parcel of land containing approximately 320 square feet and located within the southerly side of Joy Place outside the existing state house fence, upon such terms as may be determined by the governor to be in the best interest of the commonwealth. The conveyance shall be for the purpose of permitting the grantee to use the parcel for accessory parking and vehicular turning room serving the residential properties at 25 Beacon Street and 6 and 7 Mt. Vernon Place and shall contain such terms and conditions as the governor deems to be in the interest of the commonwealth. Said parcel is shown as Area 2 on the plan of land entitled “Worksheet Showing Spot Grades and Compiled Property Lines 6&7 Mt Vernon Place, 25 Beacon Street,” dated December 19, 2013 and prepared by Feldman Professional Land Surveyors and annotated by CBT Architects on May 20, 2014. The boundaries of the parcel may be adjusted by the governor if necessary pursuant to a survey. The consideration for said conveyance shall be the full and fair market value of the conveyance as described in section 30.

SECTION  Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the governor may, in consultation with the commissioner of the division of capital asset management and maintenance, the commissioner of the department of conservation and recreation and the department of the state police, convey to SDC-DLJ Beacon Hill, LLC or its designee a permanent easement in land of the Commonwealth constituting part of the state house grounds for the purposes of constructing, using, maintaining, repairing and replacing certain window wells at 25 Beacon Street; provided, however, that said easement shall not include any restrictions on any property of the state house outside the easement area. Said easement area is indicated as Area 3 on the plan referenced in section 27. The boundaries of the parcel may be adjusted by the governor if necessary pursuant to a survey. The grant of such easement shall be made upon terms determined by the governor to be in the interest of the commonwealth and the consideration for such easement shall be the full and fair market value thereof as described in section 30.

SECTION  Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the governor may, in consultation with commissioner of capital asset management and maintenance, the commissioner of the department of conservation and recreation and the department of the state police, enter into a lease to SDC-DLJ Beacon Hill, LLC or its designee of air rights sufficient for the maintenance of the existing wrought iron accessibility ramp appurtenant to the building located at 6 Mt. Vernon Place. Such lease shall be for residential uses only and shall not be used as a legally required means of access or egress. Successive leases may be entered into provided that no such lease shall be for a term of longer than 25 years including options to extend or renew. The consideration for such lease shall be the full and fair market value rental of the leasehold as determined in section 30.

SECTION  Notwithstanding any general or special law to the contrary, the consideration for the conveyances and lease described in sections 25 through 29, inclusive, shall be the full and fair market value of the respective parcels as determined by the governor in consultation with the commissioner of capital asset management and maintenance based upon 1 or more independent professional appraisals.

SECTION  (a) Notwithstanding any general or special law to the contrary, the inspector general shall review and approve the appraisals required pursuant to section 30. The inspector general shall prepare a report of his review of the methodology utilized for any such appraisal and shall file the report with the governor, the commissioner of capital asset management and maintenance, the senate and house committees on ways and means, the house and senate committees on rules. . The inspector general shall complete said review and comment within 15 days after receipt of the appraisals.

(b) The governor shall, after receipt of the inspector general’s review and comments on the appraisal required by subsection (a) and 30 days prior to the execution of any deed or agreement authorized by sections 27 through 29, inclusive, submit the proposed deed or agreement and a report thereon to the inspector general for review and comment. The inspector general shall complete said review and comment within 15 days after receipt of the proposed deed or agreement. The governor shall submit the proposed agreement, and the reports and the comments of the inspector general, if any, to the senate and house committees on ways and means, the house and senate committees on rules, and the joint committee on state administration and regulatory oversight at least 15 days before the execution of the agreement.

SECTION  Notwithstanding any general or special law to the contrary, the lessor or grantee shall be responsible for all costs and expenses, including but not limited to, costs associated with any engineering, surveys, appraisals, and deed preparation related to the leases and any amendment thereto or conveyances authorized pursuant to this act as such costs may be determined by the governor for the development, maintenance, use and operation of any license, easement or lease granted pursuant to sections 25 through 29, inclusive.

SECTION Notwithstanding any general or special law to the contrary, any unexpended balances, not exceeding a total of $20,000,000, in items 4000-0600, 4000-0700 and 4000-1425 of section 2 of chapter 46 of the acts of 2015, as amended, shall not revert to the General Fund until September 1, 2016 and may be expended by the executive office of health and human services to pay for services enumerated in said items 4000-0600, 4000-0700 and 4000-1425 provided during fiscal year 2016.

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

(b) The waiver application shall seek approval to amend the groups of nursing facilities subject to the assessment and the amount of assessment liability imposed on certain nursing facilities. A nursing facility shall be classified as 1 of the following 4 groups: (i) group I, nursing facilities that do not meet the criteria for group II, III or IV; (ii) group II, non-profit continuing care retirement communities and non-profit residential care facilities; (iii) group III, non-profit facilities with total Medicaid days in excess of a threshold level of days established in regulations promulgated by the executive office of health and human services; and (iv) group IV, non-pediatric facilities that do not meet the criteria for group II or III, have a number of licensed beds lower than a threshold level of licensed beds established in regulations promulgated by the executive office of health and human services, are located in a county specified in regulations promulgated by the executive office of health and human services, and have a Medicaid utilization rate in excess of or lower than a threshold Medicaid utilization rate established in regulations promulgated by the executive office of health and human services. All facilities in group I shall pay an assessment at the rate established in regulations promulgated by the secretary of health and human services in conformity with the total annual assessment revenue amount established by an appropriation act and section 63 of chapter 118E of the General Laws. Nursing facilities in group II or group III shall pay an assessment at a rate equal to 10 per cent of the assessment rate imposed on nursing facilities in group I. Nursing facilities in group IV shall be exempt from liability for the assessment established in said section 63 of said chapter 118E and as modified pursuant to this section. The waiver application shall be structured in a manner that shall qualify it for automatic approval by the federal Centers for Medicare and Medicaid Services pursuant to 42 C.F.R. 433.68, provided that if the federal Centers for Medicare and Medicaid services nevertheless declines to approve such application, the executive office of health and human services shall modify the application in such a way that results in approval by the federal Centers for Medicare and Medicaid services.

SECTION Notwithstanding any general or special law to the contrary, in fiscal year 2017 the department of veterans’ services may maintain existing contracts and expend funds in items 1410-0012 and 1410-0250 consistent with the preceding fiscal year until October 31, 2016, to meet requirements set forth in state finance and procurement laws, to avoid the interruption or delay in the delivery of services and funds in items 1410-0012 and 1410-0250.

SECTION 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 Board of Higher Education and the Massachusetts Community College Council; and

(2) Between the Commonwealth of Massachusetts and the New England Police Benevolent Association, Unit 4A.