
Chap. 108

Notwithstanding section 11A of chapter 30A, the victim or his representative shall be entitled to attend all meetings of the board convened for the purpose of making a decision required in an adjudicatory proceeding, or for the purpose of reviewing a proposed consent order presented by the parties, concerning that victim's alleged injuries, at which the licensee or board complaint counsel are present. The victim or his representative shall be further entitled to have counsel of his own choosing present at the meeting for the purpose of advisement. The counsel shall not be permitted to participate actively in the proceeding. This paragraph shall not entitle an individual to the appointment of public or private counsel at the expense of the commonwealth.

Upon final consideration of a disciplinary matter before the board, and before the board's vote on final disposition, the board shall provide the victim or his representative an opportunity to be heard through an oral or written victim impact statement, at the victim's or his representative's option, about the impact of the injury on the victim and his family and on a recommended sanction. For purposes of this paragraph and the preceding paragraph, representatives of the victim shall include his family members and such other affected parties as might be so designated by the board's complaint counsel upon request.

If the respondent physician is present for any portion of the board's meeting upon the final consideration of a disciplinary matter, the victim or his representative shall have the opportunity to make an oral victim impact statement in the presence of the physician. If the respondent physician is absent from the board's meeting upon the final consideration of a disciplinary matter for a reason acknowledged by the board to be legitimate, the victim's or his representative's impact statement shall be communicated to the defendant physician in writing and the physician shall certify to the board that he has received and read it. The board shall make all reasonable efforts to ensure that the victim has the opportunity to make any oral impact statement in the presence of the physician.

Approved May 21, 2004.

Chapter 109. AN ACT RELATIVE TO THE TERMS OF CERTAIN BONDS TO BE ISSUED BY THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to facilitate the issuance of bonds to carry out the purposes of certain acts passed by the general court, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 2 of the acts of 1998 is hereby amended by striking out section 1 and inserting in place thereof the following section:-

Chap. 109

Section 1. Notwithstanding any law to the contrary, the bonds which the state treasurer is authorized to issue under section 11 of chapter 152 of the acts of 1997, as most recently a section 524 of chapter 26 of the acts of 2003, shall be issued for a term not to exceed 30 years. All such bonds shall be payable by June 30, 2038, as recommended by the governor in a message to the general court dated October 27, 2003, in pursuance of Section 3 of Article LXII of the Amendments to the Constitution.

Approved May 21, 2004.

Chapter 110. AN ACT EXEMPTING MEMBERS OF THE POLICE FORCE OF THE TOWN OF HOPEDALE FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 262 of the acts of 1984 is hereby amended by striking out section 1, as amended by section 1 of chapter 156 of the acts of 2000, and inserting in place thereof the following 2 sections:-

Section 1. The positions of regular or permanent members of the fire department of the town of Hopedale shall be subject to chapter 31 of the General Laws and the tenure of any incumbent thereof shall be unlimited, subject to said chapter 31.

Section 1A. The positions of regular or permanent members of the police force including intermittent reserve officers and the chief of police of the town of Hopedale shall be exempt from chapter 31 of the General Laws.

SECTION 2. Section 1A of said chapter 262, inserted by section 1 of this act, shall not impair the civil service status of the persons serving as employees of the police force of the town of Hopedale on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

Approved May 25, 2004.

Chapter 111. AN ACT RELATIVE TO THE USE OF RETIRED POLICE OFFICERS BY THE TOWN OF GRAFTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Grafton may appoint and use retired town of Grafton police officers to perform paid police details. The police officers so appointed or used shall be under the mandatory retirement age for police officers in chapter 32 of the General Laws.