HOUSE . . . . . No. 3735

Mr. Dempsey of Haverhill, for the committee on Ways and Means, on House, No. 3695, reported, in part, a Bill making appropriations for the fiscal years 2011 and 2012 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3735).

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act making appropriations for the fiscal years 2011 and 2012 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 purpose, which is to make supplemental appropriations for fiscal years 2011 and 2012 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 1. To provide for supplementing certain items in the general appropriation act and other appropriation acts for fiscal year 2011, 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, 2011. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. 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, 2012.

SECTION 2.

JUDICIARY

Trial Court

13 0330-0300 $12,000,000

14 DITRICT ATTORNEY

15 Worcester District Attorney

16 0340-0400 $98,066

17 Hampden District Attorney

18 0340-0500 $252,843

19 0340-0501 $45,000

20 Northwestern District Attorney

21 0340-0600 $102,909

22 Norfolk District Attorney

23 0340-0700 $115,203

24 0340-0701 $11,453

25 SECRETARY OF THE COMMONWEALTH

26 0521-0000 $61,501

27 0521-0012 $1,113

28 TREASURER & RECEIVER GENERAL.

29 Office of the Treasurer and Receiver General.

30 0612-0105 $200,000

31 MASSACHUSETTS CULTURAL COUNCIL.

32 0640-0300 $750,000

33 STATE AUDITOR

34 Office of the State Auditor

35 0710-0000 $874,830

36 ATTORNEY GENERAL

37 Office of the Attorney General

38 0810-0000 $671,665

39 INSPECTOR GENERAL

40 Office of the Inspector General

41 0910-0200 $709,394

42 OFFICE OF THE STATE COMPTROLLER

43 Office of the State Comptroller

44 1599-3384 $2,000,000

45 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

46 Office of the Secretary of Administration and Finance

47 1599-4227 $3,813,028

48 EXECUTIVE OFFICE OF EDUCATION

49 Department of Early Education and Care

50 3000-7050 $200,000

51 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

52 Office of the Secretary of Health and Human Services

53 4000-0300 $3,000,000

54 4000-0500 $6,000,000

55 Department of Transitional Assistance

56 4403-2000 $8,200,000

57 Department of Public Health

58 4510-0100 $2,313,560

59 4516-1000 $300,000

60 4512-0103 $500,000

61 4580-1000 $850,000

62 Department of Children and Families

4800-0015 $1,580,000

4800-1100 $650,000

Department of Mental Health

5046-0000 $3,000,000

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

Department of Career Services

7003-0605 $800,000

7003-0702 $250,000

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

Massachusetts Marketing Partnership

7008-0900 $52,000

Massachusetts Tourism Fund……..100%

EXECUTIVE OFFICE OF EDUCATION

Department of Elementary and Secondary Education

7035-0006 $48,000

Department of Higher Education

7066-0021 $500,000

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

Department of Elder Affairs

9110-1660 $107,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sums set forth in this section are 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, 2011. These sums shall be in addition to any amounts previously appropriated and made available for the purposes of those items. Notwithstanding any

90 general or special law to the contrary, appropriations made in section 2A shall not revert and
91 shall be available for expenditure until June 30, 2012.

92 DITRICT ATTORNEY

93 Berkshire District Attorney

94 0340-1100 For costs associated with the expansion of the Berkshire District Attorney's
95 Office and relocation of the State Police Detective Unit $194,134

96 OFFICE OF THE STATE COMPTROLLER

97 Office of the State Comptroller

98 1599-3393 For a reserve for the Hayes settlement $5,000,000

99 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

100 Office of the Secretary of Administration and Finance

101 1599-0029 For a reserve to meet the fiscal year 2012 costs of employee training and
102 other economic benefits authorized by the collective bargaining agreement between the
103 commonwealth and service employees international union local 1199; provided, that the
104 secretary of administration and finance may transfer from the sum appropriated in this item to
105 other items of appropriation amounts that are necessary to meet these costs where the amounts
106 otherwise available are insufficient for the purpose; and provided further, that funds under this
107 item shall not revert but shall be made available for expenditure until June 30, 2012
108 $1,000,000

109 1599-1706 For a reserve for the state share of costs to certain municipalities relating
110 to the June 1, 2011 storms; provided, that the comptroller shall transfer funds made available in
111 this item to municipalities for this purpose upon the written request of the secretary of
112 administration and finance $10,000,000

113 1599-1707 For a reserve for the state share of costs to certain municipalities and
114 municipal lighting plants as identified by the Federal Emergency Management Agency for
115 Emergency Declaration 3296 relating to the December 2008 severe winter storm, for the counties
116 of Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Suffolk and Worcester;
117 provided, that the comptroller shall transfer funds made available in this item to municipalities
118 for this purpose upon the written request of the secretary of administration and finance
119 $6,200,000

120 1599-1708 For a reserve for the state share of costs to certain municipalities identified
121 by the Federal Emergency Management Agency for Emergency Declaration 1895-DR relating to
122 the March 2010 severe flood, for the counties of Bristol, Essex, Middlesex, Norfolk, Plymouth,

123 Suffolk, and Worcester Counties; provided, that the comptroller shall transfer funds made
124 available in this item to municipalities for this purpose upon the written request of the secretary
125 of administration and finance $2,783,277

126 1599-2013 For a reserve for costs associated with the Commonwealth's defense in the
127 case of Connor B., et al v. Patrick, et al, civil action No. 3:10-cv30073; provided, that the
128 secretary may transfer from the sum appropriated in this item to other items of appropriation
129 amounts that are necessary to meet these costs where the amounts otherwise available are
130 insufficient for the purpose. $2,500,000

131 1599-3381 For a reserve to pay attorneys' fees in the lawsuit known as Hutchinson v.
132 Patrick, pending in the United States District Court. $745,000

133 1599-4204 For a reserve to meet the fiscal year 2011 and 2012 costs of salary
134 adjustments and other economic benefits authorized by the collective bargaining agreement
135 between the Commonwealth and the State Police Association of Massachusetts $4,509,518

136 1599-4252 For a reserve to meet the fiscal year 2011 and 2012 costs of salary
137 adjustments and other economic benefits authorized by the collective bargaining agreement
138 between the commonwealth and the Coalition for Public Safety, Unit 5 $140,000

139 1599-4343 For a reserve to meet the fiscal year 2011 and fiscal year 2012 costs of
140 salary adjustments and other economic benefits authorized by the collective bargaining
141 agreement between the Suffolk county sheriff's department and the County Correction
142 Officers/AFSCME Local 414 $293,950

143 1599-4421.. For a reserve to meet the fiscal year 2011 costs of salary adjustments and
144 other economic benefits authorized by the collective bargaining agreement between the Board of
145 Higher Education and the Massachusetts Teachers Association/National Education Association
146 Associated Massachusetts Community Colleges Council, and to meet the fiscal year 2011 costs
147 of salary adjustments and other economic benefits necessary to provide equal adjustments and
148 benefits to employees employed in confidential positions which otherwise would be covered by
149 this agreement; provided, that the personnel administrator, with the approval of the secretary of
150 administration and finance, shall determine these adjustments and benefits for the confidential
151 employees in accordance with the collective bargaining agreement then in effect which otherwise
152 would cover these positions; provided further, that the secretary may transfer from the sum
153 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
154 2011 amounts that are necessary to meet these costs where the amounts otherwise available are
155 insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance
156 with the house and senate committees on ways and means; and provided further, that any
157 unexpended funds from this item shall not revert and shall be made available for expenditure
158 until June 30, 2012 $3,422,000

159 1599-4430 For a reserve to meet the fiscal year 2011 and 2012 costs of salary
160 adjustments and other economic benefits authorized by the collective bargaining agreement
161 between the commonwealth and NAGE local 229 $1,300,000

162 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

163 Office of the Secretary of Health and Human Services

164 4000-0114 For the purposes of establishing an EOHHS pilot program that would link
165 increased training to modest pay increases in order to reduce turnover rates; provided, that
166 EOHHS shall issue regulations for the administration and distribution of such funds and shall
167 submit said regulations to the House and Senate Committees on Ways and Means $1,000,000

168 4000-0265 For a primary care workforce development grant program at community
169 health centers, for the purpose of enhancing recruitment and retention of primary care physicians
170 and other clinicians at community health centers throughout the Commonwealth; provided, the
171 grants shall be administered by a designee selected by the Secretary of Health and Human
172 Services by December 1, 2011 in consultation with the General Court; provided, that in awarding
173 such grants priority will be given to health centers serving medically underserved areas; provided
174 further, that the funds may be matched by other public and private funds; and provided, further,
175 that the designee selected by the secretary shall maximize all sources of public and private funds
176 $1,000,000

177 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

178 Department of Housing and Community Development

179 7004-0002 For Friends of the Homeless in the city of Springfield to alleviate the
180 increased caseload resulting from the June 1, 2011, storms .$100,000

181 EXECUTIVE OFFICE OF EDUCATION

182 Department of Elementary and Secondary Education

183 7052-0006 For grants and reimbursements to cities, towns, regional school districts and
184 counties under chapter 645 of the acts of 1948 and chapter 70B of the General Laws, for (a)
185 educational, engineering, and architectural services for school districts, (b) surveys made of
186 school building needs and conditions, (c) matching stabilization fund payments, (d) costs of
187 leasing buildings for vocational programs and originally equipping and furnishing said buildings
188 for vocational programs, and (e) payments associated with admission to a regional school district
189 $19,076

190 SECTION 2C.I. For the purpose of making available in fiscal year 2012 balances of
191 appropriations which otherwise would revert on June 30, 2011, the unexpended balances of the
192 maintenance appropriations listed below, not to exceed the amount specified below for each

193 item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the
194 corresponding item in section 2 of the general appropriation act for fiscal year 2011. However,
195 for items which do not appear in section 2 of the general appropriation act, the amounts in this
196 section are re-appropriated for the purposes of and subject to the conditions stated for the
197 corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this
198 section are re-appropriated from the fund or funds designated for the corresponding item in
199 section 2 of the general appropriation act; provided, however, that for items which do not appear
200 in section 2 of the general appropriation act, the amounts in this section are re-appropriated from
201 the fund or funds designated for the corresponding item in section 2 or 2A of this act or in prior
202 appropriation acts. The sums re-appropriated in this section shall be in addition to any amounts
203 available for said purposes including amounts appropriated in sections 2, 2A and 2E of this act.

204 JUDICIARY

205 Committee for Public Counsel Services.

206 0321-1510 $7,807,455

207 TREASURER AND RECEIVER-GENERAL

208 Lottery Commission

209 0640-0000 $815,000

210 SHERIFFS

211 Essex Sheriff's Department

212 8910-0619 $21,578

213 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

214 Office of the Secretary of Administration and Finance

215 1100-1560 $440,693

216 1599-0016 $110,000

217 1599-4281 $10,000

218 1599-4282 $10,000

219 1599-4283 $10,000

220 1599-4284 $10,000

221 Department of Children and Families

222 4800-0038 $500,000

223 4800-0041 $2,500,000

224 4800-1100 $2,000,000

225 Massachusetts Commission for the Deaf and Hard of Hearing

226 4125-0100 $90,000

227 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

228 Office of the Secretary of Public Safety and Security

229 8000-0600 $6,500

230 Department of State Police

231 8100-1001 $2,700,000

232 Military Division

233 8700-0001 $200,000

234 Parole Board

235 8950-0001 $500,000

236 LEGISLATURE

237 Senate

238 9500-0000For the operation of the senate $490,971

239 House of Representatives

240 9600-0000For the operation of the house of representatives $1,068,325

241 Joint Legislative Expenses

242 9700-0000 For the joint operations of the legislature $234,807

243 SECTION 2C.II. For the purpose of making available in fiscal year 2012 balances of
244 retained revenue and intragovernmental chargeback authorizations which otherwise would revert
245 on June 30, 2011, the unexpended balances of the authorizations listed below, not to exceed the
246 amount specified below for each item, are hereby re-authorized for the purposes of and subject to
247 the conditions stated for the corresponding item in section 2 or 2B of the general appropriation
248 act for fiscal year 2009. However, for items which do not appear in section 2 or 2B of the

249 general appropriation act, the amounts in this section are re-authorized for the purposes of and
250 subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in
251 prior appropriation acts. Amounts in this section are re-authorized from the fund or funds
252 designated for the corresponding item in section 2 or 2B of the general appropriation act;
253 however, for items which do not appear in section 2 or 2B of the general appropriation act, the
254 amounts in this section are re-authorized from the fund or funds designated for the corresponding
255 item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-authorized in
256 this section shall be in addition to any amounts available for those purposes.

257 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

258 Office of the Secretary of Public Safety and Security

259 8000-0004 $3,000,000

260 Municipal Police Training Committee

261 8200-0222 $48,000

262 SECTION 2E. The sums set forth in this section are hereby appropriated for transfer
263 from the General Fund to the trust funds named within each item unless specifically designated
264 otherwise in this section, for the purposes and subject to the conditions specified in this section
265 and subject to the laws regulating the disbursement of public funds for the fiscal year ending
266 June 30, 2011. Items in this section shall not be subject to allotment under section 9B of chapter
267 29 of the General Laws or reduction under section 9C of said chapter 29, without express
268 authorization from the general court. Notwithstanding section 19A of said chapter 29, any
269 transfer under this section shall be made by the comptroller in accordance with a transfer
270 schedule to be developed for each item by the comptroller, after consulting with the appropriate
271 agency secretary, the secretary of administration and finance and the state treasurer. The
272 schedule for each appropriation shall provide for transfers in increments considered appropriate
273 to meet the cash flow needs of each fund and all transfers under the schedule shall be completed
274 not later than June 30, 2011. Not later than 7 days after the schedules receive final approval by
275 the comptroller, they shall be reported to the house and senate committees on ways and means.
276 Notwithstanding any general or special law to the contrary, appropriations made in section 2E
277 shall not revert and shall be available for expenditure until June 30, 2012.

278 OFFICE OF THE STATE COMPTROLLER

279 Office of the State Comptroller

280 1595-6583 For an operating transfer to the Infrastructure Development Fund
281 $37,950,000

282 1595-6585 For an operating transfer to the Low Income Housing Tax Credit Fund
283 $9,500,000

284 EXECUTIVE OFFICE OF EDUCATION

285 Department of Higher Education

286 7066-0035 For the support of the science, technology, engineering, and mathematics
287 grant fund established by section 2MMM of chapter 29 of the General Laws $500,000

288 SECTION 3. To provide for supplementing certain items in the general appropriation act
289 and other appropriation acts for fiscal year 2012, the sums set forth in section 3 are hereby
290 appropriated from the General Fund unless specifically designated otherwise in this act or in
291 those appropriation acts, for the several purposes and subject to the conditions specified in this
292 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
293 funds for the fiscal year ending June 30, 2012. These sums shall be in addition to any amounts
294 previously appropriated and made available for the purposes of those items.

295 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

296 Department of Developmental Services

297 5920-2000 $5,000,000

298 5920-3000 $5,500,000

299 Department of Youth Services

300 4200-0300 $1,600,000

301 EXECUTIVE OFFICE OF EDUCATION

302 Department of Elementary and Secondary Education

303 7035-0002 $3,000,000

304 SECTION 4. Chapter 7A of the General Laws is hereby amended by adding the
305 following section: -

306 Section 19. (a) As used in this section the following words shall, unless the context
307 clearly requires otherwise, have the following meanings:

308 "Debt", a delinquent state tax or non-tax debt certified by the treasurer and receiver
309 general or a federal non-tax debt certified by a federal official including, but not limited to, fines,
310 fees, penalties and other non-tax assessments imposed by or payable to the commonwealth or
311 federal government that are finally determined to be due and owing.

312 "Federal official", a unit or official of the federal government charged with the collection
313 of non-tax liabilities payable to the federal government and with the authority to enter into the
314 offset agreement.

315 “Offset agreement”, the agreement between the comptroller and the Secretary of the
316 Treasury authorized by this section.

317 "Person", an individual, vendor, contractor, partnership, society, association, joint stock
318 company, limited liability company, corporation, estate, receiver, trustee, assignee and any other
319 person acting in a fiduciary or representative capacity whether appointed by a court or otherwise,
320 or any combination of the foregoing.

321 “Refund”, an overpayment of any tax that is returned or credited to the taxpayer pursuant
322 to sections 30, 31A, 36, 36A, 37 or 39 of chapter 62C, or sections 27 or 27A of chapter 65, or
323 section 6 of chapter 65A or any other general or special law that authorizes such a return or
324 credit.

325 "State payments", refunds and any vendor or contractor payments made by the
326 commonwealth to any person, including expense reimbursements to an employee of the
327 commonwealth, provided, however, that "state payments" shall not include salary, wages,
328 pension and any other type, class or amount of payment that the comptroller determines to
329 impact health or welfare benefits of the citizens of the commonwealth.

330 (b) Notwithstanding any other general or special law to the contrary, the comptroller may
331 enter into an offset agreement with the Secretary of the Treasury to participate in a reciprocal
332 Treasury Offset Program pursuant to 31 U.S.C. section 3716 for the collection of any debts owed
333 to the commonwealth or to state agencies from federal payments to vendors, contractors and
334 taxpayers. The offset agreement may provide for the United States to submit non-tax debts owed
335 to federal agencies for offset against state payments otherwise due and owing to taxpayers,
336 vendors and contractors providing goods or services to the commonwealth, its departments,
337 agencies or institutions.

338 (c) Pursuant to the offset agreement, a federal official may: (1) provide certification to the
339 comptroller the existence of a person's delinquent, non-tax debt owed by the person to the federal
340 government by providing: (i) the full name and address of the person and any other names
341 known to be used by the person; (ii) the social security number or federal tax identification
342 number; (iii) the amount of the federal non-tax debt; (iv) a statement certifying that the debt is
343 past due, that due process has been provided and that the debt is legally enforceable in the
344 amount certified, which may be provided in procedures for certifying payments in the agreement;
345 and (v) any other information pursuant to the agreement; (2) request the comptroller to withhold
346 any state payment to which the person is entitled; and (3) retain a portion of the proceeds of any
347 federal administrative setoff authorized by the federal offset program.

348 (d) As permitted by the offset agreement, the comptroller shall: (1) determine if a person
349 for whom a certification is received is due a state payment; (2) withhold a state payment that is
350 due a person whose name has been certified by a federal official; (3) notify the person of the
351 amount withheld in satisfaction of a debt certified by a federal official; (4) pay to the federal
352 official the lesser of the entire state payment or the amount certified and pay any refund or state
353 payment in excess of the certified amount to the person less any fee pursuant to subsection (f);

354 (e) The comptroller may certify to a federal official a person's delinquent debt owed to
355 the commonwealth by providing the federal official: (1) the full name and address of the person
356 and any other names known to be used by the person; (2) the social security number or federal
357 tax identification number; (3) the amount of the liability; (4) a statement certifying that the debt
358 is past due, that due process has been provided and that the debt is legally enforceable in the
359 amount certified, which may be provided in procedures for certifying payments in the agreement;
360 and (5) Any other information required by state statute or regulation applicable to the collection
361 of the debt by offset of federal payments.

362 (f) The comptroller may request that the federal official withhold any federal vendor or
363 other federal payment pursuant to the offset agreement to which the person is entitled

364 the entire federal payment or the amount certified and pay any refund or federal payment
365 in excess of the certified amount to the person less any fee pursuant to subsection (g);

366 (g) The comptroller shall establish a reasonable administrative fee to be charged to the
367 person for the provision of the state offset of a federal debt or the federal offset of a state debt.
368 The fee is a separate debt and may be withheld from any refund, reimbursement or other monies
369 held for the person. The comptroller may charge the person who is the subject of federal offset of
370 a state debt, a fee equal to the fee authorized in this paragraph. Any state administrative fees
371 may be retained by the comptroller, without further appropriation, for the costs of the offset
372 program, including reporting, and for costs associated with other revenue generation and cost
373 savings initiatives as determined by the comptroller.

374 (h) The comptroller may enter into interagency agreements with other state agencies for
375 the purpose of protecting a person's return information pursuant to chapter 62C and regulations
376 promulgated thereunder and collecting debts, fees and penalties due the commonwealth, its
377 departments, agencies or institutions.

378 (i) If an individual filed a joint income tax return and the debt certified by a federal
379 official is not the liability of both parties to the joint income tax return, the comptroller may not
380 withhold or pay to the federal official that portion of the income tax refund attributable to the
381 individual not owing the debt. The comptroller and the commissioner of revenue shall adopt
382 procedures notifying parties to a joint income tax return of a proposed offset of a state income
383 tax refund for a debt certified by a federal official and shall allow the parties to such return 60
384 days to assert in writing that a portion of the income tax refund is attributable to the individual

385 not owing the debt. If no such assertion by a party to the joint return is made within 60 days of
386 notice, all of the income tax refund shall be deemed attributable to the individual owing the debt.

387 SECTION 5. Subsection (a) of section 2RR of chapter 29 of the General Laws, as
388 amended by section 93 of chapter 3 of the acts of 2011, is hereby further amended by adding the
389 following sentence:- For the purpose of accommodating discrepancies between the receipt of
390 revenues and related expenditures, the director of career services may incur obligations and the
391 comptroller may certify payment amounts not to exceed the most recent revenue estimate
392 submitted by the department and approved by the comptroller; provided, however, that the fund
393 shall be in balance by the close of each fiscal year.

394 SECTION 6. Section 32 of chapter 29 of the General Laws, as appearing in the 2010
395 Official Edition, is hereby amended by striking out the first and second sentences and inserting in
396 place thereof the following 2 sentences:- Any check issued by the state treasurer or by any agent
397 or agency of the commonwealth, other than checks issued in payment of obligations of the state
398 board of retirement, the teachers' retirement board and the MassHealth program, which is not
399 presented for payment within 1 year after its date, shall be payable only at the office of the state
400 treasurer. Any check issued on behalf of the MassHealth program, which is not presented for
401 payment within 180 days after its date, shall be payable only at the office of the state treasurer.

402 SECTION 7. Section 2 of chapter 30A of the General Laws, as appearing in the 2010
403 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place
404 thereof the following paragraph:-

405 A small business impact statement shall be filed with the state secretary on the same day
406 the notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary
407 shall include the small business impact statement on the electronic website of the state secretary,
408 and the statement may be inspected and copied in the office of the state secretary during business
409 hours.

410 SECTION 8. Section 3 of said chapter 30A of the General Laws, as so appearing, is
411 hereby amended by striking out the fourth paragraph and inserting in place thereof the following
412 paragraph:-

413 A small business impact statement shall be filed with the state secretary on the same day
414 the notice is filed and shall accompany the notice. Notwithstanding section 6, the state secretary
415 shall include the small business impact statement on the electronic website of the state secretary,
416 and the statement may be inspected and copied in the office of the state secretary during business
417 hours.

418 SECTION 9. Section 108L of chapter 41 of the General Laws, as so appearing, is hereby
419 amended by striking out, in lines 3 to 5, the words “, uniformed members of the department of

420 state police appointed under said section ten, state police detectives appointed under section ten
421 of said chapter twenty-two C".

422 SECTION 10.The fifth paragraph of said section 108L of said chapter 41, as so
423 appearing, is hereby amended by striking out the third sentence.

424 SECTION 11. Section 6I of chapter 62 of the General Laws, as so appearing, is hereby
425 amended by striking out, in line 54, the figure "$10,000,000" and inserting in place thereof the
426 following figure:- $20,000,000.

427 SECTION 12. Said section 6I of said chapter 62, as so appearing, is hereby further
428 amended by striking out the figure "$20,000,000", inserted by section 10, and inserting in place
429 thereof the following figure:- $10,000,000.

430 SECTION 13. Section 1 of chapter 62D of the General Laws, as appearing in the 2010
431 Official Edition, is hereby amended by inserting after the figure "29", in line 29, the following
432 words:- , or any federal agency as certified by a federal official to the comptroller pursuant to
433 section 19 of chapter 7A.

434 SECTION 14. Section 13 of said chapter 62D of the General Laws, as so appearing, is
435 hereby amended by inserting after the figure "29", in line 15, the following words:- , or any
436 federal agency as certified by a federal official to the comptroller pursuant to section 19 of
437 chapter 7A.

438 SECTION 15. Section 31H of chapter 63 of the General Laws, as so appearing, is
439 hereby amended by striking out, in line 56, the figure "$10,000,000" and inserting in place
440 thereof the following figure:- $20,000,000.

441 SECTION 16. Said 31H of said chapter 63, as so appearing, is hereby further amended
442 by striking out the figure "$20,000,000", inserted by section 14, and inserting in place thereof the
443 following figure:- $10,000,000.

444 SECTION 17. Section 92 of chapter 71 of the General Laws is hereby amended by
445 striking out subsection (r), added by section 74 of chapter 68 of the acts of 2011.

446 SECTION 18. Section 35 of chapter 123 of the General Laws, as appearing in the 2010
447 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place
448 thereof the following paragraph:-

449

450 If, after a hearing, the court based upon competent testimony, which shall include, but not
451 be limited to, medical testimony, finds that a person is an alcoholic or substance abuser and there
452 is a likelihood of serious harm as a result of a person's alcoholism or substance abuse, the court
453 may order such person to be committed for a period not to exceed 30 days; provided, however,

454 that if, after a hearing, the court finds that a person is a substance abuser, who is addicted to 1 or
455 more controlled substances including, but not limited to, heroin, OxyContin, hydrocodone,
456 oxycodone, crack cocaine, methamphetamine or other controlled substance having an addiction-
457 forming or addiction-sustaining liability, the court, in its discretion, may order such person to be
458 committed for a period not to exceed 90 days, followed by 1 year of case management. During a
459 person's commitment they may voluntarily discuss their path to addiction, including but not
460 limited to prescription drug abuse. Such commitment shall be for inpatient care in public or
461 private facilities approved by the department of public health under chapter 111B for the care
462 and treatment of alcoholism or substance abuse. The person may be committed to the
463 Massachusetts correctional institution at Bridgewater, if a male, or at Framingham, if a female,
464 provided that there are not suitable facilities available under said chapter; and provided, further,
465 that the person so committed shall be housed and treated separately from convicted criminals. A
466 person so committed may be released prior to the expiration of the period of commitment upon
467 written determination by the superintendent that release of said person will not result in a
468 likelihood of serious harm. Such written determination by the superintendent shall contain the
469 reasons for the superintendent's decision to release said person and shall be signed and dated by
470 the superintendent. Said person shall be encouraged to consent to further treatment and shall be
471 allowed voluntarily to remain in the facility for such purposes. The department of mental health,
472 in conjunction with the department of public health, shall maintain a roster of public and private
473 facilities available, together with the number of beds currently available, for the care and
474 treatment of alcoholism or substance abuse and shall make it available to the district courts of the
475 commonwealth on a monthly basis.

476 SECTION 19. Section 1 of chapter 176J of the General Laws, as so appearing, is hereby
477 amended by striking out the definition of "Eligible individual" and inserting in place thereof the
478 following definition:-

479 "Eligible individual," an individual who is a resident of the commonwealth and who is
480 not seeking individual coverage to replace an employment-based health plan for which the
481 individual or individual's qualified dependent is eligible, which provides coverage that is at least
482 actuarially equivalent to minimum creditable coverage; provided, however, that any person
483 enrolled in an individual health benefit plan before September 30, 2011 shall be considered an
484 eligible individual so long as such person continues to be a resident of the commonwealth and
485 maintains enrollment in an individual health benefit plan.

486 SECTION 20. The first paragraph of subsection (d) of section 6 of chapter 176J of the
487 General Laws, as so appearing, is hereby amended by adding the following sentence:-

488 The commissioner shall have discretion to apply waivers to the presumptive disapproval
489 process requirements under this section to carriers who receive 80 per cent of more of their
490 income from government programs.

491 SECTION 21. The last paragraph of subsection (a) of section 11 of chapter 176J of the
492 General Laws, as so appearing, is hereby amended by adding the following sentence:-

493 The commissioner shall have discretion to apply waivers to the 12 per cent requirement
494 under this section to carriers who receive 80 per cent or more of their income from government
495 programs.

496 SECTION 22. Subsection (c) of section 2A of chapter 211D of the General Laws, as
497 appearing in section 112 of chapter 68 of the acts of 2011, is hereby amended by adding the
498 following paragraph:-

499 Upon request by the department of children and families, the commissioner of probation
500 shall provide to the department a copy of a person's indigency intake form, final assessment of
501 financial circumstances, and any report certifying that the person either continues to meet or no
502 longer meets the definition of indigency prepared by the chief probation officer in accordance
503 with this section. The department shall use these forms and reports for the purpose of
504 completing eligibility determinations under Title IV-E of the Social Security Act and for no other
505 purpose. The commissioner of probation and the commissioner of children and families shall
506 jointly determine the process by which the department of children and families shall obtain and
507 maintain these forms and reports. The department of children and families shall not make, and
508 shall prohibit, any dissemination of such information for any purpose other than those set forth in
509 this paragraph.

510 SECTION 23. The last paragraph of chapter 2 of the resolves of 2010 is hereby amended
511 by striking out the words "September 28, 2011" and inserting in place thereof the following
512 words:- January 31, 2012.

513 SECTION 24. Chapter 192 of the acts of 2007 is hereby amended by striking out
514 sections 5 to 11, inclusive, and inserting in place thereof the following 4 sections:-

515 Section 5. As used in sections 5 to 11, inclusive, the following words shall, unless the
516 context clearly requires otherwise, have the following meanings:-

517 "Corps members", individuals who commit to service in the commonwealth corps
518 pursuant to this act.

519 "Corps projects", programs established pursuant to this act to satisfy unmet community
520 needs.

521 "Corps sponsors", non-profit and public entities that participate in corps projects.

522 "Massachusetts Service Alliance," or "MSA", the non-profit organization which
523 administers the commonwealth corps program.

524 “Unmet community needs”, needs including, but not limited to, those pertaining to
525 education, public health, public safety, the environment and other human needs in underserved
526 populations and areas in the commonwealth.

527 Section 6. (a) Subject to the receipt of adequate funding by the commonwealth or other
528 sources, there shall be a commonwealth corps.

529 (b) The commonwealth corps shall be composed of corps members who will commit to
530 no more than 12 months of full-time, part-time or flex-time service to the commonwealth to
531 address unmet community needs.

532 (c) Corps members shall be residents of the commonwealth who are at least 18 years of
533 age. Members shall be the responsibility of the corps sponsors with support from the MSA.
534 Corps members shall undertake meaningful service projects addressing unmet community needs
535 in areas including, but not limited to, the environment, education, health and basic human
536 services and may serve full or part-time; but, members having direct contact with minor children
537 or vulnerable adults shall be required to pass a background check.

538 (d) The MSA and the corps sponsors shall, to the extent practicable, ensure that corps
539 members are placed with corps projects that match their interests, geographic constraints, skills
540 and abilities. Corps sponsors may enroll individuals who choose to defer a stipend to serve as a
541 corps member. Corps sponsors shall seek to enroll individuals who are economically,
542 geographically, ethnically, socially, physically or educationally diverse.

543 (e) A corps member shall not be subject to chapter 31 or section 9A of chapter 30. Corps
544 members shall not be considered to be an employee of the commonwealth entitled to the benefit
545 of chapter 152, nor shall a corps member be considered to be an employee of the commonwealth
546 for any other purpose.

547 Section 7. (a) The MSA shall administer the commonwealth corps and in so doing shall:
548 (1) provide the personnel necessary to carry out the purposes of this chapter; (2) recruit corps
549 sponsors; (3) coordinate among agencies of the commonwealth and other organizations using
550 community service and volunteerism as a strategy to assist in the solution of local, regional and
551 statewide problems; (4) initiate studies and analyses of proposed and implemented service and
552 volunteer projects, which will aid in solving local, regional and statewide problems; (5)
553 recommend expansion of corps opportunities to address all community needs, such as education,
554 environment, public safety, public health and employment and training; (6) encourage the
555 corporate community of the commonwealth to become an active partner in the support, advocacy
556 and promotion of community service and volunteer opportunities in the commonwealth; (7)
557 develop a grant application and selection process using the criteria set forth in subsection (b) for
558 non-profit organizations and public entities, including schools and educational institutions,
559 seeking to participate in the commonwealth corps; (8) review grant applications from non-profit
560 organizations and public entities, including schools and educational institutions and selecting

561 grant awardees; (9) establish criteria and procedures for recruiting residents of the
562 commonwealth who are 18 years or older to serve as corps members; (10) establish procedures
563 for matching and placing corps members with corps projects; (11) establish personnel policies
564 and procedures for corps members; (12) determine the appropriate financial match support levels
565 by private business, community groups, foundations, public agencies and individuals; (13) assist
566 corps sponsors in the development of scholarships and matching funds from private businesses,
567 community groups, foundations, public agencies and individuals in order to support a portion of
568 a corps member's stipend and benefits; and (14) monitor corps members and corps sponsors for
569 compliance with all state and federal laws and funding agreements.

570 (b) The MSA shall give projects meeting the following criteria preference: (1) projects
571 addressing a well-established unmet community need; (2) projects articulating measurable goals,
572 including an assessment of the impact on the corps members and on the targeted community; (3)
573 projects providing services to communities and organizations throughout the commonwealth; (4)
574 projects not using corps members to replace previously budgeted positions or to reduce overtime,
575 hours of work or opportunities for advancement for employees or members of corps sponsors;
576 and (5) projects falling within 1 or both of the following categories: (i) direct service projects
577 that give corps members opportunities to provide direct services addressing unmet community
578 needs including, but not limited to, tutoring or mentoring, providing health care education,
579 providing services to the homeless, enhancing historic, cultural, and natural resources of the
580 commonwealth, enhancing environmental restoration, enhancing emergency preparedness and
581 response; or (ii) volunteer-generating projects that give corps members the opportunity to recruit,
582 train and support volunteers to participate in civic projects and to meet unmet community needs.

583 Section 8. The MSA shall file with the governor, on or before January 1 and on or before
584 July 1 of each year, a report, which shall include but not be limited to the following: (1) a
585 financial statement summarizing its expenditures and available funds; (2) the number of projects
586 and proposed placements submitted to it; (3) the number of volunteers assigned to corps
587 sponsors; (4) the number of hours served by corps members; (5) the number of beneficiaries
588 served by corps projects; (6) a description of corps projects and a summary of the work
589 completed; (7) a measure of outputs and outcomes; and (8) information on other pertinent service
590 data as may be determined by the governor.

591 SECTION 25. Section 2 of chapter 131 of the acts of 2010 is hereby amended by striking
592 out the figure "0340-0101" and inserting in place thereof the following figure:- 0340-0198.

593 SECTION 26. Said section 2 of said chapter 131 is hereby further amended by striking
594 out the figure "0340-0201" and inserting in place thereof the following figure:-0340-0298.

595 SECTION 27. Said section 2 of said chapter 131 is hereby further amended by striking
596 out the figure "0340-0301" and inserting in place thereof the following figure:- 0340-0398.

597 SECTION 28. Said section 2 of said chapter 131 is hereby further amended by striking
598 out the figure “0340-0401” and inserting in place thereof the following figure:- 0340-0498.

599 SECTION 29. Said section 2 of said chapter 131 is hereby further amended by striking
600 out the figure “0340-0501” and inserting in place thereof the following figure:- 0340-0598.

601 SECTION 30. Said section 2 of said chapter 131 is hereby further amended by striking
602 out the figure “0340-0601” and inserting in place thereof the following figure:-0340-0698.

603 SECTION 31. Said section 2 of said chapter 131 is hereby further amended by striking
604 out the figure “0340-0701” and inserting in place thereof the following figure:- 0340-0798.

605 SECTION 32. Said section 2 of said chapter 131 is hereby further amended by striking
606 out the figure “0340-0801” and inserting in place thereof the following figure:- 0340-0898.

607 SECTION 33. Said section 2 of said chapter 131 is hereby further amended by striking
608 out the figure “0340-0901” and inserting in place thereof the following figure:- 0340-0998.

609 SECTION 34. Said section 2 of said chapter 131 is hereby further amended by striking
610 out the figure “0340-1001” and inserting in place thereof the following figure:- 0340-1098.

611 SECTION 35. Said section 2 of said chapter 131 is hereby further amended by striking
612 out the figure “0340-1101” and inserting in place thereof the following figure:- 0340-1198.

613 SECTION 36. Said section 2 of said chapter 131 is hereby further amended by striking
614 out the figure “0699-0016” and inserting in place thereof the following figure:- 0699-0014.

615 SECTION 37. Said section 2 of said chapter 131 is hereby further amended by striking
616 out the figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

617 SECTION 38. Said section 2 of said chapter 131 is hereby further amended by striking
618 out the figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

619 SECTION 39. Said section 2 of said chapter 131 is hereby further amended by striking
620 out the figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

621 SECTION 40. Said section 2 of said chapter 131 is hereby further amended by striking
622 out the figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

623 SECTION 41. Said section 2 of said chapter 131 is hereby further amended by striking
624 out the figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

625 SECTION 42. Item 8910-8310 of said section 2 of said chapter 131 is hereby amended
626 by striking out the figure "$8,460,000", inserted by section 39B of chapter 9 of the acts of 2011,
627 wherever it appears, and inserting in place thereof in each instance the following figure:-
628 $9,955,000

629 SECTION 43. Subsection (a) of section 32A of chapter 288 of the acts of 2010, as
630 inserted by section 103 of chapter 359 of the acts of 2010, is hereby amended by adding at the
631 end thereof the following sentence:-

632 The commissioner shall have discretion to apply waivers to the 12 per cent requirement
633 under this section to carriers who receive 80 per cent or more of its income from government
634 programs.

635 SECTION 44. Section 34 of chapter 409 of the acts of 2010 is hereby amended by
636 striking out the figure "2011" and inserting in place thereof the following figure:- 2012.

637 SECTION 45. Section 2 of chapter 68 of the acts of 2011 is hereby amended by striking
638 out the figure "0340-0101" and inserting in place thereof the following figure:- 0340-0198.

639 SECTION 46. Said section 2 of said chapter 68 is hereby further amended by striking out
640 the figure "0340-0201" and inserting in place thereof the following figure:-0340-0298.

641 SECTION 47. Said section 2 of said chapter 68 is hereby further amended by striking out
642 the figure "0340-0301" and inserting in place thereof the following figure:- 0340-0398.

643 SECTION 48. Said section 2 of said chapter 68 is hereby further amended by striking out
644 the figure "0340-0401" and inserting in place thereof the following figure:- 0340-0498.

645 SECTION 49. Said section 2 of said chapter 68 is hereby further amended by striking out
646 the figure "0340-0501" and inserting in place thereof the following figure:- 0340-0598.

647 SECTION 50. Said section 2 of said chapter 68 is hereby further amended by striking out
648 the figure "0340-0601" and inserting in place thereof the following figure:-0340-0698.

649 SECTION 51. Said section 2 of said chapter 68 is hereby further amended by striking out
650 the figure "0340-0701" and inserting in place thereof the following figure:- 0340-0798.

651 SECTION 52. Said section 2 of said chapter 68 is hereby further amended by striking out
652 the figure "0340-0801" and inserting in place thereof the following figure:- 0340-0898.

653 SECTION 53. Said section 2 of said chapter 68 is hereby further amended by striking out
654 the figure "0340-0901" and inserting in place thereof the following figure:- 0340-0998.

655 SECTION 54. Said section 2 of said chapter 68 is hereby further amended by striking out
656 the figure "0340-1001" and inserting in place thereof the following figure:- 0340-1098.

657 SECTION 55. Said section 2 of said chapter 68 is hereby further amended by striking out
658 the figure "0340-1101" and inserting in place thereof the following figure:- 0340-1198.

659 SECTION 56. Said section 2 of said chapter 68 is hereby further amended by striking out
660 the figure "0699-0016" and inserting in place thereof the following figure:- 0699-0014.

661 SECTION 57. Said section 2 of said chapter 68 is hereby further amended by striking out
662 the figure “0699-2004” and inserting in place thereof the following figure:- 0699-2005.

663 SECTION 58. Said section 2 of said chapter 68 is hereby further amended by striking out
664 the figure “0810-0007” and inserting in place thereof the following figure:- 0810-0098.

665 SECTION 59. Said section 2 of said chapter 68 is hereby further amended by striking out
666 the figure “8000-0000” and inserting in place thereof the following figure:- 8000-0600.

667 SECTION 60. Said section 2 of said chapter 68 is hereby further amended by striking out
668 the figure “8100-0000” and inserting in place thereof the following figure:- 8100-1001.

669 SECTION 61. Said section 2 of said chapter 68 is hereby further amended by striking out
670 the figure “8100-0011” and inserting in place thereof the following figure:- 8100-0018.

671 SECTION 62. Item 0330-0300 of said section 2 of said chapter 68 is hereby amended by
672 striking out the words “ the chief justice for administration and management shall submit a report
673 to the joint committee on the judiciary and the house and senate committees on ways and means
674 90 days prior to the temporary closure or temporary relocation of courthouses; provided further,
675 that said report shall include, but not be limited to, the transfer of personnel, the reallocation of
676 resources, the impact on other courthouses resulting from the temporary closure of said court and
677 other factors that may affect implementation of said temporary closure;” and inserting in place
678 thereof the following words:- no courthouse shall be closed, nor any session within a
679 courthouse, and no proposed courthouse or session closure by the chief justice for administration
680 and management of the trial court shall take effect until such closure is approved by the court
681 administrator; provided, however, that prior to any such closure the court administrator
682 appointed pursuant to chapter 211B of the general laws shall file with the joint committee on the
683 judiciary, the house and senate committees on ways and means, and the clerks of the house and
684 senate 90 days prior to the temporary closure or temporary relocation of courthouses or sessions
685 a plan to close certain courthouses or certain sessions which shall include the specific reasons for
686 such closure, the cost savings, a plan to provide services to citizens affected by such closure; the
687 transfer of personnel, the reallocation of resources, the impact on other courthouses resulting
688 from the temporary closure of said court or session and other factors that may affect
689 implementation of any closure.

690 SECTION 63. Item 0332-0100 of said section 2 of said chapter 68 is hereby amended by
691 striking out the words:- “$33,750,000 may be expended from fees charged and collected
692 pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter 218 of the
693 General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws and section
694 87A of chapter 276 of the General Laws; provided further, that the first $34,350,000” and
695 inserting in place thereof the following words:- $30,750,000 may be expended from fees charged
696 and collected pursuant to section 3 of chapter 90C of the General Laws, section 22 of chapter

697 218 of the General Laws, sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws
698 and section 87A of chapter 276 of the General Laws; provided further, that the first $26,350,000.

699 SECTION 64. Item 0333-0002 of said section 2 of said chapter 68 is hereby amended by
700 striking out the figure "$7,000,000" and inserting in place thereof the following figure:-
701 $9,000,000.

702 SECTION 65. Item 0334-0001 of said section 2 of said chapter 68 is hereby amended by
703 striking out the figure "$1,100,000" and inserting in place thereof the following figure:-
704 $2,100,000.

705 SECTION 66. Item 0337-0002 of said section 2 of said chapter 68 is hereby amended by
706 striking out the words "that in fiscal year 2012 the department shall proportionately reduce the
707 amount allocated to the CASA programs as appearing in items 0337-0300, 0337-0400, 0337-
708 0600, 0337-0700, and 0337-0900 of section 2 of chapter 182 of the acts of 2008" and inserting in
709 place thereof the following words:- the department shall expend funds for the CASA programs
710 as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700, and 0337-0900 of section 2
711 of chapter 182 of the acts of 2008, provided, however, that the department may reduce funding to
712 each item by not more than 50 per cent.

713 SECTION 67. Item 0640-0010 of said section 2 of said chapter 68 is hereby amended by
714 inserting after the words "state lottery program" the following words:- provided further, that not
715 more than $200,000 may be expended for programs that promote the treatment of compulsive
716 gambling.

717 SECTION 68. Section 2 of said chapter 68 is further amended by striking out item 1750-
718 0105 and inserting in place thereof the following item:-

719 1750-0105 For the cost of workers' compensation paid to public employees;
720 provided, that the secretary of administration and finance shall charge other items or state
721 agencies for costs incurred on behalf of these state agencies; provided further, that the secretary
722 may transfer workers' compensation-related fringe benefit assessments from federal grants and
723 trust accounts to this item; provided further, that no funds shall be expended from this item that
724 would cause the item to be deficient; provided further, that the secretary shall provide projected
725 costs of workers compensation costs incurred by agencies in fiscal year 2012 to the house and
726 senate committees on ways and means no later than March 2, 2012; provided further, that in
727 accordance with chapter 177 of the acts of 2001, the secretary of administration and finance shall
728 charge state agencies in fiscal year 2012 as provided in this item for workers' compensation
729 costs, including related administrative expenses incurred on behalf of the employees of the
730 agencies; provided further, that administrative expenses shall be allocated; provided further, that
731 the personnel administrator shall administer the charges on behalf of the secretary, and may
732 establish such rules and procedures as deemed necessary to implement this item; provided
733 further, that the personnel administrator shall: (1) notify agencies regarding the chargeback

734 methodology to be used in fiscal year 2012; (2) notify agencies of the amount of their estimated
735 workers compensation charges for the fiscal year; and (3) require agencies to encumber funds in
736 an amount sufficient to meet the estimated charges; provided further, that the estimated charges
737 for each agency in the fiscal year shall be not less than the amount of the actual workers'
738 compensation costs, including related administrative expenses, incurred by each such agency in
739 fiscal year 2012 and may include such additional amounts as the human resources division finds
740 necessary under regulations adopted under this item; provided further, that the division may
741 adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for
742 any agency that fails within 30 days of the effective date of this act to encumber funds sufficient
743 to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency;
744 provided further, that the personnel administrator shall: (1) determine the amount of the actual
745 workers? compensation costs incurred by each agency in the preceding month, including related
746 administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to
747 each agency's accounts as estimates of the costs to be incurred in the current month; provided
748 further, that notwithstanding any general or special law to the contrary, any balance remaining in
749 the Intergovernmental Service Fund, at the close of fiscal year 2012 shall be transferred to the
750 General Fund; provided further, that any unspent balance at the close of fiscal year 2011 in an
751 amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental
752 Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2012;
753 provided further, that the personnel administrator may expend in fiscal year 2012 for hospital,
754 physician, benefit, and other costs related to workers' compensation for employees of state
755 agencies, including administrative expenses; and provided further, that such expenditures may
756 include payments for medical services provided to claimants in prior fiscal years, as well as
757 compensation benefits and associated costs for prior fiscal years ….$57,040,378

758 SECTION 69. Item 1750-0102 of said section 2 of said chapter 68 is hereby amended by
759 striking out the figure "$2,056,966", each time it appears, and inserting in place thereof, in each
760 instance, the following figure:- $2,700,000.

761 SECTION 70. Item 3000-7050 of said section 2 of said chapter 68 is hereby amended by
762 inserting after the words "individualized education plans" the following words:- ; and provided
763 further that $200,000 shall be expended for the purpose of developing and implementing a
764 kindergarten readiness assessment system that shall use evidence-based formative assessment
765 tools to measure the developmental status, age-appropriate progress, and school readiness of
766 each child in kindergarten including those with high needs, inform classroom teaching practices,
767 and identify key areas for intervention; provided further that the kindergarten readiness
768 assessment system shall be aligned with Massachusetts' learning standards and curriculum
769 guidelines; provided further, that the kindergarten readiness assessment system shall be a
770 component of the Commonwealth's early learning and development assessment system that
771 measures children's growth across all developmental domains from pre-kindergarten entry
772 through second grade as part of the statewide longitudinal data system.

773 SECTION 71. Item 4000-0300 of said section 2 of said chapter 68 is hereby amended by
774 adding the following words:- ; and provided further, that funds may be expended for the
775 purposes of implementing the federal Systematic Alien Verification for Entitlements, or SAVE,
776 system.

777 SECTION 72. Said section 2 of said chapter 68 is hereby further amended by striking out
778 item 4100-0059.

779 SECTION 73. Item 4100-0060 of said section 2 of said chapter 68 is hereby amended by
780 striking out the words "between July 1, 2011 and December 31, 2011".

781 SECTION 74. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further
782 amended by striking out the figure "$10,578,754" and inserting in place thereof the following
783 figure:- $21,157,507.

784 SECTION 75. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further
785 amended by striking out the words "one-half" in lines 10 and 24, each time it appears.

786 SECTION 76. Said item 4100-0060 of said section 2 of said chapter 68 is hereby further
787 amended by striking out the words "provided further, that the division and executive office may
788 consult with hospitals regarding such transition" and inserting in place thereof the following
789 words:- provided further, that the division and the executive office shall consult with the
790 Massachusetts Hospital Association, Inc. and hospitals regarding such transition; provided
791 further, that prior to the implementation of the transition, the division and the executive office
792 shall (1) perform parallel and round-trip claims processing tests with hospitals to ensure that the
793 MMIS system performs effectively compared to the existing health and safety net claims
794 adjudication system and (2) report on the detailed results of said claims processing tests to the
795 house and senate committees on ways and means.

796 SECTION 77. Item 7035-0006 of section 2 of chapter 68 of the acts of 2011 is hereby
797 amended by adding after the word "item" the following clause:- ; provided further that funds
798 may be expended to reimburse municipalities for the cost of transporting students under section
799 7C of chapter 74 of the General Laws.

800 SECTION 78. Item 7066-0025 of section 2 of chapter 68 of the acts of 2011 is hereby
801 amended by adding the following words:- ; and provided further, that funds from this item may
802 be expended through August 31, 2012.

803 SECTION 79. Said section 2 of said chapter 68 is hereby amended by striking out item
804 8100-0011 and inserting in place thereof the following item:-

805 8100-0011 For the department of state police, which may expend an amount not to
806 exceed $4,100,000 for certain police activities provided pursuant to agreements authorized in this
807 item; provided, that for fiscal year 2012, the colonel of state police may enter into service

808 agreements with the commanding officer or other person in charge of a military reservation of
809 the United States located in the Massachusetts Development Finance Agency, established in
810 chapter 23G of the General Laws; provided further, that such agreements shall establish the
811 responsibilities pertaining to the operation and maintenance of police services including, but not
812 limited to: (a) provisions governing payment to the department for the cost of regular salaries,
813 overtime, retirement, and other employee benefits; and (b) provisions governing payment to the
814 department for the cost of furnishings and equipment necessary to provide such police services;
815 provided further, that the department may charge any recipients of police services for the cost of
816 such services, as authorized by this item; provided further, that the department may retain the
817 revenue so received and expend such revenue as necessary pursuant to this item to provide the
818 agreed level of services; provided further, that the colonel may enter into service agreements as
819 may be necessary to enhance the protection of persons, as well as assets and infrastructure
820 located within the commonwealth, from possible external threat or activity; provided further, that
821 such agreements shall establish the responsibilities pertaining to the operation and maintenance
822 of police services including, but not limited to: (a) provisions governing payment to the
823 department for the cost of regular salaries, overtime, retirement, and other employee benefits;
824 and (b) provisions governing payment to the department for the cost of training and /or
825 equipment necessary to provide such police services; provided further, that the department may
826 charge any recipients of police services for the cost of such services, as authorized by this item;
827 provided further, that the department may retain the revenue so received and expend such
828 revenue as necessary pursuant to this item to provide the agreed level of services; provided
829 further, that the colonel may expend from this item costs associated with joint federal and state
830 law enforcement activities from federal reimbursements received therefore; and provided further,
831 that notwithstanding any general or special law to the contrary, for the purposes of
832 accommodating discrepancies between the receipt of retained revenues and related expenditures,
833 the department may incur expenses and the comptroller may certify for payment amounts not to
834 exceed the lower of this authorization or the most recent revenue estimate as reported in the state
835 accounting system ..... $4,100,000.

836 SECTION 80. Said section 2 of said chapter 68 is hereby further amended by striking out
837 item 8100-0515 and inserting in place thereof the following item:-

838 8100-0515 For trainee salary, salary-related and medical expenses, including mental
839 and medical health screening, and for the operating and clerical costs associated with the
840 Massachusetts State Police Academy for the purpose of hiring and training state police recruits to
841 maintain the strength of the department of state police…….$2,000,000

842 SECTION 81. Item 8900-0010 of said section 2 of said chapter 68 is hereby amended by
843 striking out the words “amounts collected” and inserting in place thereof the following words:- to
844 the comptroller the amounts to be transferred from the Commonwealth Transportation Fund to
845 the department of correction revenue source 9000.

846 SECTION 82. Section 190 of said chapter 68 is hereby amended by striking out the
847 words "the secretary of education, or a designee thereof" and inserting in place thereof the
848 following words:- the secretary of education, who shall serve as chair.

849 SECTION 83. Section 198 of said chapter 68 is hereby amended by striking out the first
850 sentence and inserting in place thereof the following sentence:-

851

852 Notwithstanding any general or special law to the contrary, 50 per cent of any of the
853 unexpended and unencumbered balances of appropriations on June 30, 2011, or $65,000,000,
854 whichever is less, shall be distributed to cities and towns in proportion to the amount by which
855 each municipality's Unrestricted General Government Aid in fiscal year 2011 exceeds such aid
856 in fiscal year 2012.

857 SECTION 84. The executive office of health and human service shall provide to each
858 beneficiary age 65 and over a one-time notice of options available for enrollment in voluntary
859 programs including Program of All Inclusive Care for the Elderly plans, MassHealth Senior Care
860 Options, Frail Elder Home and Community Based Waiver Program and any other voluntary
861 elected benefit to which the beneficiary is entitled to supplement or replace such beneficiary's
862 MassHealth benefits. The executive office shall include in the notice the names and contact
863 information for the program providers, general contact information for the division and a general
864 description of the benefits of joining particular programs. The notice shall be written in clear and
865 simple language and shall include instructions for requesting a copy of such notice in a language
866 other than English. The notice shall include a method for the beneficiary to request from the
867 executive office additional information on any program described in the notice. Before the
868 content and format of the annual notice is finalized, the executive office shall forward the
869 proposed draft for review and comment to the program providers. The executive office shall
870 work with the program providers and other appropriate stakeholders to assess whether, and to
871 what extent, barriers to program enrollment shall be alleviated through modifications to the
872 program or the enrollment process.

873 SECTION 85. Notwithstanding any general or special law to the contrary, at the request
874 of the committee for public counsel services, with written approval of the secretary of
875 administration and finance, the comptroller shall allow the transfer of funds at any time from
876 item 0321-1510 to item 0321-1520 for the purpose of reducing any deficiency in the latter
877 appropriation. All such transfers, in aggregate, shall not exceed $3,200,000 and shall be
878 effective for fiscal year 2011.

879 SECTION 86. Notwithstanding any general or special law to the contrary, any
880 unexpended funding made available under item 7003-0701 of section 2 of chapter 131 of the acts
881 of 2010 shall not revert, but shall remain available for expenditure from the Workforce Training
882 Trust Fund, established by section 2RR of chapter 29 of the General Laws.

883 SECTION 87. Notwithstanding any general or special law to the contrary, the budget
884 director for the executive office of administration and finance may waive up to $86,000 in costs
885 that would otherwise be collected by the state comptroller from the Massachusetts developmental
886 disabilities council under sections 5D and 6B of chapter 29 of the General Laws. The waiver
887 shall be in writing and the budget director shall provide copies to the house and senate
888 committees on ways and means. The waiver shall be solely for the purpose of state match
889 funding for federal grant awards received from the National Association of Councils on
890 Developmental Disabilities. The waiver shall be effective until June 30, 2012.

891 SECTION 88. There shall be established and set up on the books of the commonwealth a
892 fund to be known as the state low income housing tax credit fund. The commissioner of revenue
893 shall serve as the fund's trustee. Funds made available for this fund shall only be used for the
894 purpose of offsetting General Fund costs associated with the state low income housing tax credit
895 claimed annually by eligible taxpayers in the commonwealth. By June 30 of every fiscal year
896 during which this fund is effective, the commissioner shall determine the projected costs to the
897 state of the state low income housing tax credit within the fiscal year and request that the
898 comptroller transfer funding from the fund to the General Fund in an amount not to exceed the
899 projected costs, but no such transfer shall be processed without the written approval of the
900 secretary of administration and finance. The aggregate amount of transferred funds for all fiscal
901 year during which the fund is effective shall not exceed $9,500,000. The fund shall remain in
902 effect until June 30, 2014.

903 SECTION 89. There shall be established and set up on the books of the commonwealth a
904 fund to be known as the Infrastructure Development Fund. The secretary of housing and
905 economic development shall serve as the fund's trustee. The fund is created for purpose of
906 creating jobs and stimulating economic development in the commonwealth through
907 infrastructure-related investments made by the secretary of housing and economic development
908 in consultation with the secretary of transportation. Allowable purposes of this fund shall include
909 shovel-ready infrastructure projects including, but not limited to, transit and highway projects,
910 business expansion and redevelopment use and other related projects found by the secretary of
911 housing and economic development to create economic opportunity and jobs both directly and
912 indirectly across the state. All projects listed herein must be under contract within 90 days of the
913 effective date of this act and must commence construction in the spring of 2012. Funds may be
914 used by the secretary of housing and economic development to support matching funds for
915 certain capital expenditures which are sponsored by higher education institutions for scientific or
916 technology research and development. No funds shall be expended from this fund, including any
917 spending by the secretary of housing and economic development for the oversight of the fund,
918 without the written approval of the secretary of administration and finance. This fund shall
919 remain in effect until June 30, 2013.

920 Projects that are eligible under this fund include, up to $5,000,000 for infrastructure
921 supporting downtown redevelopment in the city of Quincy; up to $1,250,000 for Main Street

922 streetscape improvements in the town of Bourne; up to $3,000,000 for infrastructure to support
923 the redevelopment of the Dever School in the city of Taunton; up to $2,000,000 for the Acushnet
924 Avenue International Marketplace in the city of New Bedford; up to $1,200,000 for the
925 reconstruction of Dicks Brook culvert and downtown streetscape improvements in the town of
926 Barre; up to $2,500,000 for rehabilitation of downtown parking structure in the city of Pittsfield;
927 up to $1,300,000 for downtown revitalization and streetscape improvements in the town of
928 Randolph; up to $1,000,000 for Everett Avenue reconstruction in the city of Chelsea; up to
929 $2,500,000 for downtown revitalization and sewer improvements in the town Easton; up to
930 $2,200,000 for construction of a public way from route 202 to Campus road providing additional
931 access to Holyoke Community College in the city of Holyoke; up to $1,250,00 for road and
932 infrastructure improvements to support downtown revitalization in the town of Amesbury; up to
933 $1,550,000 for Commerce Way improvements in the town of Plymouth; up to $2,000,000 for
934 infrastructure improvements to support redevelopment of Greylock Glen in the town of Adams;
935 up to $1,000,000 for the restoration of rail crossing and the towns of Hopedale and Milford; up
936 to $2,000,000 for the Route 1 water main relocation in the town of Saugus; up to $1,200,000 for
937 the Merrimack Street parking facility, rail trail and streetscape improvements for the city of
938 Haverhill; up to $1,200,000 for South End streetscape improvements in the city of Springfield;
939 up to $1,500,000 for public infrastructure improvements at Northwest Park in the town of
940 Burlington; up to $500,000 for the Ingelside Park revitalization in the town of Winthrop; up to
941 $500,000 for a senior center in the town of Rockland; up to $1,800,000 for furher renovation of
942 the Houghton's Pond Park and athletic fields in the Town of Milton; and up to $1,500,000 for
943 downtown streetscape improvements in the city of Brockton.

944 SECTION 90. The special commission established in section 160 of chapter 131 of the
945 acts of 2010 is hereby revived and continued. The commission shall report its findings with the
946 clerks of the house of representatives and the senate and the house and senate committees on
947 ways and means not later than December 30, 2011. The report shall include recommendations for
948 improving services for people with acquired or traumatic brain injury, the cost of maintaining or
949 establishing those services and any legislation necessary to implement or allow for the
950 development or expansion of services for the target population.

951 SECTION 91. The special commission established in section 181 of chapter 240 of the
952 acts of 2010 is hereby revived and continued. The commission shall complete a written report
953 detailing any factors to be considered in the index and any financial measures that would be
954 necessary for implementation to the governor, the clerks of the senate and house of
955 representatives, the joint committee on tourism, arts and cultural development and the joint
956 committee on education not later than June 30, 2012.

957 SECTION 92. Notwithstanding any general or special law to the contrary, prior to
958 calculating the consolidated net surplus for the fiscal year ending June 30, 2011, the comptroller
959 shall transfer $350,000,000 to the Commonwealth Stabilization Fund, established in section 2H
960 of chapter 29 of the General Laws, from the undesignated balance in the operating funds.

961 SECTION 93. Notwithstanding any general or special law to the contrary, in fiscal year
962 2012 the department of elementary and secondary education shall assess on a sending school
963 district school choice tuition amounts for any unpaid fiscal year 2011 innovation school tuition
964 amount.

965 SECTION 94. There shall be established and set up on the books of the commonwealth a
966 fund to be known as the Substance Abuse Services Fund. The commissioner of public health
967 shall serve as the fund's trustee. Funds made available for this fund shall be used to expand
968 inpatient treatment facilities and ongoing case management for individuals civilly committed
969 under section 35 of chapter 123 of the General Laws. Upon the submission of a spending plan for
970 this fund to the secretary of administration and finance, the house and senate committees on
971 ways and means and the clerks of the house and the senate, the comptroller shall transfer
972 $10,000,000 from the General Fund to the Substance Abuse Services Fund. In developing the
973 spending plan, the commissioner shall hold at least 1 public hearing and shall consult with the
974 commissioner of mental health, the administrator of the trial court, a representative of the
975 Massachusetts Medical Society, a representative of the Massachusetts Organization for
976 Addiction Recovery and a representative of the Massachusetts Association for Behavioral Health
977 Care. The commissioner shall submit a draft spending plan to the house and senate committee
978 on ways and means 45 days prior to the submission of the final plan. This fund shall be in effect
979 until June 30, 2013.

980 SECTION 95. Notwithstanding any general or special law to the contrary, if as of
981 January 15, 2012, tax revenues as estimated under section 5B of chapter 29 of the general laws
982 meet or exceed $20,615,000,000, there shall be established and set up on the books of the
983 commonwealth a human salary reserve fund. Provided that upon the establishment of this fund,
984 the comptroller shall transfer $10,000,000 from the general fund to the human service salary
985 reserve fund. Provided that any funds transferred under this section shall be used to provide one
986 time salary bonuses to personnel earning less than $40,000 in annual compensation who are
987 employed by private human service providers that deliver human and social services under
988 contracts with departments within the executive office of health and human services and the
989 executive office of elder affairs.

990 SECTION 96. Notwithstanding any general or special law to the contrary, the department
991 of public health shall produce a report relative to deaths caused by the mosquito-borne eastern
992 equine encephalitis virus (EEEV). The report shall include, but not be limited to, the following
993 information: the procedures undertaken by the department in the months preceding September 1,
994 2011, to evaluate any threats to the public health caused by EEEV; the risk of transmission of
995 EEEV to humans; and the factors weighed by the department when issuing a certification of
996 public health hazard to initiate aerial application of mosquito control spray in Norfolk, Bristol
997 and Plymouth counties. The department of public health shall consult with the state reclamation
998 and mosquito control board, the department of agricultural resources, the department of
999 conservation and recreation, and the department of environmental protection in producing this

1000 report. The department of public health shall report its findings by filing the same with the clerks
1001 of the senate and the house of representatives, the senate and house chairs of the joint committee
1002 on public health, and the senate and house chairs of the joint committee on the environment,
1003 natural resources, and agriculture not later than 60 days after the passage of this act.

1004 SECTION 97. Sections 11 and 15 shall take effect on January 1, 2013.

1005 SECTION 98. Sections 12 and 16 shall take effect on January 1, 2015.