HOUSE DOCKET, NO. 782 FILED ON: 1/12/2009

HOUSE . . . . . No. 2471

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the transfer of department of highways employees from the capital budget to the operating budget.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol
Paul K. Frost	7th Worcester
Susan Williams Gifford	2nd Plymouth
Bradford R. Hill	4th Essex
Jeffrey Davis Perry	5th Barnstable
Richard J. Ross	9th Norfolk
Robert S. Hargraves	1st Middlesex
Daniel K. Webster	6th Plymouth

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4303 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO THE TRANSFER OF DEPARTMENT OF HIGHWAYS EMPLOYEES FROM THE CAPITAL BUDGET TO THE OPERATING BUDGET.

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. Subparagraph (C) of section 2 of chapter 21J of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking the sentence contained in lines 41-43, inclusive, and inserting in place there of the following:- "The department shall deposit all receipts collected pursuant to this section as follows: (i) 60 percent shall be deposited into the General Fund; and (ii) 40 percent shall be deposited into the Capital Employees Transition Fund, established pursuant to section 2YYY of chapter 29."

SECTION 2. Chapter 29 of the General Laws, as so appearing, is hereby amended by inserting after section 2XXX the following section:-

Section 2YYY. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Capital Employees Transition Fund, hereinafter referred to as the fund, which shall be administered by the department of highways within the executive office of transportation and public works. There shall be credited to the fund: (a) 40 percent of all receipts collected pursuant to section 2 of chapter 21J; and (b) any appropriations authorized by the general court. Amounts credited to the fund

shall be expended by the department, in addition to any revenues appropriated by the general court from the Highway Fund, for the purpose of paying for a portion of the department's operating costs that would have otherwise been paid by bond proceeds. Operating costs may include, but shall not be limited to, the full-time personnel expenses of the department, as well as any expenses incurred by the department as part of its normal operations. The comptroller shall certify payments, including payments during the accounts payable period, in anticipation of revenues from the fund for the purpose of making authorized expenditures; provided however, that no expenditure shall cause the fund to be in deficit at the end of a fiscal year.