HOUSE DOCKET, NO. 94129 FILED ON: 7/25/2009

# HOUSE . . . . . No. 4129

## The Commonwealth of Massachusetts

Making appropriations for the fiscal year 2010 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements.

# The Commonwealth of Massachusetts

**In the Year Two Thousand and Nine**

*AN ACT* MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2010 FOR THE MAINTENANCE OF THE DEPARTMENTS, BOARDS, COMMISSIONS, INSTITUTIONS AND CERTAIN ACTIVITIES OF THE COMMONWEALTH, FOR INTEREST, SINKING FUND AND SERIAL BOND REQUIREMENTS AND FOR CERTAIN PERMANENT IMPROVEMENTS.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is immediately to make appropriations for the fiscal year beginning July 1, 2009, and to make certain changes in law, each of which is immediately necessary or appropriate to effectuate said appropriations or for other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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*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 the maintenance of the several departments, boards, commissions and institutions and other services, and for certain permanent improvements and to meet certain requirements of law, the sums set forth in sections 2, 2B, 2D and 3, for the several purposes and subject to the conditions specified in sections 2, 2B, 2D and 3, are hereby appropriated from the General Fund unless specifically designated otherwise, subject to

the provisions of law regulating the disbursement of public funds and the approval thereof for the fiscal year ending June 30, 2010. All sums appropriated under this act, including supplemental and deficiency budgets, shall be expended in a manner reflecting and encouraging a policy of nondiscrimination and equal opportunity for members of minority groups, women and handicapped persons. All officials and employees of an agency, board, department, commission or division receiving monies under this act shall take affirmative steps to ensure equality of opportunity in the internal affairs of state government, as well as in their relations with the public, including those persons and organizations doing business with the commonwealth. Each agency, board, department, commission or division, in spending appropriated sums and discharging its statutory responsibilities, shall adopt measures to ensure equal opportunity in the areas of hiring, promotion, demotion or transfer, recruitment, layoff or termination, rates of compensation, in-service or apprenticeship training programs and all terms and conditions of employment.

SECTION 1A. In accordance with Articles LXIII and CVII of the Articles of Amendment to the Constitution of the Commonwealth and section 6D of chapter 29 of the General Laws, it is hereby declared that the amounts of revenue set forth in this section by source for the respective funds of the commonwealth for the fiscal year ending June 30, 2010 are necessary and sufficient to provide the means to defray the appropriations and expenditures from such funds for said fiscal year as set forth and authorized in sections 2 and 2B. The comptroller shall keep a distinct account of actual receipts from each such source by each such fund to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with the projected receipts set forth herein and to include a full statement comparing such actual and projected receipts in the annual report for said fiscal year

pursuant to section 13 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

**Fiscal Year 2010 Revenue by Source and Budgeted Fund (in Millions)**

| Source | All Budgeted Funds* | General Fund | Commonwealth Transportation Fund | Other** |
|---|---|---|---|---|
| Alcohol. Bev. | 69.5 | 69.5 | 0.0 | 0.0 |
| Cigarettes | 483.9 | 483.9 | 0.0 | 0.0 |
| Corporations | 1,455.8 | 1,455.8 | 0.0 | 0.0 |
| Deeds | 95.9 | 95.9 | 0.0 | 0.0 |
| Estate Inheritance | 211.4 | 211.4 | 0.0 | 0.0 |
| Financial Institutions | 270.8 | 270.8 | 0.0 | 0.0 |
| Income | 10,372.2 | 10,372.2 | 0.0 | 0.0 |
| Insurance | 351.4 | 351.4 | 0.0 | 0.0 |
| Motor Fuels | 638.2 | 0.0 | 637.3 | 0.9 |
| Public Utilities | 88.9 | 88.9 | 0.0 | 0.0 |
| Room Occupancy | 104.1 | 67.7 | 0.0 | 36.5 |
| Sales-Regular | 2,755.3 | 2,755.3 | 0.0 | 0.0 |
| Sales-Meals | 627.6 | 627.6 | 0.0 | 0.0 |
| Sales-Motor Vehicles | 440.2 | 440.2 | 0.0 | 0.0 |
| Miscellaneous | 2.7 | 2.7 | 0.0 | 0.0 |
| UI Surcharges | 21.1 | 0.0 | 0.0 | 21.1 |
| **Total Consensus Tax Revenues:** | **17,989.0** | **17,293.3** | **637.3** | **58.5** |

| | | | | |
|---|---|---|---|---|
| Transfer to School Modernization and Reconstruction Trust (SMART) Fund for School Building Authority | (607.1) | (607.1) | 0.0 | 0.0 |
| Transfer to MBTA State and Local Contribution Fund | (767.1) | (767.1) | 0.0 | 0.0 |
| Transfer to Pension Reserves Investment Trust Fund for Pension Contribution | (1,376.6) | (1,376.6) | 0.0 | 0.0 |
| **Total Consensus Tax Revenue for Budget:** | **15,238.2** | **14,542.5** | **637.3** | **58.5** |
| **Revenue Changes** | | | | |
| Sales Tax increase to 6.25% | 759.0 | 759.0 | 0.0 | 0.0 |
| Sales Tax Dedicated to Transportation | (275.0) | (275.0) | 0.0 | 0.0 |
| Elimination of Alcohol Sales Tax Exemption | 78.8 | 78.8 | 0.0 | 0.0 |
| Annualized Value of Additional Auditors | 26.0 | 26.0 | 0.0 | 0.0 |
| Satellite Television Tax | 25.9 | 25.9 | 0.0 | 0.0 |
| Film Tax Credit Modification | 20.0 | 20.0 | 0.0 | 0.0 |
| **Total Taxes Available for Budget:** | **15,872.9** | **15,177.2** | **637.3** | **58.5** |
| **Non-Tax Revenue** | | | | |
| Federal Reimbursements | 8,278.0 | 8,272.7 | 0.0 | 5.3 |
| Departmental Revenue | 2,644.8 | 2,099.7 | 523.2 | 21.9 |

| | | | | |
|---|---|---|---|---|
| Consolidated Transfers | 413.1 | 706.3 | (77.1) | (216.1) |
| **GRAND TOTAL** | **27,208.9** | **26,255.9** | **1,083.5** | **(130.4)** |

* Includes revenue deposited into and transfers out of the Workforce Training Fund, Mass Tourism Fund, Inland Fish and Game Fund, and Stabilization Fund.

** Includes tax revenue of $21.1 M into the Workforce Training Fund, $36.5 M into the Mass Tourism Fund and $0.9 M into the Inland Fish and Game Fund

SECTION 1B. The comptroller shall keep a distinct account of actual receipts of non-tax revenues by each department, board, commission or institution to furnish the executive office for administration and finance and the house and senate committees on ways and means with quarterly statements comparing such receipts with projected receipts set forth herein and to include a full statement comparing such receipts with projected receipts in the annual report for such fiscal year pursuant to section 13 of chapter 7A of the General Laws. The quarterly and annual reports shall also include detailed statements of any other sources of revenue for the budgeted funds in addition to those specified in this section.

## Non-Tax Revenue: Department Summary

| **Revenue Source** | **Unrestricted Non-Tax** | **Restricted Non-Tax** | **Total Non-Tax** |
|---|---|---|---|
| **Judiciary** | | | |
| Supreme Judicial Court | $2,760,900 | $0 | $2,760,900 |
| Committee for Public Counsel | $0 | $750,000 | $750,000 |
| Appeals Court | $440,697 | $0 | $440,697 |
| Trial Court | $78,061,750 | $53,000,000 | $131,061,750 |
| *TOTALS:* | **$81,263,347** | **$53,750,000** | **$135,013,347** |
| **District Attorneys** | | | |
| Plymouth District Attorney's Office | $0 | $0 | $0 |

| | | | | |
|---|---|---|---|---|
| 63 | District Attorney's Association | $0 | $0 | $0 |
| 64 | *TOTALS:* | **$0** | **$0** | **$0** |
| 65 | **Executive Office** | | | |
| 66 | Governor's Office | $0 | $0 | $0 |
| 67 | *TOTALS:* | **$0** | **$0** | **$0** |
| 68 | **Secretary of the Commonwealth** | | | |
| 69 | Secretary of the Commonwealth | $194,948,640 | $30,000 | $194,978,640 |
| 70 | *TOTALS:* | **$194,948,640** | **$30,000** | **$194,978,640** |
| 71 | | | | |
| 72 | **Treasurer and Receiver-General** | | | |
| 73 | Office of the Treasurer | $239,390,683 | $0 | $239,390,683 |
| 74 | State Lottery Commission | $203,870,621 | $758,755,378 | $962,625,999 |
| 75 | *TOTALS:* | **$443,261,304** | **$758,755,378** | **$1,202,016,682** |
| 76 | **Attorney General** | | | |
| 77 | Office of the Attorney General | $18,867,581 | $650,000 | $19,517,581 |
| 78 | *TOTALS:* | **$18,867,581** | **$650,000** | **$19,517,581** |
| 79 | **State Ethics Commission** | | | |
| 80 | State Ethics Commission | $32,466 | $0 | $32,466 |
| 81 | *TOTALS:* | **$32,466** | **$0** | **$32,466** |
| 82 | **Inspector General** | | | |
| 83 | Office of the Inspector General | $0 | $404,250 | $404,250 |
| 84 | *TOTALS:* | **$0** | **$404,250** | **$404,250** |
| 85 | **Office of Campaign and Political Finance** | | | |
| 86 | Office of Campaign and Political Finance | $55,500 | $0 | $55,500 |
| 87 | *TOTALS:* | **$55,500** | **$0** | **$55,500** |
| 88 | **Massachusetts Commission Against Discrimination** | | | |
| 89 | Massachusetts Commission Against | $158,196 | $2,000,054 | $2,158,250 |
| 90 | Discrimination | | | |
| 91 | *TOTALS:* | **$158,196** | **$2,000,054** | **$2,158,250** |
| 92 | **Office of the State Comptroller** | | | |
| 93 | Office of the State Comptroller | $453,808,895 | $0 | $453,808,895 |

| | | | |
|---|---|---|---|
| *TOTALS:* | **$453,808,895** | **$0** | **$453,808,895** |
| **Executive Office for Administration and Finance** | | | |
| Executive Office for Administration and Finance | $31,000,000 | $0 | $31,000,000 |
| Secretary of Administration and Finance | ($1,289,312,820) | $1,000,000 | ($1,288,312,820) |
| Division of Capital Asset Management & Maintenance | $7,056,867 | $16,550,000 | $23,606,867 |
| Bureau of State Office Buildings | $164,842 | $0 | $164,842 |
| Civil Service Commission | $20,000 | $0 | $20,000 |
| Group Insurance Commission | $566,055,095 | $850,000 | $566,905,095 |
| Division of Administrative Law Appeals | $60,502 | $0 | $60,502 |
| George Fingold Library | $1,000 | $5,000 | $6,000 |
| Department of Revenue | $175,401,789 | $6,547,280 | $181,949,069 |
| Appellate Tax Board | $1,937,037 | $300,000 | $2,237,037 |
| Human Resources Division | $3,000 | $3,501,760 | $3,504,760 |
| Operational Services Division | $0 | $900,000 | $900,000 |
| Operational Services Division | $691,492 | $1,358,000 | $2,049,492 |
| Information Technology Division | $170 | $595,695 | $595,865 |
| Public Employee Retirement Administration | $179 | $0 | $179 |
| *TOTALS:* | **($506,920,847)** | **$31,607,735** | **($475,313,112)** |
| **Executive Office of Energy & Environmental Affairs** | | | |
| Executive Office of Energy & Environmental Affairs | $5,191,899 | $275,000 | $5,466,899 |
| Department of Environmental Protection | $39,427,944 | $903,817 | $40,331,761 |
| Department of Fish and Game | $15,004,755 | $217,989 | $15,222,744 |
| Department of Agricultural Resources | $5,927,815 | $0 | $5,927,815 |
| Department of Conservation and Recreation | $17,806,611 | $8,970,572 | $26,777,183 |
| Department of Public Utilities | $11,006,153 | $2,375,000 | $13,381,153 |
| Department of Energy Resources | $3,238,091 | $0 | $3,238,091 |
| *TOTALS:* | **$97,603,268** | **$12,742,378** | **$110,345,646** |
| **Department of Early Education and Care** | | | |

| | | | |
|---|---|---|---|
| Department of Early Education and Care | $198,409,463 | $0 | $198,409,463 |
| *TOTALS:* | **$198,409,463** | **$0** | **$198,409,463** |
| **Executive Office of Health and Human Services** | | | |
| Department of Veterans' Services | $15,188 | $300,000 | $315,188 |
| Secretary of Health and Human Services | $5,394,386,032 | $225,100,000 | $5,619,486,032 |
| Division of Health Care Finance and Policy | $240,250,677 | $0 | $240,250,677 |
| Mass Commission for the Blind | $2,800,874 | $0 | $2,800,874 |
| Massachusetts Rehabilitation Commission | $3,050,526 | $0 | $3,050,526 |
| Mass Commission for the Deaf | $153,846 | $0 | $153,846 |
| Chelsea Soldiers' Home | $11,963,847 | $330,661 | $12,294,508 |
| Holyoke Soldiers' Home | $11,765,694 | $365,000 | $12,130,694 |
| Department of Youth Services | $1,211,426 | $0 | $1,211,426 |
| Department of Transitional Assistance | $501,915,554 | $2,450,000 | $504,365,554 |
| Department of Public Health | $144,120,181 | $57,789,435 | $201,909,616 |
| Department of Children and Families | $197,251,332 | $3,172,812 | $200,424,144 |
| Department of Mental Health | $101,807,501 | $125,000 | $101,932,501 |
| Department of Developmental Services | $447,561,754 | $150,000 | $447,711,754 |
| Department of Elder Affairs | $1,208,454,600 | $0 | $1,208,454,600 |
| *TOTALS:* | **$8,266,709,032** | **$289,782,908** | **$8,556,491,940** |
| **Executive Office of Transportation & Public Works** | | | |
| Secretary of Transportation | $706,602 | $27,344 | $733,946 |
| Massachusetts Aeronautics Commission | $410,749 | $0 | $410,749 |
| Mass Highway | $8,252,926 | $500,000 | $8,752,926 |
| Registry of Motor Vehicles | $507,215,172 | $6,393,906 | $513,609,078 |
| *TOTALS:* | **$516,585,449** | **$6,921,250** | **$523,506,699** |
| **Board of Library Commissioners** | | | |
| Board of Library Commissioners | $2,000 | $0 | $2,000 |
| | | | |
| *TOTALS:* | **$2,000** | **$0** | **$2,000** |
| **Executive Office of Housing & Economic Development** | | | |

| | | | |
|---|---|---|---|
| Department of Housing & Community Development | $2,602,560 | $2,329,213 | $4,931,773 |
| Department of Business Development | $100 | $0 | $100 |
| Office of Consumer Affairs and Business Regulation | $1,000,000 | $500,000 | $1,500,000 |
| Division of Banks | $17,921,502 | $5,000,000 | $22,921,502 |
| Division of Insurance | $70,779,741 | $0 | $70,779,741 |
| Division of Professional Licensure | $15,372,629 | $0 | $15,372,629 |
| Division of Standards | $2,024,269 | $418,751 | $2,443,020 |
| State Racing Commission | $2,999,131 | $0 | $2,999,131 |
| Department of Telecommunications and Cable | $4,351,597 | $0 | $4,351,597 |
| *TOTALS:* | **$117,051,529** | **$8,247,964** | **$125,299,493** |
| **Executive Office of Labor & Workforce Development** | | | |
| Department of Workforce Development | $259,105 | $0 | $259,105 |
| Department of Labor | $1,627,962 | $252,850 | $1,880,812 |
| Division of Industrial Accidents | $25,307,277 | $0 | $25,307,277 |
| Division of Labor Relations | $5,892 | $0 | $5,892 |
| *TOTALS:* | **$27,200,236** | **$252,850** | **$27,453,086** |
| **Department of Elementary and Secondary Education** | | | |
| Department of Elementary and Secondary Education | $7,686,000 | $0 | $7,686,000 |
| *TOTALS:* | **$7,686,000** | **$0** | **$7,686,000** |
| **Department of Higher Education** | | | |
| Board of Higher Education | $0 | $0 | $0 |
| University of Massachusetts | $45,363,341 | $0 | $45,363,341 |
| Bridgewater State College | $3,043,997 | $0 | $3,043,997 |
| Fitchburg State College | $3,171,228 | $0 | $3,171,228 |
| Framingham State College | $2,478,160 | $0 | $2,478,160 |
| Massachusetts College of Liberal Arts | $371,415 | $0 | $371,415 |
| Salem State College | $3,511,560 | $0 | $3,511,560 |
| Westfield State College | $2,749,770 | $0 | $2,749,770 |

| | | | |
|---|---|---|---|
| Worcester State College | $2,793,692 | $0 | $2,793,692 |
| Massachusetts Maritime Academy | $318 | $0 | $318 |
| Berkshire Community College | $289,833 | $0 | $289,833 |
| Bristol Community College | $715,101 | $0 | $715,101 |
| Cape Cod Community College | $594,030 | $0 | $594,030 |
| Greenfield Community College | $347,661 | $0 | $347,661 |
| Holyoke Community College | $999,417 | $0 | $999,417 |
| Mass Bay Community College | $1,168,852 | $0 | $1,168,852 |
| Massasoit Community College | $979,538 | $0 | $979,538 |
| Mount Wachusett Community College | $421,978 | $0 | $421,978 |
| Northern Essex Community College | $782,537 | $0 | $782,537 |
| North Shore Community College | $889,664 | $0 | $889,664 |
| Quinsigamond Community College | $520,316 | $0 | $520,316 |
| Springfield Technical Community College | $1,041,234 | $0 | $1,041,234 |
| Roxbury Community College | $243,750 | $529,843 | $773,593 |
| Middlesex Community College | $594,522 | $0 | $594,522 |
| Bunker Hill Community College | $1,467,443 | $0 | $1,467,443 |
| *TOTALS:* | **$74,539,357** | **$529,843** | **$75,069,200** |
| **Executive Office of Public Safety and Security** | | | |
| Executive Office of Public Safety and Security | $100,000 | $0 | $100,000 |
| Office of the Chief Medical Examiner | $0 | $1,700,000 | $1,700,000 |
| Criminal History Systems Board | $8,216,685 | $0 | $8,216,685 |
| Department of State Police | $800,242 | $22,916,200 | $23,716,442 |
| Criminal Justice Training Council | $1,500 | $900,000 | $901,500 |
| Department of Public Safety | $18,786,816 | $1,946,997 | $20,733,813 |
| Department of Fire Services | $19,897,335 | $25,000 | $19,922,335 |
| Merit Rating Board | $20,000 | $0 | $20,000 |
| Military Division | $2,500 | $1,400,000 | $1,402,500 |
| Emergency Management Agency | $787,630 | $0 | $787,630 |
| Department of Corrections | $11,292,933 | $5,600,000 | $16,892,933 |

| | | | |
|---|---|---|---|
| Parole Board | $1,000,000 | $600,000 | $1,600,000 |
| *TOTALS:* | **$60,905,641** | **$35,088,197** | **$95,993,838** |
| **Sheriffs** | | | |
| Sheriff's Department Hampden | $796,136 | $2,164,458 | $2,960,594 |
| Sheriff's Department Worcester | $132,000 | $0 | $132,000 |
| Sheriff's Department Middlesex | $166,000 | $950,000 | $1,116,000 |
| Sheriff's Department Franklin | $842,500 | $2,600,000 | $3,442,500 |
| Sheriff's Department Hampshire | $30,000 | $250,000 | $280,000 |
| Sheriff's Department Essex | $643,362 | $2,000,000 | $2,643,362 |
| Sheriff's Department Berkshire | $40,000 | $1,250,000 | $1,290,000 |
| Sheriff's Department Association | $0 | $344,790 | $344,790 |
| Sheriff's Department Barnstable | $4,948,448 | $250,000 | $5,198,448 |
| Sheriff's Department Bristol | $4,089,663 | $6,500,000 | $10,589,663 |
| Sheriff's Department Dukes | $1,047,541 | $0 | $1,047,541 |
| Sheriff's Department Nantucket | $7,031,251 | $2,500,000 | $9,531,251 |
| Sheriff's Department Norfolk | $862,517 | $0 | $862,517 |
| Sheriff's Department Plymouth | $4,562,765 | $16,000,000 | $20,562,765 |
| Sheriff's Department Suffolk | $14,999,189 | $8,000,000 | $22,999,189 |
| *TOTALS:* | **$40,191,372** | **$42,809,248** | **$83,000,620** |
| **Total Non-Tax Revenue:** | **$10,092,358,429** | **$1,243,572,055** | **$11,335,930,484** |

## SECTION 2.

**JUDICIARY.**

**Supreme Judicial Court.**

0320-0003 For the operation of the supreme judicial court, including salaries of the chief justice and the 6 associate justices..... $7,965,766

0320-0010 For the operation of the clerk's office of the supreme judicial court for Suffolk county..... $1,174,133

0321-0001 For the operation of the commission on judicial conduct..... $452,657

0321-0100 For the services of the board of bar examiners... $1,111,341

**Committee for Public Counsel Services.**

0321-1500 For the operation of the committee for public counsel services, as authorized by chapter 211D of the General Laws; provided, that the committee shall submit a report to the clerks of the house of representatives and senate and the house and senate committees on ways and means, not later than February 1, 2010, that shall include, but not be limited to, the following: (a) the number of clients assisted by the committee in the prior fiscal year; (b) any proposed expansion of legal services delineated by type of service, target population and cost; (c) the total number of persons who received legal services by the committee, by type of case and geographic location; (d) the costs for services rendered per client, by type of case and geographic location; (e) the amount paid, if any, to the committee by clients for services rendered by type of case and geographic location; (f) the average cost for services rendered by the committee by type of case;

and (g) the average number of hours spent per attorney or staff per type of case; provided further, that the committee shall submit a report to the house and senate committees on ways and means not later than February 1, 2010, on the progress of the public defender division; provided further, that said report shall include the following: (a) the number of offices that are in operation; (b) the number of staff hired to work in the district offices; and (c) the estimated savings the commonwealth has realized from having cases assigned to public defenders as opposed to being assigned to private bar advocates; provided further, that the committee shall submit a report to the house and senate committees on ways and means not later than February 1, 2010, projecting the cost of a possible expansion of the public defender division to handle 50 per cent of all indigent cases assigned to the committee; and provided further, that said report shall include, but not be limited to, the following: (a) the number of additional attorneys necessary to handle 50 per cent of all indigent cases; (b) the initial costs associated with the possible expansion; (c) the projected annualized cost of operating the expanded public defender division; and (d) the

estimated savings the commonwealth would realize by having these cases assigned to public defenders as opposed to private bar advocates..... $28,645,024

0321-1510 For compensation paid to private counsel assigned to criminal and civil cases under subsection (b) of section 6 of chapter 211D of the General Laws, pursuant to section 11 of said chapter 211D; provided, that not more than $2,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2010..... $125,370,957

0321-1518 For the chief counsel for the committee for public counsel services which may expend an amount not to exceed $750,000 from revenues collected from fees charged for attorney representation of indigent clients..... $750,000

0321-1520 For fees and costs as defined in section 27A of chapter 261 of the General Laws, as ordered by a justice of the appeals court or a justice of a department of the trial court of the commonwealth on behalf of indigent persons, as defined in said section 27A of said chapter 261; provided, that not more than $1,000,000 of the sum appropriated in this item may be expended for services rendered before fiscal year 2010..... $13,532,500

0321-1600 For the Massachusetts Legal Assistance Corporation to provide legal representation for indigent or

327 otherwise disadvantaged residents of the
328 commonwealth; provided, that the corporation shall
329 submit a report to the house and senate committees
330 on ways and means not later than January 29, 2010
331 that shall include, but not be limited to, the
332 following: (a) the number of persons whom the
333 programs funded by the corporation assisted in the
334 prior fiscal year; (b) any proposed expansion of
335 legal services delineated by type of service,
336 target population, and cost; and (c) the total
337 number of indigent or otherwise disadvantaged
338 residents of the commonwealth who received services
339 of the corporation, by type of case and geographic
340 location; and provided further, that the
341 corporation may contract with any organization for
342 the purpose of providing the representation..... $9,500,000
343 0321-2000 For the operation of the mental health legal
344 advisors committee and for certain programs for the
345 indigent mentally ill, established pursuant to
346 section 34E of chapter 221 of the General Laws..... $707,599
347 0321-2100 For the Massachusetts correctional legal services
348 committee..... $902,016
349 0321-2205 For the expenses of the social law library located
350 in Suffolk county..... $1,506,704
351 **Appeals Court.**
352

0322-0100 For the appeals court, including the salaries, traveling allowances and expenses of the chief justice, recall judges and the associate justices $10,827,256

**Trial Court.**

0330-0101 For the salaries of the justices of the 7 departments of the trial court; provided, that the chief justice for administration and management shall provide written notification to the house and senate committees on ways and means of any transfer of funds from this item to any other item of appropriation within 30 days of the transfer.... $49,836,452

0330-0300 For the central administration of the trial court, including costs associated with trial court non-employee services, trial court dental and vision health plan agreement, jury expenses, trial court law libraries, statewide telecommunications, private and municipal court rental and leases, operation of courthouse facilities, rental of county court facilities, witness fees, printing expenses, equipment maintenance and repairs, court interpreter program, insurance and chargeback costs, the Massachusetts sentencing commission, permanency mediation services, court security and judicial training; provided, that the chief justice for administration and management shall submit a report to the house and senate committees on ways

and means not later than February 1, 2010, detailing the number of court officers, per diem court officers and security personnel located in each trial court of the commonwealth; provided further, that the chief justice for administration and management may expend funds for guardian ad litem services; provided further, that 50 per cent of all fees payable pursuant to Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) shall be paid from this item; provided further, that notwithstanding section 9A of chapter 30, or any other general or special law to the contrary, the rights afforded to a veteran, pursuant to said section 9A of said chapter 30, shall also be afforded to any such veteran, who holds a trial court office or position in the service of the commonwealth not classified under chapter 31, other than an elective office, an appointive office for a fixed term or an office or position under section 7 of chapter 30, and who: (1) has held the office or position for not less than 1 year; and (2) has 30 years of total creditable service to the commonwealth, as defined in chapter 32; provided further, that the trial court shall submit a report to the victim and witness assistance board detailing the amount of assessments imposed within

each court by a justice or clerk-magistrate during the previous calendar year pursuant to section 8 of chapter 258B of the General Laws; provided further, that the report shall include, but not be limited to, the number of cases in which the assessment was reduced or waived by a judge or clerk-magistrate within the courts; and provided further, that the report shall be submitted to the victim and witness assistance board on or before January 11, 2010. $196,185,324

0330-3333 For the chief justice for administration and management which may expend for the operation of the trial court an amount not to exceed $27,000,000 from fees charged and collected pursuant to section 3 of chapter 90C, chapter 185, section 22 of chapter 218 and sections 2, 4A, 4B, 4C, 39 and 40 of chapter 262 of the General Laws; provided, that a schedule detailing the full allotment of said $27,000,000 shall be submitted to the house and senate committees on ways and means not later than February 1, 2010; provided further, that the first $53,000,000 of revenue received from the fees shall be deposited in the General Fund and not retained; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related

expenditures, the chief justice may incur expenses and the comptroller shall certify for payments amounts not to exceed the lower of one half of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $27,000,000

0330-3334 For the chief justice for administration and management which may expend for the operation of the department an amount not to exceed $26,000,000 from fees charged and collected under section 87A of chapter 276 of the General Laws; provided, that any expenditures or allocations shall be made in accordance with schedules submitted to the house and senate committees on ways and means not later than 30 days before the expenditures or allocations are made; provided further, that a schedule detailing the full allotment of said $26,000,000 shall be submitted to the house and senate committees on ways and means not later than February 1, 2010; and provided further, that the fees shall continue to be transmitted to the treasurer for deposit into the General Fund before the expenditure authorized by this item..... $26,000,000

0330-3337 For additional expenses associated with the operation of the trial court; provided, that a schedule detailing all transfers shall be submitted

to the house and senate committees on ways and means not later than February 1, 2010..... $11,192,192

**Superior Court Department.**

0331-0100 For the operation of the superior court department; provided, that funds shall be expended for the medical malpractice tribunals in accordance with section 60B of chapter 231 of the General Laws; and provided further, that the clerk of the court shall have responsibility for the internal administration of his office, including personnel, staff services and record keeping..... $21,740,332

**District Court Department.**

0332-0100 For the operation of the district court department, including a civil conciliation program; provided, that notwithstanding the provisions of any general or special law to the contrary, the district court of Chelsea shall be the permanent location for the northern trial session to handle six person jury cases; provided further, that all personnel within said district court whose duties relate to said northern trial session shall report to the clerk magistrate of said district court; and provided further, that the clerk magistrate shall utilize whatever space within the facility-at-large he deems necessary to comply with S.J.C. Rule 3:12, Canon 3(A)6..... $36,312,991

**Probate and Family Court Department.**

0333-0002 For the operation of the probate and family court department..... $19,313,743

**Land Court Department.**

0334-0001 For the operation of the land court department... $2,214,118

**Boston Municipal Court Department.**

0335-0001 For the operation of the Boston municipal court department..... $7,172,575

**Housing Court Department.**

0336-0002 For the operation of the housing court department $3,975,411

**Juvenile Court Department.**

0337-0002 For the operation of the juvenile court department$10,462,218

**Office of the Commissioner of Probation.**

0339-1001 For the office of the commissioner of probation; provided, that notwithstanding any general or special law, rule or regulation to the contrary, the commissioner, subject to appropriation, shall have exclusive authority to appoint, dismiss, assign and discipline probation officers, associate probation officers, probation officers-in-charge, assistant chief probation officers and chief probation officers; provided further, that the associate probation officers shall only perform in-court functions and shall assume the in-court duties of the currently employed probation officers who shall be reassigned within the probation

service subject to collective bargaining agreements to perform intensive, community-based supervision of probationers, including the provisions of intensive supervision and community restraint services as described in item 0339-1003; provided further, that funds from this item shall be expended for the costs associated with full implementation of chapters 303 and 418 of the acts of 2006 to ensure effective supervision of probationers who are monitored through global positioning system bracelets; provided further, that no funds shall be expended from this line item to cover the costs of building leases; provided further, that notwithstanding any general or special law, rule or regulation to the contrary, probation officer personnel and probation clerical support staff assigned to the courts shall be provided with suitable office space in their current location in and around the various divisions and departments of the trial court, as the case may be, or in suitable office space as appropriate, with the advice and consent of the commissioner; provided further, that the office shall enter into an interagency service agreement with the department of revenue to verify income data and to utilize the department’s wage reporting

and bank match system for the purpose of weekly tape-matching, for the purposes of determining an individual's eligibility for appointment of indigent counsel, as defined in chapter 211D of the General Laws; provided further, that the office shall submit quarterly reports to the house and senate committees on ways and means detailing the progress of eligibility verification with the department; and provided further, that the report shall include, but not be limited to, the number of individuals to be found misrepresenting assets, revenue generated through collection of indigent client fees, the average indigent client fee that each court division collects per case since the effective date of this act, recommendations on improvements in verifying eligibility for counsel and other pertinent information to ascertain the effectiveness of verification..... $131,138,285

0339-1003 For the operation of the trial court office of community corrections, including the costs of personnel; provided, that funds shall be expended for the cost of intensive supervision and community corrections programs; provided further, that the programs shall include, but not be limited to, tracking, community service, educational assistance, drug and alcohol testing and treatment,

curfew enforcement, home confinement, day reporting, means-tested fines, restitution, and community incapacitation or restraint; provided further, that the number of placements in the programs shall not exceed a daily average goal of 5,000 intensively-supervised probationers; provided further, that funds from this item shall be expended to cover the costs of the programs that are undertaken and administered by court probation offices and county sheriffs offices; provided further, that said funds shall be expended for the purpose of providing such programs in Barnstable, Berkshire, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, and Worcester counties in fiscal year 2010; provided further, that the executive director of the office of community corrections of the trial court shall enter into interagency service agreements and memoranda of understanding with the probation offices and sheriffs offices for the provision of such programs, including the contracting for detention space for probationers arrested for violating probation and awaiting court action and detention space for probationers who have been ordered by the trial court to be supervised at a higher level of restraint; provided

further, that such agreements and memoranda shall be entered into at the direction of the executive director; provided further, that the executive director shall submit a spending and management plan for the programs to the house and senate committees on ways and means not later than January 29, 2010; and provided further, that the plan shall include the projected number of probationers to be served by each program and include a description of the oversight and services provided to the probationers..... $24,193,548

0339-2100 For the office of the jury commissioner in accordance with chapter 234A of the General Laws. $2,412,913

**Suffolk District Attorney**

0340-0100 For the Suffolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the domestic violence unit and the children's advocacy center; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of

the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys'

association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer..... $15,188,357

0340-0101 For the overtime costs of state police officers assigned to the Suffolk district attorney's office. $337,431

**Middlesex District Attorney**

0340-0200 For the Middlesex district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to

the executive director of the Massachusetts district attorneys' association no later than February 1 , 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a)

the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer... $13,038,535

0340-0201 For the overtime costs of state police officers assigned to the Middlesex district attorney's office..... $491,890

**Eastern District Attorney.**

0340-0300 For the Eastern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d)

and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any

volunteer prosecutor program; and provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program..... $8,011,057

0340-0301 For the overtime costs of state police officers assigned to the Eastern district attorney's office. $480,334

**Worcester District Attorney.**

0340-0400 For the Worcester district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of

said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program;

provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer..... $8,466,451

0340-0401 For the overtime costs of state police officers assigned to the Worcester district attorney's office..... $393,809

0340-0410 For the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines and chemicals at the University of Massachusetts Medical School in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments..... $400,000

**Hampden District Attorney.**

0340-0500 For the Hampden district attorney's office, including the victim and witness assistance

program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds

collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall

notify the house and senate committees on ways and means of its intention to make that transfer..... $7,623,079

0340-0501 For the overtime costs of state police officers assigned to the Hampden district attorney's office. $323,713

**Hampshire/Franklin District Attorney.**

0340-0600 For the Hampshire/Franklin district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to

Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in said fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost

savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer..... $4,746,396

0340-0601 For the overtime costs of state police officers assigned to the Hampshire/Franklin district attorney's office..... $280,236

**Norfolk District Attorney.**

0340-0700 For the Norfolk district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted;

989 provided further, that for each jurisdiction of
990 said courts, the report shall include, but not be
991 limited to, the following: (a) the type of criminal
992 case; (b) the total number of defendants charged
993 under the type of case; and (c) summary of
994 dispositions or statuses thereof; provided further,
995 that 50 per cent of fees payable pursuant to
996 Massachusetts Rules of Criminal Procedure 15 (d)
997 and 30 (c)(8) for appeals taken by the office shall
998 be paid from this item; provided further, that the
999 office shall submit a report to the executive
1000 director of the Massachusetts district attorneys'
1001 association no later than February 1, 2010,
1002 detailing the office's use of drug forfeiture funds
1003 collected pursuant to chapter 94C of the General
1004 Laws; provided further, that the report shall
1005 include, but not be limited to, the following: (a)
1006 the amount of the funds deposited into the office's
1007 special law enforcement trust fund in fiscal years
1008 2007, 2008 and 2009; (b) a description of how the
1009 funds were used in those fiscal years; and (c) the
1010 balance of the trust fund as of January 1, 2010;
1011 provided further, that the office shall submit a
1012 report to the house and senate committees on ways
1013 and means no later than February 1, 2010, detailing
1014 the total number and use of private attorneys

1015 participating in any volunteer prosecutor program;
1016 provided further, that the report shall include,
1017 but not be limited to, the following: (a) the total
1018 number of personnel from private law firms
1019 participating in the program; (b) the name and
1020 address of the law firms; (c) the duties performed
1021 by the personnel; and (d) the benefits and cost
1022 savings associated with the program; provided
1023 further, that no assistant district attorney shall
1024 be paid an annual salary of less than $37,500; and
1025 provided further, that at least 30 days before
1026 transferring any funds authorized in this item from
1027 the AA object class, the district attorney shall
1028 notify the house and senate committees on ways and
1029 means of its intention to make that transfer.... $7,810,091
1030 0340-0701 For the overtime costs of state police officers
1031 assigned to the Norfolk district attorney's office. $406,958
1032 **Plymouth District Attorney.**
1033
1034 0340-0800 For the Plymouth district attorney's office,
1035 including the victim and witness assistance
1036 program, the child abuse and sexual assault
1037 prosecution program and the domestic violence unit;
1038 provided, that the office shall submit a report to
1039 the executive director of the Massachusetts
1040 district attorneys' association no later than
1041 February 1, 2010, summarizing the number and types

of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the

1068 funds were used in those fiscal years; and (c) the
1069 balance of the trust fund as of January 1, 2010;
1070 provided further, that the office shall submit a
1071 report to the house and senate committees on ways
1072 and means no later than February 1, 2010, detailing
1073 the total number and use of private attorneys
1074 participating in any volunteer prosecutor program;
1075 provided further, that the report shall include,
1076 but not be limited to, the following: (a) the total
1077 number of personnel from private law firms
1078 participating in the program; (b) the name and
1079 address of the law firms; (c) the duties performed
1080 by the personnel; and (d) the benefits and cost
1081 savings associated with the program; provided
1082 further, that no assistant district attorney shall
1083 be paid an annual salary of less than $37,500; and
1084 provided further, that at least 30 days before
1085 transferring any funds authorized in this item from
1086 the AA object class, the district attorney shall
1087 notify the house and senate committees on ways and
1088 means of its intention to make that transfer .... $6,774,559
1089 0340-0801 For the overtime costs of state police officers
1090 assigned to the Plymouth district attorney's office $409,373
1091 **Bristol District Attorney.**
1092
1093 0340-0900 For the Bristol district attorney's office,
1094 including the victim and witness assistance

program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any

volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate

committees on ways and means of its intention to make that transfer..... $7,048,574

0340-0901 For the overtime costs of state police officers assigned to the Bristol district attorney's office. $310,779

**Cape and Islands District Attorney.**

0340-1000 For the Cape and Islands district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable

pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that the office shall submit a report to the executive director of the Massachusetts' district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the

balance of the trust fund as of January 1, 2010; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer..... $3,445,389

0340-1001 For the overtime costs of state police officers assigned to the Cape and Islands district attorney's office..... $265,462

**Berkshire District Attorney.**

0340-1100 For the Berkshire district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the drug task force and the domestic violence unit; provided, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by the office in calendar year 2009 and the disposition or status thereof, which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme

judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that 50 per cent of fees payable pursuant to Massachusetts Rules of Criminal Procedure 15 (d) and 30 (c)(8) for appeals taken by the office shall be paid from this item; provided further, that the office shall submit a report to the executive director of the Massachusetts district attorneys' association no later than February 1, 2010, detailing the office's use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; provided further, that the report shall include, but not be limited to, the following: (a) the amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008 and 2009; (b) a description of how the funds were used in those fiscal years; and (c) the balance of the trust fund as of January 1, 2010; provided further, that the office shall submit a report to the house and senate committees on ways and means no later than

February 1, 2010, detailing the total number and use of private attorneys participating in any volunteer prosecutor program; provided further, that the report shall include, but not be limited to, the following: (a) the total number of personnel from private law firms participating in the program; (b) the name and address of the law firms; (c) the duties performed by the personnel; and (d) the benefits and cost savings associated with the program; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer..... $3,354,920

0340-1101 For the overtime costs of state police officers assigned to the Berkshire district attorney's office..... $204,882

**DISTRICT ATTORNEYS' ASSOCIATION.**

0340-2100 For the operation of the Massachusetts district attorneys' association, including the implementation and related expenses of the district attorneys' office automation and case management and tracking system; provided, that expenses

associated with the system may be charged directly to this item; provided further, that the 11 district attorneys of the commonwealth may contribute a portion of their fiscal year 2010 appropriation to the Massachusetts district attorneys' association in order to alleviate the cost of the case management and tracking system as well as the cost of data lines associated with the district attorney's computer network; provided further, that the department shall work in conjunction with the disabled persons protection commission and the 11 district attorneys offices to prepare a report that shall include, but not be limited to, the following: (a) the number of abuse cases that are referred to each said district attorney's office for further investigation; (b) the number of said referrals resulting in the filing of criminal charges, delineated by type of charge; (c) the number of cases referred to each said district attorneys office that remain open as of the date for submission of said report; and (d) the number of cases resulting a criminal prosecution, and the disposition of each such prosecution; provided further, that said report shall be submitted to the house and senate committees on ways and means on or before March 15,

2010; and provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item; provided further, that the association shall work in conjunction with the 11 district attorney offices to prepare and submit a report to the house and senate committees on ways and means no later than March 1, 2010, summarizing the number and types of criminal cases managed or prosecuted by all district attorney offices in the calendar year 2009 and the disposition or status thereof which shall be delineated by each jurisdiction of the district, juvenile, probate, superior, appeals, and supreme judicial court in which the cases were managed or prosecuted; provided further, that for each jurisdiction of said courts, the report shall include, but not be limited to, the following: (a) the type of criminal case; (b) the total number of defendants charged under the type of case; and (c) summary of dispositions or statuses thereof; provided further, that the association shall work in conjunction with the 11 district attorney offices to prepare and submit a report to the house and senate committees on ways and means no later

than March 1, 2010, detailing all district attorney offices' use of drug forfeiture funds collected pursuant to chapter 94C of the General Laws; and provided further, that the report shall include, but not be limited to, the following: (a) amount of the funds deposited into the office's special law enforcement trust fund in fiscal years 2007, 2008, and 2009; (b) how the funds were used in those fiscal years; and (c) balance of the trust fund as of January 1, 2010 ..... $1,580,958

0340-8908 For the costs associated with maintaining the Massachusetts District Attorneys Association's wide area network ..... $1,253,440

**EXECUTIVE.**

0411-1000 For the offices of the governor, the lieutenant governor and the governor's council; provided, that the amount appropriated in this item may be used at the discretion of the governor for the payment of extraordinary expenses not otherwise provided for and for transfer to appropriation accounts where the amounts otherwise available may be insufficient; provided further, that funds may be expended for the governor's commission on mental retardation; provided further, that funds may be expended on the governor's development coordinating council; and provided further, that the advisory

council on Alzheimer's disease and related disorders, as established in the office of the governor by section 379 of chapter 194 of the acts of 1998 and section 80 of chapter 236 of the acts of 2000, shall continue during fiscal year 2010.. $4,952,646

0411-1005 For the operation of the office of the child advocate..... $243,564

## SECRETARY OF THE COMMONWEALTH.

### Office of the Secretary of the Commonwealth.

0511-0000 For the operation of the office of the secretary; provided, that the office shall submit a report detailing staffing patterns for each program operated by the office; provided further, that the report shall include, but not be limited to, actual and functional job titles by program and compensation rates and lengths of service for each employee; provided further, that the office shall submit the report not later than February 1, 2010, to the house and senate committees on ways and means; provided further, that the secretary may transfer funds between items 0540-0900, 0540-1000, 0540-1100, 0540-1200, 0540-1300, 0540-1400, 0540-1500, 0540-1600, 0540-1700, 0540-1800, 0540-1900, 0540-2000 and 0540-2100 pursuant to an allocation schedule filed with the house and senate committees on ways and means not less than 30 days before the

transfer; provided further, that each register of deeds using electronic record books shall ensure that all methods of electronically recording instruments conform to any regulation or standard established by the secretary of state or the records conservation board; and provided further, that those regulations shall be issued not later than June 30, 2010 ..... $6,355,331

0511-0001 For the secretary of state who may expend revenues not to exceed $30,000 from the sale of merchandise at the Massachusetts state house gift shop for the purpose of replenishing and restocking gift shop inventory ..... $30,000

0511-0200 For the operation of the state archives division ... $389,815

0511-0230 For the operation of the records center ..... $37,337

0511-0250 For the operation of the archives facility ..... $310,478

0511-0260 For the operation of the commonwealth museum ..... $251,220

0511-0270 For the secretary of state who may contract with the University of Massachusetts Donahue Institute to provide the commonwealth with technical assistance on United States census data and to prepare annual population estimates ..... $2,128,358

0511-0420 For the operation of the address confidentiality program ..... $145,308

0517-0000 For the printing of public documents ..... $800,000

0521-0000 For the operation of the elections division, including preparation, printing and distribution of ballots and for other miscellaneous expenses for primary and other elections; provided, that the secretary of state may award grants for voter registration and education; provided further, that the registration and education activities may be conducted by community-based voter registration and education organizations; and provided further, that the secretary shall submit a report to the house and senate committees on ways and means not later than February 1, 2010, detailing the amount appropriated for the purposes of providing reimbursements for the costs of extended polling hours from this item to each city or town..... $3,179,907

0521-0001 For the operation of the central voter registration computer system; provided, that an annual report detailing voter registration activity shall be submitted to the house and senate committees on ways and means on or before February 1, 2010..... $3,809,248

0524-0000 For providing information to voters..... $271,871

0526-0100 For the operation of the Massachusetts historical commission..... $750,000

0527-0100 For the operation of the ballot law commission..... $11,018

0528-0100 For the operation of the records conservation board. $35,119

0540-0900 For the registry of deeds located in Lawrence in the former county of Essex..... $1,103,998

0540-1000 For the registry of deeds located in Salem in the former county of Essex..... $2,933,894

0540-1100 For the registry of deeds in the former county of Franklin..... $487,561

0540-1200 For the registry of deeds in the former county of Hampden..... $1,827,990

0540-1300 For the registry of deeds in the former county of Hampshire..... $511,582

0540-1400 For the registry of deeds located in Lowell in the former county of Middlesex..... $1,208,477

0540-1500 For the registry of deeds located in Cambridge in the former county of Middlesex..... $3,128,511

0540-1600 For the registry of deeds located in Adams in the former county of Berkshire..... $278,586

0540-1700 For the registry of deeds located in Pittsfield in the former county of Berkshire..... $474,287

0540-1800 For the registry of deeds located in Great Barrington in the former county of Berkshire..... $234,535

0540-1900 For the registry of deeds in the former county of Suffolk..... $1,950,823

0540-2000 For the registry of deeds located in Fitchburg in the former county of Worcester..... $726,432

0540-2100 For the registry of deeds located in the city of Worcester in the former county of Worcester..... $2,345,612

## TREASURER AND RECEIVER-GENERAL.

**Office of the Treasurer and Receiver General.**

0610-0000 For the office of the treasurer and receiver-general; provided, that the treasurer shall provide computer services required by the teachers' retirement board; provided further, that the treasurer's office shall submit a report to the victim and witness assistance board which details the amount of assessments transmitted to the treasurer during the previous calendar year on a monthly basis from the courts, the registrar of motor vehicles and the sheriff or superintendent of any correctional facility pursuant to section 8 of chapter 258B; provided further, that the report shall be submitted to the board on or before January 15, 2010; provided further, that funds may be expended for the payment of bank fees; provided further, that payments shall be made to public safety employees killed in the line of duty pursuant to section 100A of chapter 32 of the General Laws; provided further, that financial assistance shall be made available to injured firefighters; and provided further, that the treasurer's office shall pay half of the administrative costs of the municipal finance oversight board from this item..... $9,599,373

0610-0050 For the administration of the alcoholic beverages control commission in its efforts to regulate and control the conduct and condition of traffic in alcoholic beverages; provided, that said commission shall maintain at least 1 chief investigator and other investigators for the purpose of regulating and controlling the traffic of alcoholic beverages; provided further, that said commission shall work and cooperate with the Alcohol, Tobacco, and Firearms division of the United States Department of Justice and other relevant federal agencies to assist in its efforts to regulate and control the traffic of alcoholic beverages; provided further, that $100,000 shall be expended for the investigation and enforcement division of the alcoholic beverages control commission's implementation of the enhanced liquor enforcement programs; and provided further, that the commission is directed to seek out matching federal dollars and to apply for federal grants that may be available to assist in the enforcement of laws pertaining to the traffic of alcoholic beverages. $2,157,305

0610-0140 For the purpose of funding administrative, transactional and research expenses associated with maintaining and increasing the interest earnings on

the Commonwealth's General and Stabilization Fund investments..... $22,250

0610-2000 For payments made to veterans pursuant to section 16 of chapter 130 of the acts of 2005; provided, that the office of the state treasurer may expend not more than $150,000 for costs incurred in the administration of these payments; and provided further, that the treasurer shall notify the house and senate committees on ways and means upon the expenditure of the funds appropriated herein..... $3,155,604

0611-1000 For bonus payments to war veterans..... $44,500

**Lottery Commission.**

0640-0000 For the operation of the state lottery commission and arts lottery; provided, that no funds shall be expended from this item for any costs associated with the promotion or advertising of lottery games; provided further, that positions funded by this item shall not be subject to chapters 30 and 31 of the General Laws; and provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the State Lottery Fund to the General Fund..... $77,172,416

0640-0005 For the costs associated with the continued implementation of monitor games; provided, that any sums expended on promotional activities shall be limited to point-of-sale promotions and agent

newsletters; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery fund to the General Fund..... $2,875,484

0640-0010 For the promotional activities associated with the state lottery program; provided, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund..... $2,000,000

0640-0096 For the purpose of the commonwealth's fiscal year 2010 contributions to the health and welfare fund established pursuant to the collective-bargaining agreement between the lottery commission and the service employees international union, Local 254, AFL-CIO; provided, that the contributions shall be paid to the trust fund on such basis as the collective bargaining agreement provides; and provided further, that 25 per cent of the amount appropriated in this item shall be transferred quarterly from the State Lottery Fund to the General Fund..... $355,945

**MASSACHUSETTS CULTURAL COUNCIL.**

0640-0300 For the services and operations of the council, including grants to or contracts with public and non-public entities; provided, that notwithstanding any general or special law to the contrary, the

council may expend the amounts herein appropriated for the purposes of the council as provided in sections 52 to 58, inclusive, of chapter 10 of the General Laws in amounts and at times as the council may determine pursuant to section 54 of said chapter 10; provided further, that 25 per cent of the amount appropriated herein shall be transferred quarterly from the Arts Lottery Fund to the General Fund; provided further, that any funds expended from this item for the benefit of schoolchildren shall be expended for the benefit of all Massachusetts schoolchildren and on the same terms and conditions; provided further, that the council shall not expend funds from this item for any grant or contract recipient that, in any program or activity for Massachusetts schoolchildren, does not apply the same terms and conditions to all such schoolchildren; provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit; and provided further, that the Local Cultural Council Grant Program shall provide a minimum grant of no less than the amount detailed in item 0640-0300 in section 2 of chapter 182 of the acts of 2008 per municipality..... $9,692,945

**Debt Service.**

0699-0015 For the payment of interest, discount and principal on certain bonded debt and the sale of bonds of the commonwealth; provided, that notwithstanding any general or special law to the contrary, the state treasurer may make payments pursuant to section 38C of chapter 29 of the General Laws from this item, items 0699-9100, 0699-2004 and item 0699-0016; provided further, that the payments shall pertain to the bonds, notes, or other obligations authorized to be paid from each item; provided further, that notwithstanding any general or special law to the contrary, the comptroller may transfer the amounts that would otherwise be unexpended on June 30, 2010, from item 0699-0015 to items 0699-9100, 0699-2004 and 0699-0016 or from items 0699-9100, 0699-2004 and 0699-0016 to item 0699-0015 which would otherwise have insufficient amounts to meet debt service obligations for the fiscal year ending June 30, 2010; provided further, that each amount transferred shall be charged to the funds as specified in the item to which the amount is transferred; and provided further, that payments on bonds issued pursuant to section 2O of said chapter 29 shall be paid from this item and

shall be charged to the Infrastructure sub-fund of the Commonwealth Transportation Fund..... $1,825,000,000

General Fund.....60%

Commonwealth Transportation Fund.....40%

0699-0016 For the payment of interest, discount and principal on certain indebtedness incurred under chapter 233 of the acts of 2008 for financing the accelerated bridge program..... $12,000,000

Commonwealth Transportation Fund.....100%

0699-2004 For the payment of interest, discount and principal on certain indebtedness which may be incurred for financing the central artery/third harbor tunnel funding shortfall..... $91,719,000

Commonwealth Transportation Fund.....100%

0699-9100 For the payment of costs associated with any bonds, notes or other obligations of the commonwealth, including issuance costs, interest on bonds, bond and revenue anticipation notes, commercial paper, and other notes pursuant to sections 47 and 49B of chapter 29 of the General Laws and for the payment to the United States pursuant to section 148 of the Internal Revenue Code of 1986 of any rebate amount or yield reduction payment owed with respect to any bonds or notes or other obligations of the commonwealth; provided, that the treasurer shall certify to the comptroller a schedule of the

distribution of costs among the various funds of the commonwealth; provided further, that the comptroller shall charge costs to the funds in accordance with the schedule; and provided further, that any deficit in this item at the close of the fiscal year ending June 30, 2010 shall be charged to the various funds or to the General Fund or Commonwealth Transportation Fund debt service reserves..... $52,104,529

0699-9101 For the purpose of depositing with the trustee under the trust agreement authorized in section 10B of chapter 11 of the acts of 1997, an amount to be used to pay the interest due on notes of the commonwealth issued pursuant to section 9 of said chapter 11 and secured by the Federal Highway Grant Anticipation Note Trust Fund..... $36,694,000

Commonwealth Transportation Fund.....100%

**Department of Veterans Services.**

1410-0010 For the operation of the department of veterans' services; provided, that the department may fund a housing specialist from this item; provided further, that the department may expend funds for the Glory 54th Brigade; provided further, that the secretary of veterans' affairs shall submit a report to the joint committee on veterans' and federal affairs and the house and senate committees

on ways and means not later than December 31, 2009, on the secretariat's implementation of and the outreach efforts of the "welcome home bill"; and provided further, that the report shall include the participation rates for service, hindrances to enrollment for the program, and recommendations, including any necessary statutory or other changes to increase the number of service men and women who apply for such service..... $2,159,172

1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, that the department shall not reduce the amount allocated to a program or its successor listed in this item as appearing in section 2 of chapter 182 of the acts of 2008 by more than 25 per cent in fiscal year 2010; provided further, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans and their families who may have been exposed to agent orange; and provided further, that these centers shall also provide services to veterans who were discharged after September 11, 2001, and their families..... $1,738,686

1410-0015 For the women veterans' outreach program..... $50,000

1410-0018 The department may expend not more than $300,000 for the maintenance and operation of Agawam and Winchendon veterans' cemeteries from revenue

collected from fees, grants, gifts or other contributions to the cemeteries; prior appropriations continued..... $300,000

1410-0100 For the revenue maximization project of the executive office of elder affairs to identify individuals eligible for veterans' pensions who are currently receiving home health care services..... $98,000

1410-0250 For veterans homelessness services, provided, that the department shall not reduce the amount allocated to a program or its successor listed in this item as appearing in section 2 of chapter 182 of the acts of 2008 by more than 25 per cent in fiscal year 2010..... $2,083,073

1410-0251 For the maintenance and operation of homeless shelters and transitional housing for veterans at the New England Center for Homeless Veterans located in the city of Boston..... $2,278,543

1410-0300 For the payment of annuities to certain disabled veterans and the parents and un-remarried spouses of certain deceased veterans; provided, that the payments shall be made pursuant to section 6B of chapter 115 of the General Laws; provided further, that the department shall take reasonable steps to terminate payments upon the death of a recipient; provided further, that the department shall prorate annuity payments to ensure that the total payments

in fiscal year 2010 shall not exceed the amount appropriated herein; and provided further, that the secretary of veterans' services shall file with the house and senate committees on ways and means a report detailing the number of applications received for annuities offered under this program at the end of each fiscal quarter..... $18,944,760

1410-0400 For reimbursing cities and towns for money paid for veterans' benefits and for payments to certain veterans under section 6 of chapter 115 of the General Laws; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amounts of veterans' benefits paid by cities and towns to residents of a soldiers' home shall be paid by the commonwealth to the several cities and towns; provided further, that pursuant to section 9 of said chapter 115, the department shall reimburse cities and towns for the cost of United States flags placed on the graves of veterans on Memorial Day; provided further, that notwithstanding any general or special law to the contrary, the secretary of veterans' services shall continue a training program for veterans' agents and directors of veterans' services in cities and towns; provided further, that the department of veterans' services shall provide such training in

several locations across the commonwealth; provided further, that training will be provided annually and on an as needed basis to veterans services organizations to make them aware of the provision of said chapter 115 and all other benefits to which a veteran or the veteran's dependents may be entitled; provided further, that any person applying for veterans' benefits to pay for services available under chapter 118E of the General Laws, shall also apply for medical assistance under said chapter 118E to minimize cost of the commonwealth and its municipalities; provided further, that veterans' agents shall complete applications authorized by the executive office under said chapter 118E for any veteran, widow and dependent applying for medical assistance under said chapter 115; provided further, that the veterans' agent shall file the application for the veteran or dependent for assistance under said chapter 118E; provided further, that the executive office shall act on all said chapter 118E applications and advise the applicant and the veterans' agent of the applicant's eligibility for said chapter 118E healthcare; provided further, that the veterans' agent shall advise the applicant of the right to assistance for medical benefits under said chapter

115 pending approval of the application for assistance under said chapter 118E by the executive office; provided further, that the secretary may supplement healthcare pursuant to said chapter 118E with healthcare coverage under said chapter 115 if he determines that supplemental coverage is necessary to afford the veteran or dependent sufficient relief and support; provided further, that payments to or on behalf of a veteran or dependent pursuant to said chapter 115 shall not be considered income for the purposes of determining eligibility under said chapter 118E; and provided further, that benefits awarded pursuant to section 6B of said chapter 115 shall be considered countable income..... $27,864,000

1410-0630 For the administration of the veterans' cemeteries in the towns of Agawam and Winchendon..... $864,237

**Office of the State Auditor**

0710-0000 For the office of the state auditor, including the review and monitoring of privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the General Laws and shared oversight of the central artery/third harbor tunnel project$15,137,016

0710-0100 For the operation of the division of local mandates $391,384

0710-0200 For the operation of the bureau of special investigations; provided, that the office shall

1806 file quarterly reports with the house and senate
1807 committees on ways and means detailing the total
1808 amount of fraudulently obtained benefits identified
1809 by the bureau of special investigations of the
1810 office of the state auditor, the total value of
1811 settlement restitution payments, actual monthly
1812 collections, and any circumstances that produce
1813 shortfalls in collections..... $1,647,654
1814 0710-0225 For the operation of the Medicaid Audit Unit within
1815 the Division of Audit Operations in an effort to
1816 prevent and to identify fraud and abuse in the
1817 MassHealth system; provided, that the federal
1818 reimbursement for any expenditure from this line
1819 item shall not be less than 50 per cent; and
1820 provided further, that the division shall submit a
1821 report no later than December 1, 2009 to the house
1822 and senate committee ways and means detailing all
1823 findings on activities and payments made through
1824 the MassHealth system..... $790,702

1825 **ATTORNEY GENERAL.**

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1827 **Office of the Attorney General.**

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1829 0810-0000 For the office of the attorney general, including
1830 the administration of the local consumer aid fund,
1831 the operation of the anti-trust division, all
1832 regional offices, a high-tech crime unit and the
1833 victim and witness compensation program; provided,

that the victim and witness compensation program shall be administered in accordance with chapters 258B and 258C of the General Laws; provided further, that the attorney general shall submit to the general court and the secretary for administration and finance a report detailing the claims submitted to the state treasurer for payment under item 0810-0004 indicating both the number and costs for each category of claim; and provided further, that funds may be expended to continue youth violence prevention initiatives..... $23,452,981

0810-0004 For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation in accordance with said chapter 258C even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant shall be limited to a maximum of $50; and provided further, that notwithstanding any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims including,

but not limited to, the provisions outlined in section 5 of chapter 258B of the General Laws.... $2,188,340

0810-0007 For the overtime costs of state police officers assigned to the attorney general; provided, that costs associated with those officers shall not be funded from item 8100-0007; and provided further, that expenditures shall not be made on or after the effective date of this act which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item $463,869

0810-0013 For the office of the attorney general which may expend for a false claims program an amount not to exceed $650,000 from revenues collected from enforcement of the false claims law; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $650,000

0810-0014 For the operation of the department of public utilities proceedings unit within the office of attorney general, pursuant to section 11E of chapter 12 of the General Laws; provided, that

notwithstanding any general or special law to the contrary, the amount assessed under said section 11E of said chapter 12 of the General Laws, shall equal the amount expended from this item; and provided further, that funds shall be expended for the expenses of legal and technical personnel and associated administrative and travel expenses relative to participation in regulatory proceedings at the Federal Energy Regulatory Commission on behalf of Massachusetts ratepayers..... $2,355,145

0810-0021 For the operation of the Medicaid fraud control unit; provided, that the federal reimbursement for any expenditure from this item shall not be less than 75 per cent of the expenditure; provided further, that funds shall continue to be used specifically for the investigation and prosecution of abuse, neglect, mistreatment and misappropriation based on referrals from the department of public health pursuant to section 72H of chapter 111 of the General Laws; provided further, that the unit shall provide training for all investigators of the department's division of health care quality responsible for the investigations on a periodic basis pursuant to a comprehensive training program to be developed by the division and the unit; and provided further,

that training shall include instruction on techniques for improving the efficiency and quality of investigations of abuse, neglect, mistreatment and misappropriation pursuant to said section 72H of said chapter 111 ..... $3,467,021

0810-0045 For the labor law enforcement program pursuant to subsection (b) of section 1A of chapter 23 of the General Laws; provided, that notwithstanding any general or special law to the contrary, a non-management position funded by this item shall be considered a job title in a collective bargaining unit as prescribed by the labor relations commission and shall be subject to chapter 150E of the General Laws ..... $3,497,224

0810-0201 For the costs incurred in administrative or judicial proceedings on insurance as authorized by section 11F of chapter 12 of the General Laws; provided, that funds made available in this item may be used to supplement the automobile insurance fraud unit and the workers' compensation fraud unit of the office of the attorney general; provided further, that funds shall be expended for costs associated with health insurance rate hearings; and provided further, that notwithstanding any general or special law to the contrary, the amount assessed

for these costs shall be equal to the amount expended from this item..... $1,539,942

0810-0338 For the investigation and prosecution of automobile insurance fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item..... $438,506

0810-0399 For the investigation and prosecution of workers' compensation fraud; provided, that notwithstanding any general or special law to the contrary, the amount assessed for these costs shall be equal to the amount appropriated by this item; provided further, that the attorney general shall investigate and prosecute, when appropriate, employers who fail to provide workers' compensation insurance in accordance with the laws of the commonwealth; and provided further, that the unit shall investigate and report on all companies not in compliance with chapter 152 of the General Laws. $284,456

**Victim and Witness Assistance Board.**

0840-0100 For the operation of the victim and witness assistance board; provided, that the board shall submit a comprehensive report compiled from the information required of and submitted to the office by the trial court, the registry of motor vehicles and the state treasurer relative to the collection

of assessments for the previous calendar year under section 8 of chapter 258B of the General Laws; and provided further, that the report shall be submitted to the house and senate committees on ways and means on or before February 16, 2010..... $549,090

0840-0101 For the salaries and administration of the SAFEPLAN advocacy program, to be administered by the Massachusetts office of victim assistance; provided, that the office shall submit to the house and senate committees on ways and means, not later than February 1, 2010, a report detailing the effectiveness of contracting for the program including, but not limited to, the number and type of incidents to which the advocates responded, the type of services and service referrals provided by the domestic violence advocates, the cost of providing such services and the extent of coordination with other service providers and state agencies..... $772,500

**STATE ETHICS COMMISSION.**

0900-0100 For the operation of the state ethics commission. $1,731,123

**OFFICE OF THE INSPECTOR GENERAL.**

0910-0200 For the operation of the office of the inspector general..... $2,330,836

1989 0910-0210 For the office of the inspector general which may
1990 expend revenues collected up to a maximum of
1991 $404,250 from the fees charged to participants in
1992 the Massachusetts public purchasing official
1993 certification program and the certified public
1994 manager program for the operation of such programs;
1995 provided, that for the purpose of accommodating
1996 discrepancies between the receipts of retained
1997 revenues and related expenditures, the office of
1998 the inspector general may incur expenses and the
1999 comptroller may certify for payment amounts not to
2000 exceed the lower of this authorization or the most
2001 recent revenue estimate as reported in the state
2002 accounting system..... $404,250

2003 **OFFICE OF CAMPAIGN AND POLITICAL FINANCE.**

2004
2005 0920-0300 For the operation of the office of campaign and
2006 political finance..... $1,221,696

2007 **MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.**

2008
2009 0940-0100 For the office of the commission, including the
2010 processing and resolution of cases pending before
2011 the commission that were filed on or before July 1,
2012 2005; provided, that on or before November 2, 2009,
2013 the commission shall submit to the house and senate
2014 committees on ways and means a report on the total
2015 number of all currently pending cases and the total

number of the cases in the investigation, conciliation, post-probable cause and pre-public hearing and post-hearing stages; provided further, that the commission shall file an update of the report with the committees on or before March 1, 2010; provided further, that the commission shall identify in the reports the number of cases in which the commission has determined there is probable cause to believe that a violation of chapter 151B of the General Laws has been committed in a case in which the Massachusetts Bay Transportation Authority is named as a respondent; provided further, that the commission shall report to the house and senate committees on ways and means, on or before November 2, 2009, the number of cases pending before the commission in which a state agency or state authority is named as a respondent, specifying those cases in which the Massachusetts Bay Transportation Authority is named as a respondent, and the number of the cases in which there is probable cause to believe that a violation of said chapter 151B has been committed; provided further, that the commission shall include in the report the total number of new cases filed in fiscal year 2009 and the total number of cases closed by the commission in fiscal year 2009;

2042 provided further, that funds made available in this
2043 item shall be in addition to funds available in
2044 item 0940-0101; provided further, that all
2045 positions, except clerical, shall be exempt from
2046 chapter 31 of the General Laws; and provided
2047 further, that the commission shall pursue the
2048 highest allowable rate of federal reimbursement.. $2,563,587
2049 0940-0101 For the Massachusetts commission against
2050 discrimination which may expend not more than
2051 $1,930,054 from revenues from federal
2052 reimbursements received for the purposes of the
2053 United States Department of Housing and Urban
2054 Development fair housing type 1 program and the
2055 equal opportunity resolution contract program
2056 during fiscal year 2010 and federal reimbursements
2057 received for these and other programs in prior
2058 years; provided, that notwithstanding any general
2059 or special law to the contrary, the commission may
2060 also expend revenues generated through the
2061 collection of fees and costs so authorized; and
2062 provided further, that for the purposes of
2063 accommodating discrepancies between the receipt of
2064 retained revenues and related expenditures, the
2065 commission may incur expenses and the comptroller
2066 may certify for payment amounts not to exceed the
2067 lower of this authorization or the most recent

revenue estimate as reported in the state accounting system..... $1,930,054

0940-0102 For the Massachusetts commission against discrimination which may expend not more than $70,000 from revenues collected from fees charged for the training and certification of diversity trainers for the operation of the discrimination prevention certification program..... $70,000

**OFFICE OF THE STATE COMPTROLLER.**

1000-0001 For the office of the state comptroller; provided, that the amount of any federal funds and grant receipts credited and expended from this item shall be reported to the house and senate committees on ways and means; provided further, that the comptroller shall maintain a special federal and non-tax revenue unit which shall operate under policies and procedures developed in conjunction with the secretary for administration and finance; provided further, that the comptroller shall provide quarterly reports to the house and senate committees on ways and means which shall include for each state agency for which the commonwealth is billing, the eligible state services and the full-year estimate of revenues and revenues collected; provided further, that notwithstanding any general or special law to the contrary, the comptroller

shall deduct $1,000 from any item of appropriation in section 2 in which a reporting requirement is stipulated within such item and which report is not filed within 10 days of the stated due date; provided further, that all amounts deducted shall be deposited into the General Fund and the comptroller shall notify the house and senate committees on ways and means of all amounts so deducted; provided further, that notwithstanding any general or special law to the contrary, the comptroller may enter into contracts with private vendors to identify and pursue cost avoidance opportunities for programs of the commonwealth and to enter into interdepartmental service agreements with state agencies, as applicable, for such purpose; provided further, that 60 days before entering into any interdepartmental service agreement the comptroller shall notify the house and senate committees on ways and means; provided further, that the notification shall include, but not be limited to, a description of the project, the purpose and intent of the interdepartmental service agreement, a projection of the costs avoided in the current fiscal year, a copy of the contract with the private vendor including the proposed rate of compensation and any previous

agreements related or similar to the new agreement with the above information; provided further, that payments to private vendors on account of such cost avoidance projects shall be made only from such actual cost savings as have been certified in writing to the house and senate committees on ways and means by the comptroller and the budget director as attributable to such cost avoidance projects; provided further, that the comptroller may establish such procedures, in consultation with the budget director and the affected departments, as he deems appropriate and necessary to accomplish the purpose of this item; and provided further, that the comptroller shall submit a report on such projects as a part of his annual report pursuant to section 12 of chapter 7A of the General Laws $8,056,789

## Executive Office for Administration and Finance

### Office of the Secretary of Administration and Finance

1100-1100 For the office of the secretary and the administration of the fiscal affairs division; provided, that the secretary shall conduct an ongoing review of affirmative action steps taken by the various agencies, boards, departments, commissions or divisions to determine whether such agencies, boards, departments, commissions or divisions are complying with the commonwealth's

policies of non-discrimination and equal opportunity; provided further, that whenever non-compliance is determined by the secretary, the secretary shall hold a public hearing on the matter and report her resulting recommendations to the head of the particular agency, board, department, commission or division, to the governor and to the Massachusetts commission against discrimination; provided further, that the secretary shall report on the status of each agency, board, department, commission or division receiving monies under this act, including supplemental and deficiency budgets, as to compliance or non-compliance with affirmative action policies to the chairs of the house and senate committees on ways and means, the joint committee on public service and the joint committee on labor and workforce development on or before December 1, 2009; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements..... $3,153,173

1100-1700 For the provision of information technology services within the executive office for administration and finance..... $31,058,555

**Division of Capital Asset Management and Maintenance.**

1102-3205 For the division of capital asset management and maintenance which may expend for the maintenance and operation of the Massachusetts information technology center, the state transportation building and the Springfield state office building an amount not to exceed $16,250,000 in revenues collected from rentals, commissions, fees, parking fees and any other sources pertaining to the operations of said facilities; provided, that notwithstanding any general or special law to the contrary, and for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $16,250,000

1102-3232 For the division of capital asset management and maintenance; provided, that the division may expend not more than $300,000 received from application fees charged in conjunction with the certification of contractors and subcontractors pursuant to section 44D of chapter 149 of the General Laws; provided further, that only expenses, including staffing, incurred to implement and operate the certification program shall be funded from this

item; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $300,000

**Bureau of State Office Buildings.**

1102-3301 For the operation of the bureau and for the maintenance and operation of buildings under the jurisdiction of the state superintendent of state office buildings; provided, that the bureau shall retain jurisdiction over all contracts, purchases and payments for materials and services required in the operation of the bureau..... $5,716,546

1102-3302 For the purposes of utility costs and associated contracts for the properties managed by the bureau of state office buildings..... $6,428,590

1102-3307 For state house accessibility coordination, including communications access to public hearings and meetings; provided, that access shall include interpreter services for the deaf and hard of hearing..... $196,166

**Office on Disability.**

1107-2400 For the Massachusetts office on disability..... $547,637

**Disabled Persons Protection Commission.**

1107-2501 For the disabled persons protection commission; provided, that the commission shall facilitate compliance by the department of mental health and the department of developmental services with uniform investigative standards; provided further, that the commission shall report to the house and senate committees on ways and means no later than the last day of each quarter on the number of claims of abuse by caretakers made by employees or contracted service employees of the departments of developmental services and mental health, and the Massachusetts rehabilitation commission; provided further, that the report shall include: (a) the number of claims found to be substantiated; (b) the number of claims found to be unsubstantiated; and (c) the number of claims found to be falsely reported as a result of intentional and malicious action; and provided further, that the commission shall ensure that all calls received by the commission's 24-hour hotline are capable of being recorded, that all persons who call the hotline are immediately informed that all calls are routinely recorded and that each such person is provided with the opportunity to elect that the call not be recorded..... $2,222,665

**Civil Service Commission.**

1108-1011 For the civil service commission; provided, that the General Fund shall be reimbursed for the appropriation herein through a fee charged on a per claim basis; provided further, that said commission shall develop and implement regulations to implement said reimbursement to the General Fund; and provided further, that the civil service commission may assess a fee upon the appointing authority when inappropriate action has occurred... $426,014

**Group Insurance Commission.**

1108-5100 For the administration of the group insurance commission; provided, that the commission shall generate the maximum amounts allowable under the federal Consolidated Omnibus Budget Reconciliation Act, as amended, and from reimbursements allowed by sections 8, 10B, 10C and 12 of chapter 32A of the General Laws..... $2,704,328

1108-5200 For the commonwealth's share of the group insurance premium and plan costs incurred in fiscal year 2010; provided, that notwithstanding any general or special law to the contrary, funds in this item shall not be available during the accounts-payable period of fiscal year 2010, and any unexpended balance in this item shall revert to the General Fund on June 30, 2010; provided, that the secretary

of administration and finance shall charge the division of unemployment assistance and other departments, authorities, agencies and divisions, which have federal or other funds allocated to them for this purpose, for that portion of insurance premiums and plan costs as the secretary determines should be borne by such funds, and shall notify the comptroller of the amounts to be transferred, after similar determination, from the several state or other funds and amounts received in payment of all such charges or such transfers shall be credited to the General Fund; provided further, that funds may be expended from this item for the commonwealth's share of group insurance premium and plan costs provided to employees and retirees in prior fiscal years; provided further, that the group insurance commission shall report quarterly to the house and senate committees on ways and means the amounts expended from this item for prior year costs; provided further, that the group insurance commission shall obtain reimbursement for premium and administrative expenses from other agencies and authorities not funded by state appropriation; provided further, that the secretary of administration and finance may charge all agencies for the commonwealth's share of the health insurance

costs incurred on behalf of any employees of those agencies who are on leave of absence for a period of more than 1 year; provided further, that the amounts received in payment for the charges shall be credited to the General Fund; provided further, that notwithstanding section 26 of chapter 29 of the General Laws, the commission may negotiate, purchase and execute contracts before July 1 of each year for policies of group insurance as authorized by chapter 32A of the General Laws; provided further, that notwithstanding chapter 150E of the General Laws and as provided in section 8 of chapter 32A and for the purposes of section 14 of chapter 32A, the commonwealth's share of the group insurance premium for state employees who have retired before July 1, 1994, shall be 90 per cent and the commonwealth's share of the group insurance premium for state employees who have retired on or after July 1, 1994, shall be 85 per cent; provided further, that the commonwealth's share of the group insurance premium for active employees upon retirement shall be 85 per cent; provided further, that the commonwealth's share of the premiums for active state employees hired on or before June 30, 2003 and their dependents shall be 80 per cent; provided further, that the commonwealth's share of

the premiums for active state employees hired after June 30, 2003, and their dependents shall be 75 per cent; provided further, that the commission shall notify the house and senate committees on ways and means by March 15 of each year of the cost of the commonwealth's projected share of group insurance premiums for the next fiscal year; and provided further, that the group insurance commission may pay premium and plan costs for municipal employees and retirees who are enrolled in the group insurance commission's health plans pursuant to the commission's regulations ..... $959,909,873

1108-5201 For the costs incurred by the group insurance commission associated with providing municipal health insurance coverage pursuant to section 19 of chapter 32B of the General Laws; provided, that the commission may expend revenues in an amount not to exceed $850,000 from the revenue received from administrative fees associated with providing municipal health insurance coverage pursuant to said section 19 of said chapter 32B; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commission may incur expenses and the comptroller

may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $850,000

1108-5350 For elderly governmental retired employee premium payments..... $526,789

1108-5400 For the costs of the retired municipal teachers' premiums and the audit of such premiums..... $77,844,056

1108-5500 For the costs, notwithstanding chapter 32A of the General Laws to the contrary, of dental and vision benefits for those active employees of the commonwealth, not including employees of authorities and any other political subdivision, who are not otherwise provided those benefits pursuant to a separate appropriation or the terms of a contract or collective bargaining agreement; provided, that the employees shall pay 15 per cent of the monthly premium established by the commission for the benefits..... $7,786,758

**Division of Administrative Law Appeals.**

1110-1000 For the operation of the division of administrative law appeals, established by section 4H of chapter 7 of the General Laws; provided, that the division shall maintain, to the fullest extent practicable, a complete physical and technological separation from any agency, department, board, commission or

program whose decisions, determinations or actions may be appealed to it; provided further, that every decision issued by a commissioner or other head of agency, or designee, following the issuance of a recommended decision by an administrative law judge of the division, shall be an agency decision subject to judicial review pursuant to chapter 30A of the General Laws; and provided further, that funds shall be expended for the processing and adjudication of all pending and newly-filed department of environmental protection appeals... $1,102,462

**George Fingold Library**

1120-4005 For the administration of the library..... $866,742

1120-4006 For the George Fingold Library which may expend revenues collected up to a maximum of $5,000 from the fees charged for copying services; provided, that the library shall submit a report that details revenue collected and expenditures made to the house and senate committees on ways and means on or before January 1, 2010..... $5,000

**Department of Revenue.**

1201-0100 For the operation of the department of revenue, including tax collection administration and audits of certain foreign corporations; provided, that the department may allocate funds to the office of the attorney general for the purpose of the tax

prosecution unit; provided further, that the department may charge the expenses for computer services, including the cost of personnel and other support costs provided to the child support enforcement unit, from this item to item 1201-0160, consistent with the costs attributable to said unit; provided further, that the department shall provide to the general court access to the municipal data bank; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account are positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning no earlier than December 1 and ending no later than November 30; provided further, that seasonal positions funded by this account may not be filled by an incumbent for more than 10 months within a 12 month period; provided further, that the department may conduct a public awareness and education outreach campaign about state and local tax credits, deductions, deferrals and exemptions and other tax information available to persons age 65 and over including, but not limited to, section 6 of chapter 62 and section 5 of chapter 59 of the General Laws; provided further, that the department may work in conjunction with

the executive office of elder affairs in disseminating information and conducting the campaign; provided further, that the department may conduct the campaign from July 1, 2009, to April 15, 2010, inclusive, and shall report their efforts to the house and senate committee on ways and means and the joint committee on elder affairs not later than May 31, 2010; and provided further, that the department shall also file an interim report to the house and senate committee on ways and means and the joint committee on elder affairs not later than January 1, 2010 ..... $88,539,813

1201-0118 For the operation of the division of local services $5,484,518

1201-0130 For the department of revenue which may expend for the operation of the department not more than $17,280,000 from revenues collected by the additional auditors for an enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who are delinquent either in the filing of a tax return or the payment of a tax due and payable to the commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a prior fiscal year; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of

retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means that shall include, but not be limited to, the following: (1) the amount of revenue produced from these additional auditors; and (2) the amount of revenue produced by this item in fiscal years 2006, 2007, 2008 and 2009..... $17,280,000

1201-0160 For the child support enforcement unit; provided, that the department may allocate funds appropriated herein to the department of state police, the district courts, the probate and family courts, the district attorneys and other state agencies for the performance of certain child support enforcement activities, and those agencies may expend the funds for the purposes of this item; provided further, that all such allocations shall be reported quarterly to the house and senate committees on ways and means upon the allocation of the funds; provided further, that the federal receipts associated with the child support computer network

shall be drawn down at the highest possible rate of reimbursement and deposited into a revolving account to be expended for the network; provided further, that federal receipts associated with child support enforcement grants shall be deposited into a revolving account to be drawn down at the highest possible rate of reimbursement and to be expended for the grant authority; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means, detailing the balance, year-to-date and projected receipts and year-to-date and projected expenditures, by subsidiary, of the child support trust fund established pursuant to section 9 of chapter 119A of the General Laws; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for federal incentives and said network in accounts 1201-0161, 1201-0410, and 1201-0412..... $40,530,864

1201-0164 For the child support enforcement division; provided, that the division may expend revenues in an amount not to exceed $6,547,280 from the federal reimbursements awarded for personnel and lower subsidiary related expenditures; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $6,547,280

1231-1000 For the Commonwealth Sewer Rate Relief Fund, established in section 2Z of chapter 29 of the General Laws; provided, that the Massachusetts Water Resources Authority shall submit a report to the house and senate committees on ways means and the secretary of administration and finance no later than October 1, 2009 that shall include, but not be limited to, the following: (a) an analysis of the options for reducing operating costs of the authority; (b) the use of contracts with private entities for the operation and maintenance of facilities owned or operated by the authority; and

(c) the cost savings and any legislation necessary to effectuate the proposed recommendations of the report ..... $500,000

1232-0100 For underground storage tank reimbursements to parties that have remediated spills of petroleum products pursuant to chapter 21J of the General Laws..... $16,099,454

1232-0200 For the Underground Storage Tank Petroleum Cleanup Fund Administrative Review Board established by section 8 of chapter 21J of the General Laws and for the administration of the underground storage tank program associated with the implementation of said chapter 21J; provided, that notwithstanding section 4 of said chapter 21J or any other general or special law to the contrary, appropriations made in this item shall be sufficient to cover the administrative expenses of the underground storage tank program; provided further, that the board shall submit to the house and senate committees on ways and means a report on the status of the underground storage program, including, but not limited to, the number of municipal grants made for the removal and replacement of underground storage tanks and the reimbursements for remediated petroleum spills; provided further, that the report shall detail how many tanks are out of compliance

with said chapter 21J; and provided further, that the report shall be submitted not later than February 16, 2010 ..... $1,394,271

1232-0300 For underground storage tank municipal grants to remove and replace the tanks pursuant to section 2 of chapter 21J of the General Laws and section 37A of chapter 148 of the General Laws ..... $152,862

1233-2000 For the tax abatement program for certain veterans, widows, blind persons and the elderly; provided, that cities and towns shall be reimbursed for the abatements granted pursuant to clauses Seventeenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C 1/2 and Fifty-second of section 5 of chapter 59 of the General Laws; provided further, that the commonwealth shall reimburse each city or town that accepts said clause Forty-first B or said clause Forty-first C for additional costs incurred in determining eligibility of applicants under those clauses in an amount not to exceed $2 per exemption granted; and provided further, that for reimbursements to cities and towns for additional exemptions from the motor vehicle excise granted

pursuant to the seventh paragraph of section 1 of chapter 60A of the General Laws..... $25,301,475

1233-2350 For the distribution to cities and towns of the balance of the State Lottery Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional aid to municipalities, as provided for in section 3..... $936,376,140

1233-2400 For reimbursements to cities and towns in lieu of taxes on state-owned land pursuant to sections 13 to 17, inclusive, of chapter 58 of the General Laws$27,270,000

**Appellate Tax Board.**

1310-1000 For the operation of the appellate tax board; provided, that the board shall schedule hearings in Barnstable, Gardner, Lawrence, Milford, Northampton, Pittsfield, Springfield, Worcester and southeastern Massachusetts; and provided further, that the board shall report to the house and senate committees on ways and means not later than December 1, 2009, on the number of hearings held at each location..... $1,925,270

1310-1001 The appellate tax board may expend revenues up to a maximum of $300,000 from fees collected; provided, that in order to accommodate discrepancies between the receipt of retained revenues and related expenditures, the board may incur expenses and the

comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $300,000

**Reserves.**

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1599-0025 For the secretary of administration and finance to provide the commonwealth's customers with the convenience of expanded access to internet payment options and to improve revenue collections and cash flow; provided, that the secretary may expend an amount not to exceed $1,000,000 collected from payments made electronically to subsidize the costs associated with processing those payments; and provided further, that the secretary, in consultation with the comptroller, may enter into agreements with state agencies to provide for an electronic transaction fee subsidy, which shall be structured to expire after 3 years..... $1,000,000

1599-0050 For Route 3 North contract assistance payments... $9,625,000

Commonwealth Transportation Fund.....100%

1599-0093 For contract assistance to the water pollution abatement trust for debt service obligations of the trust, pursuant to sections 6, 6A and 18 of chapter 29C of the General Laws..... $67,900,000

1599-1030 For court monitor costs in compliance with the terms of the Rolland settlement agreement, dated

June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United States District Court of Massachusetts in order to provide active services for class members ..... $2,263,600

1599-1970 For a reserve for the Massachusetts Turnpike Authority for costs incurred in fiscal year 2007 for the operation and maintenance of the Central Artery Ted Williams Tunnel Project pursuant to chapter 235 of the acts of 1998 ..... $25,000,000

Commonwealth Transportation Fund.....100%

1599-3234 For the commonwealth's South Essex sewerage district debt service assessment ..... $89,763

1599-3384 For a reserve for the payment of certain court judgments, settlements and legal fees, in accordance with regulations promulgated by the comptroller, which were ordered to be paid in the current fiscal year or a prior fiscal year; provided, that the comptroller shall report quarterly to the house and senate committees on ways and means on the amounts expended from this item ..... $7,500,000

1599-3856 For rent and associated costs at the Massachusetts information technology center in Chelsea ..... $600,000

1599-6425 For a reserve to support municipal regionalization; provided, that the funds in this item shall be used to provide grants and technical assistance to

districts and municipalities, including councils on government, counties and regional planning authorities that are applying on behalf of 2 or more municipal entities, in the areas of planning, feasibility, transitional costs and related subject areas to promote cost effective and efficient delivery of local services by regionalization of services including, but not limited to, equipment, hardware, facilities, staff and operations; provided further, that the secretary of administration and finance shall promulgate regulations to implement this item not later than September 1, 2009; and provided further, that grants and technical assistance shall only be provided to support regionalization of services that results in cost savings..... $1,000,000

**Division of Human Resources.**

1750-0100 For the operation of the human resources division and the costs of administration, training, and customer support related to the commonwealth's human resources and compensation management system; provided, that the information technology division shall continue a chargeback system for its bureau of computer services, including the operation of the commonwealth's human resources and compensation management system, which complies with the

requirements of section 2B; provided further, that the division shall be responsible for the administration of examinations for state and municipal civil service titles, establishment of eligible lists, certification of eligible candidates to state and municipal appointing authorities, technical assistance in selection and appointment to state and municipal appointing authorities; provided further, that notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary, the secretary of administration and finance shall charge a fee of not less than $50 to be collected from each applicant for a civil service examination; provided further, that the division shall administer a program of state employee unemployment management, including, but not limited to, agency training and assistance; provided further, that the division shall administer the statewide classification system, including, but not limited to, maintaining a classification pay plan for civil service titles within the commonwealth in accordance with generally accepted compensation standards and reviewing appeals for reclassification; provided further, that the secretary of administration and

finance shall file with the house and senate committees on ways and means the amounts of any economic benefits necessary to fund any incremental cost items contained in any collective bargaining agreements with the various classified public employees' unions; provided further, that the nature and scope of economic proposals contained in those agreements shall include all fixed percentage or dollar-based salary adjustments, non-base payments or other forms of compensation and all supplemental fringe benefits resulting in any incremental costs; and provided further, that any employee of the commonwealth who chooses to participate in a bone marrow donor program shall be granted a leave of absence with pay to undergo the medical procedure and for associated physical recovery time, but this leave shall not exceed 5 days..... $3,146,717

1750-0102 The human resources division may expend not more than $2,726,760 from revenues collected from fees charged to applicants for civil service and non-civil service examinations and fees charged for the costs of goods and services rendered in administering training programs; provided, that the division shall collect from participating non-state agencies, political subdivisions, and the general

public fees sufficient to cover all costs of the programs, including, but not limited to, a fee to be collected from each applicant for a civil service examination or non-civil examination, notwithstanding clause (n) of section 5 of chapter 31 of the General Laws or any other general or special law to the contrary; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system$2,726,760

1750-0119 For payment of workers' compensation benefits to certain former employees of Middlesex and Worcester counties; provided, that the division shall routinely recertify the former employees pursuant to current workers' compensation procedures..... $61,264

1750-0201 The human resources division may expend not more than $775,000 from revenues collected for implementation of the medical and physical fitness standards program established pursuant to sections 61A and 61B of chapter 31 of the General Laws and chapter 32 of the General Laws; provided, that the

personnel administrator shall charge a fee of not less than $50 to be collected from each applicant who participates in the physical ability test; provided further, that the human resources division shall submit a semi-annual report to the house and senate committees on ways and means detailing all expenditures on the program including, but not limited to, the costs of personnel, consultants, administration of the wellness program, establishment of standards and any other related costs of the program; and provided further, that the division shall report to the house and senate committees on ways and means by February 1, 2010, on the projected costs of the program for fiscal year 2010 ..... $775,000

1750-0300 For the commonwealth's contributions in fiscal year 2010 to health and welfare funds established pursuant to certain collective bargaining agreements; provided, that the contributions shall be calculated as provided in the applicable collective bargaining agreement and shall be paid to the health and welfare trust funds on a monthly basis or on such other basis as the applicable collective bargaining agreement provides ..... $27,700,000

**Operational Services Division.**

1775-0100 For the operation of the operational services division, including the affirmative market program; provided, that the division shall expend funds for the purpose of achieving savings pursuant to this act..... $743,779

1775-0115 For the operational services division; provided, that the division may expend for the purpose of procuring, managing and administering statewide contracts an amount not to exceed $900,000 from revenue collected from the statewide contract administrative fee; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel..... $900,000

1775-0124 For the operational services division; provided, that the division may expend an amount not to exceed $500,000 from revenue collected in the recovery of cost-reimbursement and non-reimbursable over billing and recoupment for health and human service agencies and as a result of administrative reviews, as determined during the division’s audits

and reviews of providers pursuant to section 274 of chapter 110 of the acts of 1993; and provided further, that the division may only retain revenues collected in excess of $207,350..... $500,000

1775-0600 For the operational services division; provided, that the division may expend not more than $805,000 in revenues from the sale of state and federal surplus personal property and the disposal of surplus motor vehicles, including, but not limited to, state police vehicles from vehicle accident and damage claims and from manufacturer warranties, rebates and settlements for the payment, expenses and liabilities for the acquisition, warehousing, allocation and distribution of surplus property and the purchase of motor vehicles; provided further, that the division shall evaluate the use of technology, the internet, and online auctions to enhance the sales of surplus vehicles and submit a report of its findings to the house and senate committees on ways and means, and the house and senate committees on post audit and oversight on or before October 1, 2009; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the operational services division may incur expenses and the comptroller may

certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, including the costs of personnel..... $805,000

1775-0700 For the operational services division; provided, that the division may expend not more than $53,000 in revenues collected in addition to the amount authorized in item 1775-1000 of section 2B for printing, photocopying, related graphic art or design work and other reprographic goods and services provided to the general public, including all necessary incidental expenses..... $53,000

**Information Technology Division.**

1790-0100 For the operation of the information technology division; provided, that the division shall continue a chargeback system for its bureau of computer services including the operation of the commonwealth's human resources and compensation management system, which complies with the requirements of section 2B; provided further, that the division shall develop a formula to determine the cost that will be charged to each agency for its use of the human resources and compensation management system; provided further, that the division may coordinate with any state agency or state authority which administers a grant program

to develop a statewide grant information page on the commonwealth's official world wide web site, that shall include all necessary application forms and a grant program reference in a format that is retrievable and printable; provided further, that the division shall continue conducting audits and surveys to identify and realize savings in the acquisition and maintenance of communications lines; provided further, that the commissioner shall file an annual status report with the house and senate committees on ways and means by May 31, 2010, with actual and projected savings and expenditures for the audits in the fiscal year ending June 30, 2010; provided further, that the state comptroller shall establish accounts and procedures as he deems appropriate and necessary to assist in accomplishing the purposes of this item; provided further, that any planned information technology development project or purchase by any agency under the authority of the governor for which the total projected cost exceeds $200,000, including the cost of any related hardware, software, or consulting fees, and regardless of fiscal year or source of funds, shall be reviewed and approved by the chief information officer before such agency may obligate funds for the

project or purchase; provided further, that the chief information officer may establish rules and procedures necessary to implement this item; and provided further, that the division shall file a report by secretariat with the house and senate committees on ways and means not later than December 15, 2009 that shall include, but not be limited to, the following: (a) financial statements detailing savings realized from the consolidation of information technology services within each executive office; (b) the number of personnel assigned to the information technology services within each executive office; and (c) efficiencies that have been achieved from the sharing of resources..... $4,690,244

1790-0300 For the information technology division which may expend not more than $595,695 from revenues collected from the provision of computer resources and services to the general public for the costs of the bureau of computer services, including the purchase, lease or rental of telecommunications lines, services and equipment..... $595,695

**EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.**

**Office of the Secretary.**

2000-0100 For the operation of the office of the secretary of energy and environmental affairs, including the

water resources commission, the hazardous waste facility site safety council, the coastal zone management program, environmental impact reviews conducted pursuant to chapter 30 of the General Laws, and the mosquito-borne disease vector control chapter program; provided, that the secretary shall investigate and submit a report within 120 days to the house and senate committees on ways and means, the house and senate committees on global warming and climate change and the joint committee on environment, natural resources and agriculture on the transfer of forest product marketing and promotion, as well as regulatory oversight on non-state and federally owned forest lands from the department of conservation and recreation to the department of agricultural resources through such interdepartmental agreements; and provided further, that the report shall include, but not be limited to, the following: (a) an identification of the employees that would be affected by consolidation and the item of appropriation that they are paid from; (b) the savings or efficiencies to be realized; (c) the improvements to the services expected; and (d) the source and amount of funding necessary to accomplish and maintain the transfer $6,382,555

2000-1700 For the operation of information technology services within the executive office of energy and environmental affairs, including the office of geographic and environmental information established in section 4B of chapter 21A of the General Laws ..... $9,246,775

2001-1001 For the secretary of energy and environmental affairs who may expend not more than $55,000 from fees charged to entities other than political subdivisions of the commonwealth for the distribution of digital cartographic and other data for the review of environmental notification forms pursuant to sections 61 to 62H, inclusive, of chapter 30 of the General Laws ..... $55,000

2010-0100 For recycling and related purposes consistent with the recycling plan of the solid waste master plan which includes municipal equipment, a municipal recycling incentive program, recycled product procurement, guaranteed annual tonnage assistance, recycling transfer stations, source reduction and technical assistance, consumer education and participation campaign, municipal household hazardous waste program, the recycling loan program, research and development, recycling market development and recycling business development, and the operation of the Springfield materials

recycling facility; provided, that funds may be expended for a recycling industry reimbursement program pursuant to section 241 of chapter 43 of the acts of 1997..... $514,001

2020-0100 For toxics use reduction technical assistance and technology in accordance with chapter 21I of the General Laws..... $688,204

2030-1000 For the operation of the office of environmental law enforcement; provided, that officers shall provide monitoring pursuant to the National Shellfish Sanitation Program; provided further, that the department shall maintain and operate the boat registration and titling offices in Hyannis and Fall River; and provided further, that funds from this item shall not be expended for the purposes of item 2030-1004..... $9,677,607

2030-1004 For environmental police private details; provided, that the office may expend revenues of up to $220,000 collected from the fees charged for private details; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this

3020 authorization or the most recent revenue estimate
3021 as reported in the state accounting system..... $220,000

3022 **Department of Public Utilities.**

3023
3024 2100-0012 For the operation of the department of public
3025 utilities; provided, that notwithstanding the
3026 second sentence of the first paragraph of section
3027 18 of chapter 25 of the General Laws, the
3028 assessments levied for fiscal year 2010 under said
3029 first paragraph shall be made at a rate sufficient
3030 to produce $7,346,593..... $7,346,593
3031 2100-0013 For the operation of the transportation division... $461,489
3032 2100-0014 For the department of public utilities which may
3033 expend for the operation of the energy facilities
3034 siting board an amount not to exceed $75,000 from
3035 application fees collected in fiscal year 2010 and
3036 prior fiscal years from utility companies..... $75,000
3037 2100-0015 For the department of public utilities which may
3038 expend for the operation of the transportation
3039 division an amount not to exceed $2,300,000 from
3040 unified carrier registration fees collected in
3041 fiscal year 2010 and prior fiscal years from motor
3042 carrier companies..... $2,300,000

3043 **Department of Environmental Protection.**

3044
3045 2200-0100 For the operation of the department of
3046 environmental protection, including the
3047 environmental strike force, the office of

environmental results and strategic planning, the bureau of resource protection, the Senator William X. Wall experimental station, and a contract with the University of Massachusetts for environmental research; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established pursuant to section 18 of chapter 21A of the General Laws..... $29,754,601

2200-0102 For the department of environmental protection which may expend an amount not to exceed $903,817 from revenues collected from fees collected from wetland permits; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that the department shall submit a report by January 11, 2010 on implementation of the wetlands fee, the amount of the fee increase and the revenue that has been collected; and provided further, that the wetlands fees that will be directed into the

General Fund shall not be lower than the amount deposited at the end of fiscal year 2004..... $903,817

2200-0107 For redemption centers; provided, that the department of environmental protection shall expend the funds appropriated in this item for a program to preserve the continuing ability of redemption centers to maintain operations in pursuit of the commonwealth's recycling goals consistent with section 323 of chapter 94 of the General Laws; provided further, that for the purposes of this item and said chapter 94, a redemption center shall be any business registered with the commonwealth whose primary purpose is the redemption of reusable beverage containers; provided further, that the program shall take into consideration the volume of redeemables per redemption center, the length of time the center has been in operation, the number of returnables redeemed quarterly by the centers, the submission by the centers of documentation of their redeemed returnables to the department and the costs of transportation, packing, storage and labor; and provided further, that a redemption center shall be eligible for the funds if registered with the commonwealth as of April 1, 2003..... $475,000

2210-0100 For the implementation and administration of chapter 21I of the General Laws; provided, that the department shall submit a report to the house and senate committees on ways and means not later than February 1, 2010 detailing the status of the department's progress in meeting the statutory and regulatory deadlines associated with said chapter 21I and detailing the number of full-time equivalent positions assigned to various implementation requirements of said chapter 21I.... $831,182

2220-2220 For the administration and implementation of the federal Clean Air Act, including the operating permit program, the emissions banking program, the auto-related state implementation program, the low emission vehicle program, the non-auto-related state implementation program, and the commonwealth's commitments under the New England Governors/Eastern Canadian Premiers Action Plans for reducing acid rain deposition and mercury emissions..... $983,303

2220-2221 For the administration and implementation of the operating permit and compliance program required under the federal Clean Air Act..... $1,957,473

2250-2000 For the purpose of state implementation of the federal Safe Drinking Water Act under section 18A of chapter 21A of the General Laws..... $1,576,198

2260-8870 For the expenses of the hazardous waste cleanup and underground storage tank programs, notwithstanding section 4 of chapter 21J of the General Laws.... $15,419,520

2260-8872 For the brownfields site audit program..... $1,456,260

2260-8881 For the operation of the board of registration of hazardous waste site cleanup professionals, notwithstanding section 19A of chapter 21A of the General Laws..... $342,117

**Department of Fish and Game.**

2300-0100 For the office of the commissioner; provided, that the commissioner's office shall assess and receive payments from the division of marine fisheries, the division of fisheries and wildlife, the public access board, the riverways programs, and all other programs under the control of the department of fish and game; provided further, that the purpose of those assessments shall be to cover appropriate administrative costs of the department, including but not limited to payroll, personnel, legal and budgetary costs; provided further, that the amount and contribution from each division or program shall be determined by the commissioner of fish and game; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than October 1, 2009 that details the level of assessments to

each department under the control of the office of the commissioner in fiscal years 2008 and 2009..... $678,762

2300-0101 For a program of riverways protection, restoration and promotion of public access to rivers, including grants to public and nonpublic entities; provided, that the positions funded in this item shall not be subject to chapter 31 of the General Laws..... $431,783

2310-0200 For the administration of the division of fisheries and wildlife, including expenses of the fisheries and wildlife board, the administration of game farms and wildlife restoration projects, for wildlife research and management, the administration of fish hatcheries, the improvement and management of lakes, ponds and rivers, for fish and wildlife restoration projects, the commonwealth's share of certain cooperative fisheries and wildlife programs, and for certain programs reimbursable under the federal Aid to Fish and Wildlife Restoration Act; provided, that funds from this item shall be made available to the University of Massachusetts Amherst for the purposes of wildlife and fisheries research in an amount not to exceed the amount received in fiscal year 2009 for such research; provided further, that the department may expend the amount necessary to restore anadromous fish in the Connecticut and

Merrimack river systems; provided further, that expenditures for such programs shall be contingent upon prior approval of the proper federal authorities for reimbursement of at least 75 per cent of the amount so expended; and provided further, that funds shall be expended for the natural heritage and endangered species program.. $9,206,561

Inland Fisheries and Game Fund.....100.0%

2310-0306 For the hunter safety training program..... $401,130

Inland Fisheries and Game Fund.....100.0%

2310-0316 For the purpose of land containing wildlife habitat and for the costs of the division of fisheries and wildlife directly related to the administration of the wildlands stamp program pursuant to sections 2A and 2C of chapter 131 of the General Laws; provided, that funds shall not be expended from this item in the AA object class for the compensation of state employees assigned to any item..... $1,000,000

Inland Fisheries and Game Fund.....100.0%

2310-0317 For the waterfowl management program established pursuant to section 11 of chapter 131 of the General Laws..... $45,000

Inland Fisheries and Game Fund.....100.0%

2320-0100 For the administration of the public access board, including the maintenance, operation, and

improvements of public access land and water areas; provided, that positions funded in this item shall not be subject to chapter 31 of the General Laws... $513,182

2330-0100 For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance, and for the operation of the Newburyport shellfish purification plant and shellfish classification program; provided, that funds shall be expended on a recreational fisheries program to be reimbursed by federal funds; provided further, that the sum expended for the school for marine science and technology for research to minimize the economic impact of new fisheries management regulations shall not be reduced from fiscal year 2009 levels except in proportion to adjustments consistent with the department's budget adjustments; and provided further, that the division shall continue to develop strategies to improve federal regulations governing the commercial fishing industry so as to promote sustainable fisheries..... $4,720,397

2330-0120 For the division of marine fisheries for a program of enhancement and development of marine recreational fishing and related programs and activities, including the cost of equipment maintenance, staff and the maintenance and updating of data..... $567,563

2330-0121 For the division of marine fisheries to utilize reimbursable federal sportfish restoration funds to further develop marine recreational fishing and related programs, including the costs of activities that increase public access for marine recreational fishing, support research on artificial reefs, and otherwise provide for the development of marine recreational fishing; provided, that the division of marine fisheries may expend revenues up to $217,989 collected from federal sportfish restoration funds and from the sale of materials which promote marine recreational fishing..... $217,989

**Department of Agricultural Resources.**

2511-0100 For the operation of the department of agricultural resources, including the division of administration, the expenses of the board of agriculture, the division of dairy services, division of regulatory services, the division of animal health, the division of agricultural technical assistance, the division of crop

management and inspectional services, including a program of laboratory services at the University of Massachusetts Amherst, the pesticides board, and the division of agricultural development and fairs; provided, that funds may be expended for the statewide 4-H program..... $4,783,708

2511-0105 For the purchase of supplemental foods for the emergency food assistance program within the feeding America nationally-certified food bank system of Massachusetts; provided, that the funds appropriated herein shall reflect the feeding America allocation formula, to benefit the 4 regional food banks in the commonwealth; and provided further, that the department may assess an administrative charge not to exceed 2 per cent of the total appropriation herein..... $12,000,000

2511-3002 For the integrated pest management program..... $287,945

**Department of Conservation and Recreation.**

2800-0100 For the operation of the department of conservation and recreation; provided, that said department shall enter into an interagency service agreement with the department of state police to provide police coverage on department of conservation and recreation properties and parkways; provided further, that the department of state police shall reimburse said department of conservation and

recreation for costs incurred by said department including, but not limited to, vehicle maintenance and repairs, the operation of department of state police buildings and other related costs; provided further, that notwithstanding any general or special law to the contrary, all offices and positions of the division performing construction activities for the department of conservation and recreation shall be subject to classification under sections 45 to 50, inclusive, of chapter 30 of the General Laws; provided further, that notwithstanding section 3B of chapter 7 of the General Laws, the department shall establish or renegotiate fees, licenses, permits, rents and leases, and adjust or develop other revenue sources to fund the maintenance, operation and administration of the department; provided further, that an annual report shall be submitted to the house and senate committees on ways and means regarding fee adjustments not later than February 15, 2010; provided further, that notwithstanding any general or special law to the contrary, the department shall continue to fund a maintenance contract pursuant to item 2440-2014 of section 2 and section 29 of chapter 236 of the acts of 2002; provided further, that no funds shall be expended

from this item for personnel overtime costs; provided further, that the department of conservation and recreation shall provide the house and senate committees on ways and means with a 30 day notice before any intersubsidiary transfers or interagency service agreements and the reason for said transfer; provided further, that the amount transferred pursuant to interagency service agreements shall not increase from fiscal year 2009; and provided further, that any employee paid from this item as of August 1, 2004, that was included in the report required from said item in chapter 149 of the acts of 2004, and any employees assigned to that item after August 1, 2004, shall not be paid from any other item of appropriation. $4,740,855

2800-0101 For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department and the office of water resources in the department of conservation and recreation; provided, that the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under the General Laws; provided further, that the department shall continue to make

payments pursuant to chapter 616 of the acts of 1957, as amended by section 89 of chapter 801 of the acts of 1963; and provided further, that the department shall continue to make payments pursuant to chapter 307 of the acts of 1987 for the use of certain land..... $1,250,528

2800-0401 For a program to provide stormwater management for all properties and roadways under the care, custody and control of the department of conservation and recreation; provided, that the department shall develop and implement a stormwater management program in compliance with federal and state stormwater management requirements; provided further, that the department shall inventory all existing stormwater infrastructure, assess its current stormwater practices, analyze long term capital and operational needs, and develop a stormwater management plan to comply with federal and state regulatory requirements; and provided further, that in order to protect public safety and to protect water resources for water supply, recreational and ecosystem uses, the department shall immediately implement interim stormwater management practices including, but not limited to, street sweeping, inspection and cleaning of catch basins, and emergency repairs to roadway drainage.. $731,258

2800-0501 For the operation of the beaches, pools and spray pools under the control of the department of conservation and recreation; provided, that the seasonal hires of the department of conservation and recreation's parks, beaches, pools and spray pools be paid from this item; provided further, that all beaches, pools and spray pools shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches, pools and spray pools shall be fully maintained; provided further, that the department shall file quarterly reports with the house and senate committee on ways and means relative to the seasonal staffing levels at all of the department's facilities, which shall include, but not be limited to, the following: (a) the number of seasonal employees assigned to each facility; (b) the total amount of funding spent on seasonal employees at each facility; (c) the total amount of funding spent on each facility; and (d) the services and materials provided to each facility; provided further, that no funds from this item shall be expended for year-round seasonal employees; provided further, that seasonal employees who are hired before the second Sunday before Memorial Day and whose employment continues beyond the Saturday

following Labor Day and who received health insurance benefits in fiscal year 2009 shall continue to receive such benefits in fiscal year 2010 during the period of their seasonal employment; provided further, that no expenditures shall be made from this item other than for the purposes identified in this item; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis beginning not earlier than April 1 and ending not later than November 30, or beginning not earlier than September 1 and ending not later than April 30; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12-month period..... $13,135,383

2800-0700 For the office of dam safety; provided, that the department shall, in collaboration with the department of environmental protection and the department of fish and game, establish and maintain a comprehensive inventory of all dams, and develop a coordinated permitting and regulatory approach to dam removal for stream restoration and public

safety; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than December 14, 2009, that shall include, but not be limited to, the following: (a) the number of staff that are assigned from this item and their job title; (b) the number of dam inspections that are scheduled for fiscal year 2010; and (c) the number of dams that are in need of repair or replacement.. $427,428

2810-0100 For the operation of the department's state and urban parks; provided, that funds appropriated in this item shall be used to operate all of the division's parks, parkways, boulevards, roadways, bridges, and related appurtenances under the care, custody, and control of the division, flood control activities of the division, reservations, campgrounds, beaches and pools and for the oversight of rinks, to protect and manage the division's lands and natural resources, including the forest and parks conservation services and the bureau of forestry development; provided further, that the crossing guards located at department of conservation and recreation intersections shall continue to perform the duties where state police previously performed such duties; provided further, that the parkways, boulevards, roadways, bridges

and related appurtenances under the care and custody of the metropolitan district commission in fiscal year 2003 shall remain solely under the jurisdiction, custody and care of the department of conservation and recreation; provided further, that no funds from this item shall be made available for payment to true seasonal employees; provided further, that the rinks under the control of the department shall remain open and staffed for the full rink season; provided further, that the department may issue grants to public and nonpublic entities from this item; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means relative to the staffing levels at all state and urban parks, which shall include, but not be limited to, the following: (a) the number of staff assigned to each park; (b) the total number of visitors to each park; (c) the total acreage of each park; and (d) the amount of funding spent on each park; and provided further, that funds may be expended for the purposes set out in item 2800-9004 of section 2 of chapter 182 of the acts of 2008. $46,683,361

General Fund.....94.21%

Commonwealth Transportation Fund.....5.79%

2810-2041 For the division of state parks and recreation which may expend not more than $5,682,326 from revenue collected from fees charged by the division, including revenues collected from campsite reservation transactions from the automated campground reservation and registration program for additional expenses, upkeep and improvements to the parks and recreation system and for the personnel costs of seasonal employees; provided, that no funds from this item shall be expended for the costs of full-time equivalent personnel; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that no expenditures made in advance of the receipts shall be permitted to exceed 75 per cent of the amount of revenues projected by the first quarterly statement required by section 1B; provided further, that the comptroller shall notify the house and senate committees on ways and means at the time subsequent quarterly statements are published of the variance

between actual and projected receipts in each such quarter and the implications of that variance for expenditures made; and provided further, that the division may issue grants to public and nonpublic entities from this item..... $5,682,326

2820-0101 For the costs associated with the department's urban park rangers specific to the security of the state house; provided, that funds appropriated in this item shall only be expended for the costs of security and urban park rangers at the state house$1,541,621

2820-1000 For the division of urban parks and recreation which may expend not more than $200,000 from revenue collected pursuant to section 34B of chapter 92 of the General Laws..... $200,000

2820-1001 For the division of urban parks and recreation which may expend not more than $50,000 from revenue collected for the operation and maintenance of the division's telecommunications system from revenues received from the Massachusetts Water Resources Authority, the Massachusetts Convention Center Authority, the department of highways, the Central Artery/Ted Williams Tunnel Project, the department of state police and quasi-public and private entities through a system of user fees and other charges established by the commissioner of conservation and recreation; provided, that nothing

in this item shall impair or diminish the rights of access and utilization of all current users of the system under agreements previously entered into; and provided further, that this item may be reimbursed by political subdivisions of the commonwealth and private entities for direct and indirect costs expended by the division to maintain the telecommunications system..... $50,000

2820-2000 For the operation of street lighting and the expenses of maintaining the parkways of the department of conservation and recreation, including the costs of personnel and snow and ice removal expenses; provided, that the department of conservation and recreation shall take all measures to ensure that the department's snow and ice control efforts are efficient and cost effective; provided further, that the secretary of energy and environmental affairs shall submit to the house and senate committees on post audit and oversight and the house and senate committees on ways and means a report detailing a snow emergency plan for roads, bridges and sidewalks under the care of the department of conservation and recreation by January 14, 2010; provided further, that the secretary of energy and environmental affairs shall submit to the house and senate committees on post

audit and oversight, and the house and senate committees on ways and means a report not later than September 1, 2009, which shall include, but not be limited to, the following: (a) a list of amounts paid from state appropriations for snow and ice control efforts for fiscal years 2008 and 2009; and (b) any other information that said secretary determines is necessary to account for and explain the extraordinary expenditure of state appropriations for the control and removal of snow and ice; provided further, that the department of conservation and recreation shall take all measures to further ensure that said department's street lighting efforts are efficient and cost effective; and provided further, that said department shall implement a plan to achieve efficiencies and reduce lighting costs..... $5,760,021

Commonwealth Transportation Fund.....100%

2820-3001 For the division of urban parks and recreation which may expend not more than $1,000,000 from revenue collected from skating rink fees and rentals for the operation and maintenance, including personnel costs, of 4 rinks between September 1, 2009, and April 30, 2010, for an expanded and extended rink season; provided, that when assigning time for the use of its rinks, the

division shall give priority to those which qualify under applicable state and federal law as nonprofit organizations or as a public school..... $1,000,000

2820-4420 For the operation and maintenance of the Ponkapoag golf course; provided, that the division of urban parks and recreation may expend not more than $1,098,236 from revenue collected from fees generated by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30..... $1,098,236

2820-4421 For the operation and maintenance of the Leo J. Martin golf course; provided, that the division of urban parks and recreation may expend not more than $824,790 from revenue collected from fees generated

by the golf course; provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenue and related expenditures, the division may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this account shall be positions requiring the services of an incumbent on either a full-time or less than a full-time basis beginning not earlier than April 1 and ending not later than November 30..... $824,790

**Department of Energy Resources.**

7006-1001 For the residential conservation service program under chapter 465 of the acts of 1980, and the commercial and apartment conservation service program pursuant to section 11A of chapter 25A of the General Laws..... $199,326

7006-1003 For the operation of the department of energy resources; provided, that notwithstanding any general or special law to the contrary, the amount assessed under section 11H of chapter 25A of the General Laws shall be equal to the amount expended from this item..... $2,938,678

**Department of Early Education and Care.**

3000-1000 For the administration of the department of early education and care and the costs of field operations and licensing provided through the department; provided, that the department shall report on the first business day of each month to the joint committee on education, the joint committee on children, families and persons with disabilities, the house and senate committees on ways and means, and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services, including supportive child care services; and provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of elementary and secondary education, the department of transitional assistance, the department of children and families and the department of public health may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program

implementation and evaluation, reporting, and policy development purposes..... $11,944,704

3000-2000 For regional administration and coordination of services provided by child care resource and referral agencies; provided, that funding for activities shall include, but not be limited to, administrative costs of these agencies, program coordination and support, voucher management, outreach to hard-to-reach populations, intake and eligibility services for families seeking financial assistance to enroll in early education and care programs, resource and referral for families with disabilities in child care programs, maintenance of the department's centralized waiting list for state-subsidized early education and care, and walk-in services for homeless families..... $9,782,724

3000-2050 For the administration of the Children's Trust Fund; provided, that the department shall not exercise any supervision or control with respect to the board..... $1,154,572

3000-3050 For supportive early education and care services; provided, that funds from this item shall only be expended for early education and care costs of children with active cases at the department of children and families; provided further, that the department of early education and care, in

collaboration with the department of children and families, shall maintain a centralized list detailing the number of children eligible for services in this item, the number of supportive slots filled, and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that all children eligible for services under this item shall receive those services; provided further, that if the department determines that available appropriations for this program will be insufficient to meet projected expenses, the commissioner shall file with the house and senate committees on ways and means and the secretary of administration and finance, a report detailing the amount of appropriation needed to address such deficiency; and provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000, 3000-4050 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days before the transfer..... $77,836,888

3000-4050 For financial assistance for families currently involved with or transitioning from transitional aid to families with dependent children to enroll in an early education and care program; provided, that early education and care shall be available to former participants who are working for up to 1 year after termination of their benefits; provided further, that post-transitional early education and care benefits shall be provided to participants who are working for up to 1 year after the transitional period; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded from this item and item 3000-3050; provided further, that the department may provide early education and care benefits to parents who are under 18 years of age, who are currently enrolled in a job training program, and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income; provided further, that all teens eligible for year-round, full-time early education and care services shall be participating in school, education, work and training-related activities or a combination thereof for at least the minimum number of hours required by regulations; provided further, that

recipients shall not be charged fees for care provided under this item; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that informal early education and care benefits may be funded from this item; provided further, that not more than $2 per child per hour shall be paid for the services; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; and provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2010 $116,232,279

3000-4060 For income-eligible early education and care programs; provided further, that teen parents at risk of becoming eligible for transitional aid to families with dependent children may be paid from this item; provided further, that informal early education and care benefits for families meeting

income-eligibility criteria may be funded from this item; provided further, that not more than $2 per child per hour shall be paid for the services; provided further, that early education and care slots funded from this item shall be distributed geographically in a manner that provides fair and adequate access to early education and care for all eligible individuals; provided further, that the department may expend funds from this item on grants to support inclusive learning environments; provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4050, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2010; provided further, that said plan shall be forwarded to the house and senate chairs of the joint committee on education, the chairs of the house and senate ways and means committees, and the secretary of administration and finance; and provided further, that any payment made under any such grant

with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary..... $273,572,478

3000-5000 For grants to head start programs; provided, that funds from this item may be expended on early head start programs..... $8,000,000

3000-5075 For the Massachusetts Universal Pre-Kindergarten Program; provided, that funds from this item shall be expended on grants to improve the quality of and expand access to preschool programs and services to children from the age of 2 years and 9 months until they are kindergarten eligible; provided further, that in awarding grant funds under this program, preference shall be given to establishing preschool classrooms in towns and cities with schools and districts at risk of or determined to be under-performing in accordance with sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action, or restructuring pursuant to departmental regulations, or which have

been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations, schools or districts with a high percentage of students scoring in levels 1 and 2 on the MCAS exams, or programs which serve children not less than 50 per cent of whom are from families earning at or below 85 per cent of the state median income; provided further, that funds may also be used to leverage and enhance community-wide capacity building efforts within statewide parameters established by the board; provided further, that any newly-funded programs designated as Massachusetts Universal Pre-Kindergarten Program participants shall have been accredited by the National Association for the Education of Young Children, the New England Association of Schools and Colleges, the National Association of Family Child Care or a Child Development Associate (CDA) credential or higher; provided further, that programs receiving grant funds may use the funds to enhance teacher and staff quality and compensation, enhance program ability to interpret and use assessment data effectively, enhance developmentally-appropriate practice, incorporate ancillary services into the program, facilitate or provide access to wrap-around services for working

families, or to increase capacity to expand access to age-eligible children on the centralized waitlist maintained by the department; provided further, that preference shall be given in awarding grants to those programs which demonstrate affordability for middle class and working class parents according to standards to be developed by the department; and provided further, that any payment made under any such grant with a school district shall be deposited with the treasurer of such city, town, or regional school district and held as a separate account and shall be expended by the school committee of such city, town, or regional school district without municipal appropriation, notwithstanding any general or special law to the contrary..... $8,000,000

3000-6000 For the establishment of a statewide network of supports for early education and care programs to advance the quality of their services to children; provided, that supports funded through this item shall include, but not be limited to, curriculum development, child assessment systems, activities that encourage providers to obtain associate and bachelor degrees, payment of fees and direct assistance to programs seeking accreditation by agencies approved by the board, and professional

development courses; provided further, that eligible recipients for such grants shall include, but not be limited to, community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, and child care resource and referral centers; provided further, that supports funded through this item shall be in alignment with the quality requirements of the Massachusetts Universal Pre-Kindergarten Program and the development of the quality rating and improvement system; provided further, that the department shall encourage and support early childhood education and care providers to obtain associate and bachelor degrees through professional development programs, including, but not limited to, the building careers program model; and provided further, that where possible, funds from this line item shall be coordinated with funding from item 3000-7050 ..... $14,080,868

3000-6075 For early childhood mental health consultation services in early education and care programs in the commonwealth; provided, that preference shall be given to those services designed to limit the number of expulsions and suspensions from said programs; and provided further, that eligible

recipients for such grants shall include community partnership councils, municipal school districts, regional school districts, educational collaboratives, head start programs, licensed child care providers, child care resource and referral centers and other qualified entities..... $1,000,000

3000-7000 For statewide neonatal and postnatal home parenting education and home visiting programs for at-risk newborns to be administered by the Children's Trust Fund; provided, that the department shall collaborate with the Children's Trust Fund, whenever feasible and appropriate, to coordinate services provided though this item with services provided through item 3000-7050 in order to ensure that parents receiving services through this item are aware of all opportunities available to them and their children through the department; provided further, that such services shall be made available statewide to parents under the age of 21 years; provided further, that notwithstanding any general or special law to the contrary, priority for such services shall be given to low-income parents; and provided further, that the Children's Trust Fund shall issue a report to the joint committee on education and the house and senate committees on ways and means, not later than February 15, 2010,

3906 detailing the expenditure of state funds
3907 appropriated herein..... $10,688,407
3908 3000-7050 For grants to programs that improve the parenting
3909 skills of participants in early education and care
3910 programs in the commonwealth: Mass Family Networks,
3911 Parent-Child Home Program, and Reach Out and Read;
3912 provided, that the department shall distribute said
3913 grants no later than August 31, 2009, in order to
3914 allow a full year of service for families involved
3915 in these programs; and provided further, that the
3916 department shall, to the maximum extent feasible,
3917 coordinate services provided through this item with
3918 services provided through items 3000-6000 and 3000-
3919 7000 in order to ensure that parents receiving
3920 services through this item are aware of all
3921 opportunities available to them and their children
3922 through the department..... $5,000,000

3923 **EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.**
3924
3925 **Office of the Secretary.**
3926
3927 4000-0050 For the operation of the personal care attendant
3928 quality workforce council established under section
3929 29 of chapter 118G of the General Laws..... $187,751
3930 4000-0112 For matching grants to the Massachusetts Alliance
3931 of Boys & Girls Clubs, YMCA and YWCA organizations,
3932 nonprofit community centers, and youth development
3933 programs; provided, that the secretary of the

3934 executive office of health and human services shall
3935 award the full amount of each grant to each
3936 organization upon commitment of matching funds from
3937 the organization..... $1,500,000
3938 4000-0265 For a primary care workforce development and loan
3939 forgiveness grant program at community health
3940 centers, for the purpose of enhancing recruitment
3941 and retention of primary care physicians and other
3942 clinicians at community health centers throughout
3943 the commonwealth; provided, that the grant program
3944 shall be administered by the Massachusetts League
3945 of Community Health Centers in consultation with
3946 the secretary of the executive office of health and
3947 human services and relevant member agencies;
3948 provided further, that the funds shall be matched
3949 by other public and private funds; and provided
3950 further, that the League shall work with said
3951 secretary and said agencies to maximize all sources
3952 of public and private funds..... $850,000
3953 4000-0300 For the operation of the executive office,
3954 including the operation of the managed care
3955 oversight board; provided, that the executive
3956 office shall provide technical and administrative
3957 assistance to agencies under the purview of the
3958 secretariat receiving federal funds; provided
3959 further, that the executive office and its

agencies, when contracting for services on the islands of Martha’s Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services, and housing on said islands; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat, and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall continue to develop and implement the common client identifier; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services;

provided further, that subject to appropriation, the executive office of health and human services may employ such additional staff or consultants as it may deem necessary; provided further, that the office may prepare an annual health disparities report card with regional disparities data, evaluate effectiveness of interventions, and replicate successful programs across the commonwealth; provided further, that the office shall work with a disparities reduction program with a focus on supporting efforts by community-based health agencies and community health workers to eliminate racial and ethnic health disparities, including efforts addressing social factors integral to such disparities; provided further, that in consultation with the division of health care finance and policy, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers do not exceed the rates that are necessary to meet only those costs which must be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that expenditures for the purposes of each item

appropriated for programs authorized by chapter 118E of the General Laws shall be accounted for in the Massachusetts management accounting and reporting system not more than 10 days after the expenditures have been made by the Medicaid management information system; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act or the MassHealth demonstration waiver approved under section 1115(a) of said Social Security Act or the community first section 1115 demonstration waiver, whether made by the executive office or another commonwealth entity, except as specifically authorized herein, or unless made for cost containment efforts, the purposes and amounts of which have been submitted to the executive office of administration and finance and the house and senate committees on ways and means 30 days prior to making such expenditures; provided further, that the executive office may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and that these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive

office may collect directly from a liable third party any amounts paid to contracted providers under said chapter 118E for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for the purpose of funding interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that notwithstanding any general or special law to the contrary, the executive office shall require the commissioner of mental health to approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that the executive office shall develop a process whereby all participating providers who have signed the Virtual Gateway Services Agreement shall have access to the contents of the consolidated summary of any

4064 individual's application submitted through the
4065 virtual gateway; provided further, that said
4066 information access shall comply with all HIPAA
4067 requirements and state privacy laws; provided
4068 further, that not later than September 1, 2009, the
4069 executive office of health and human services shall
4070 submit a report to the house and senate committees
4071 on ways and means detailing planned fiscal year
4072 2010 expenditures by the executive office as funded
4073 by chargebacks to the 17 executive office cluster
4074 agencies; provided further, that any projection of
4075 deficiency in item 4000-0430, 4000-0500, 4000-0600,
4076 4000-0700, 4000-0870, 4000-0875, 4000-0880, 4000-
4077 0890, 4000-0895, 4000-0950, 4000-0990, 4000-1400 or
4078 4000-1405 shall be reported to the house and senate
4079 committees on ways and means not less than 90 days
4080 before the projected exhaustion of funding; and
4081 provided further, that any unexpended balance in
4082 these accounts shall revert to the General Fund on
4083 June 30, 2010 ..... $95,375,349
4084 4000-0301 For the costs of MassHealth provider and member
4085 audit and utilization review activities including,
4086 but not limited to, eligibility verification,
4087 disability evaluations, provider financial and
4088 clinical audits, and other initiatives intended to
4089 enhance program integrity ..... $1,747,904

4000-0320 The executive office of health and human services may expend for medical care and assistance rendered in the current year an amount not to exceed $225,000,000 from the monies received from recoveries and collections of any current or prior year expenditures; provided, that notwithstanding any general or special law to the contrary, the balance of any personal needs accounts collected from nursing and other medical institutions upon a medical assistance member's death and held by the executive office for more than 3 years may be credited to this item; and provided further, that no funds from this item shall be used for the purposes of item 4000-0300..... $225,000,000

4000-0355 For the operation of a health care quality and cost council established in section 16K of chapter 6A of the General Laws to promote high-quality, cost-effective, patient-centered care; provided, that the council shall file quarterly reports with the house and senate committees on ways and means delineating the progress made pursuant to the goals stated in said section 16K of said chapter 6A..... $946,256

4000-0360 For the health care quality and cost council established pursuant to section 16K of chapter 6A of the General Laws; provided, that the council may

expend an amount not to exceed $100,000 from the monies received from the sale of data reports..... $100,000

4000-0430 For the CommonHealth program to provide primary and supplemental medical care and assistance to disabled adults and children under sections 9A, 16 and 16A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that the executive office shall maximize federal reimbursement for state expenditures made on behalf of such adults and children; provided further, that children shall be determined eligible for the medical care and assistance if they meet the disability standards as defined by the executive office, which standards shall be no more restrictive than the standards in effect on July 1, 1996; and provided further, that the executive office shall process CommonHealth applications within 45 days of receipt of a completed application or within 90 days if a determination of disability is required..... $103,393,987

4000-0500 For health care services provided to medical assistance recipients under the executive office's primary care clinician/mental health and substance abuse plan or through a health maintenance

organization under contract with the executive office and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of chapter 118E of the General Laws and section 16C of said chapter 118E; provided, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that expenditures from this item shall be made only for the purposes expressly stated herein; provider further, that funds may be expended from this item to enhance the ability of hospitals, community health centers, and primary care clinicians to serve populations in need more efficiently and effectively; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers; provided further, that in conjunction with the new Medicaid management information system, said executive office shall

continue to study the feasibility of modifying its claim payment system, in collaboration with the MassHealth behavioral health contractor, to routinely process for payment valid claims for medically-necessary covered medical services to eligible recipients with psychiatric and substance abuse diagnoses on a timely basis in an effort to avoid delay and expenses incurred by lengthy appeals processes; provided further, that rates of payment from the Commonwealth Care and the Medicaid managed care plans to acute care hospitals shall be subject to negotiation between those health plans and hospitals; provided further, that the Commonwealth Care and the Medicaid managed care plan rates for acute care hospitals shall not be promulgated by regulation nor stipulated in the MassHealth Request For Applications (RFA); provided further, that the executive office of health and human services, in order to promote continuity of patient care and access to cost-effective health care services, may require an acute care hospital, as a condition of participating in the Medicaid program, to accept Medicaid fee-for-service rates of reimbursement for out-of-network care delivered to MassHealth and Commonwealth Care members enrolled in a Medicaid managed care organization

that does not have a contract with said hospital; provided further, that the executive office shall incorporate no greater than $30 million in total savings attributable directly to the implementation of said requirement; and provided further, that notwithstanding any general or special law to the contrary, the secretary of health and human services shall not, without prior written or verbal consent, reassign the behavioral health benefit of any eligible person to a managed care plan under contract with the office of MassHealth if the benefit is already managed by MassHealth's specialty behavioral health managed care contractor$3,460,433,164

**Executive Office of Elder Affairs.**

4000-0600 For health care services provided to MassHealth members who are seniors, and for the operation of the senior care options program under section 9D of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years; provided further, that funds shall be expended for the "community choices" initiative; provided further, that no payment for special provider costs shall be made from this item without

the prior written approval of the secretary of administration and finance; provided further, that benefits for this demonstration project shall not be reduced below the services provided in fiscal year 2009; provided further, that the eligibility requirements for this demonstration project shall not be more restrictive than those established in fiscal year 2009; provided further, that the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the projected costs and the number of individuals served by the "community choices" initiative in fiscal year 2010 delineated by the federal poverty level; provided further, that notwithstanding any general or special law to the contrary, funds shall be expended from this item for the purpose of maintaining a personal needs allowance of $72.80 per month for individuals residing in nursing homes and rest homes who are eligible for MassHealth, Emergency Aid to the Elderly Disabled and Children program or Supplemental Security Income; provided further, care management under section 3 of chapter 211 of the acts of 2006 shall be implemented through Aging & Disability Resource Consortiums, which shall include a combination of 1 or more Aging Services

Access Points and Independent Living Centers; provided further, that not less than $2,500,000 shall be expended from this item to implement the provisions of section 2 of chapter 211 of the acts of 2006, the pre-admission counseling and assessment program, which shall be implemented on a statewide basis through aging and disability resource consortia; provided further, that notwithstanding any general or special law to the contrary, for any nursing home or non-acute chronic disease hospital that provides kosher food to its residents, the department, in consultation with the division, in recognition of the unique special innovative program status granted by the executive office, shall continue to make the standard payment rates established in fiscal year 2006 to reflect the high dietary costs incurred in providing kosher food; provided further, that notwithstanding any general or special law to the contrary, nursing facility rates effective July 1, 2009 may be developed using the costs of calendar year 2005; provided further, that funds shall be expended for the purpose of a housing with services demonstration project known as the 'Caring Homes' initiative designed to delay or prevent nursing home placement by providing care-giving services to

4272 an elder; provided further, that under said
4273 demonstration project, eligible MassHealth
4274 enrollees shall be able to live in the home of an
4275 individual or relative, with the exception of
4276 spouses and dependent children, to provide for
4277 their long term supports, pursuant to regulations
4278 promulgated by said executive office; provided
4279 further, that not later than December 1, 2009, the
4280 secretary of the executive office of health and
4281 human services shall submit a report to the house
4282 and senate committees on ways and means on the
4283 implementation of the commonwealth's Olmstead Plan
4284 to date; and provided further, that the secretary
4285 of elder affairs and the director of the office of
4286 Medicaid shall provide a monthly report to the
4287 secretary of administration and finance and to the
4288 house and senate committees on ways and means
4289 showing Medicaid nursing facility utilization in
4290 the current fiscal year compared to Medicaid
4291 nursing facility utilization in the same period for
4292 the prior fiscal year..... $2,139,610,628
4293 4000-0640 For nursing facility Medicaid rates; provided, that
4294 notwithstanding any general or special law to the
4295 contrary, in fiscal year 2010 the division of
4296 health care finance and policy shall establish
4297 nursing facility Medicaid rates that cumulatively

total $288,500,000 more than the annual payment rates established by the division under the rates in effect as of June 30, 2002; provided further, that funds shall be expended in an amount not less than that appropriated in fiscal year 2009 for purposes of reimbursing nursing facilities for up to 10 bedhold days for patients of the facility on medical and non-medical leaves of absence; provided further, that an amount for expenses related to the collection and administration of section 25 of chapter 118G of the General Laws shall be transferred to the division of health care finance and policy; and provided further, that the payments made pursuant to this item shall be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996..... $288,500,000

**Executive Office of Health and Human Services.**

4000-0700 For health care services provided to medical assistance recipients under the executive office's health care indemnity/third party liability plan and medical assistance recipients not otherwise covered under the executive office's managed care or senior care plans, and for MassHealth benefits provided to children, adolescents and adults under clauses (a) to (d), inclusive and clause (h) of subsection (2) of section 9A and section 16C of

chapter 118E of the General Laws; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes, as determined by the executive office, exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits until they reach age 21; provided further, that funds shall be expended from this item for members who qualify for early intervention services; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, that $25,000,000 shall be expended from this item, or item 4000-0500, if necessary to achieve maximum federal financial participation, to enhance the ability of hospitals, community health centers and primary care clinicians to serve populations in need more efficiently and effectively; provided further, that the executive office shall maximize federal

4351 reimbursements for state expenditures made to these
4352 providers; provided further, that notwithstanding
4353 the foregoing, funds may be expended from this item
4354 for the purchase of third party insurance
4355 including, but not limited to, Medicare for any
4356 medical assistance recipient; provided further,
4357 that the executive office may reduce MassHealth
4358 premiums or copayments or offer other incentives to
4359 encourage enrollees to comply with wellness goals;
4360 provided further, that the executive office shall
4361 not, in fiscal year 2010, fund programs relating to
4362 case management with the intention of reducing
4363 length of stay for neonatal intensive care unit
4364 cases; provided further, that the division of
4365 health care finance and policy and the executive
4366 office of health and human services shall establish
4367 a new rate methodology to cover the cost of care
4368 provided by any facility licensed by the department
4369 of public health as a chronic disease hospital
4370 providing services solely to children and
4371 adolescents as follows: (1) the rate of
4372 reimbursement for any such facility shall be
4373 developed collaboratively through an agreement
4374 among the office of Medicaid, the division of
4375 health care finance and policy and any such
4376 facility; (2) the reimbursement rate for any such

4377 facility shall incorporate the following
4378 components: (a) utilization of the reimbursement
4379 methodology used by the division and the executive
4380 office of health and human services to determine
4381 payments for Medicaid disproportionate share
4382 pediatric hospitals in effect in 2007 utilizing the
4383 most recently filed 403 cost report with the
4384 division and the payments received from Medicaid-
4385 eligible patients for the base period; (b) a per-
4386 diem rate for inpatient and a payment on account
4387 factor for outpatient shall be established which
4388 reimburses the full unrecovered cost, including
4389 capital; and (c) the rates shall be inflated over
4390 the base period by the applicable Medicare market
4391 basket inflation factors; and (3) notwithstanding
4392 any general or special law to the contrary, in no
4393 event shall the rates of payment be lower than the
4394 rates in effect for such facility in the prior
4395 fiscal year; provided further, that funds may be
4396 expended from this item for activities relating to
4397 disability determinations or utilization management
4398 and review, including patient screenings and
4399 evaluations, regardless of whether such activities
4400 are performed by a state agency, contractor, agent
4401 or provider; and provided further, that the
4402 executive office shall submit a report to the

executive office of administration and finance and the house and senate committees on ways and means not later than March 1, 2010 detailing the activities described in the preceding proviso to be expended from this item during fiscal year 2010$1,630,994,531

4000-0870 For health care services provided to adults participating in the medical assistance program pursuant to clause (g) of subsection (2) of section 9A of chapter 118E of the General Laws; provided, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years..... $155,139,729

4000-0875 For the provision of benefits to eligible women who require medical treatment for either breast or cervical cancer in accordance with section 1902(a)(10)(A)(ii)(XVIII) of the Breast and Cervical Cancer Prevention and Treatment Act of 2000, Public Law 106-354, and in accordance with section 10D of chapter 118E of the General Laws; provided, that the executive office shall provide those benefits to women whose income, as determined by the executive office, does not exceed 250 per cent of the federal poverty level, subject to continued federal approval; provided further, that eligibility for the benefits shall be extended solely for the duration of the cancerous condition;

provided further, that before the provision of any benefits covered by this item, the executive office shall require screening for either breast or cervical cancer at the comprehensive breast and cervical cancer early detection program operated by the department of public health, in accordance with item 4570-1512 of section 2D; and provided further, that funds may be expended from this item for health care services provided to these recipients in prior fiscal years..... $4,189,558

4000-0880 For MassHealth benefits under clause (c) of subsection (2) of section 9A and section 16C of chapter 118E of the General Laws for children and adolescents whose family incomes as determined by the executive office are above 150 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to the children and adolescents in prior fiscal years..... $205,717,702

4000-0890 For the cost of health insurance subsidies paid to employees and employers of small businesses in the insurance reimbursement program under section 9C of chapter 118E of the General Laws, as amended by chapter 58 of the acts of 2006..... $52,140,011

4000-0895 For the healthy start program to provide medical care and assistance to pregnant women and infants

residing in the commonwealth pursuant to section 10E of chapter 118E of the General Laws; provided, that the executive office shall, not later than February 16, 2010, report to the house and senate committees on ways and means on the population served by the program delineated by the federal poverty level; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years. $17,200,673

4000-0950 For the purposes of administrative and program expenses associated with the children's behavioral health initiative, in accordance with the settlement agreement in the case of Rosie D. et al. v. Romney, United States District Court for the District of Massachusetts civil action No. 01-30199-MAP, to provide comprehensive, community-based behavioral health services to children suffering from severe emotional disturbances; provided, that the secretary of health and human services shall report quarterly to the house and senate committees on ways and means relative to implementation of the initiative; and provided further, that such quarterly reports shall include, but not be limited to, details of the implementation plan, results of the scheduled plan to date, including a schedule detailing

commencement of services and associated costs by service type, and an analysis of compliance with the terms of the settlement agreement to date... $68,000,000

4000-0990 For the children's medical security plan to provide primary and preventive health services for uninsured children from birth through age 18; provided, that the executive office shall prescreen enrollees and applicants for Medicaid eligibility; provided further, that no applicant shall be enrolled in the program until the applicant has been denied eligibility for the MassHealth program; provided further, that the MassHealth benefit request shall be used as a joint application to determine the eligibility for both MassHealth and the children's medical security plan; provided further, that the executive office shall maximize federal reimbursements for state expenditures made on behalf of the children; provided further, that the executive office shall expend all necessary funds from this item to ensure the provision of the maximum benefit levels for this program, as authorized by section 10F of chapter 118E of the General Laws; provided further, that the maximum benefit levels for this program shall be made available only to those children who have been determined by the executive office to be ineligible

for MassHealth benefits; and provided further, that funds may be expended from this item for health care services provided to these persons in prior fiscal years..... $14,186,651

4000-1400 For the purposes of providing MassHealth benefits to persons with a diagnosis of human immunodeficiency virus with incomes up to 200 per cent of the federal poverty level; provided, that funds may be expended from this item for health care services provided to these persons in prior fiscal years..... $18,078,571

4000-1405 For the operation of a program of preventive and primary care for chronically unemployed persons who are not receiving unemployment insurance benefits and who are not eligible for medical assistance but who are determined by the executive office of health and human services to be long-term unemployed; provided, that such persons shall meet the eligibility requirements of the MassHealth program established in section 9A of chapter 118E of the General Laws; provided further, that persons eligible under subsection (7) of section 16D of said chapter 118E shall also be eligible to receive benefits under this item; provided further, that the income of such persons shall not exceed 100 per cent of the federal poverty level; provided

further, that said eligibility requirements shall not exclude from eligibility persons who are employed intermittently or on a non-regular basis; provided further, that the provision of care to such persons under this program may, taking into account capacity, continuity of care, and geographic considerations, be restricted to certain providers; provided further, that the secretary may limit or close enrollment if necessary in order to ensure that expenditures from this item do not exceed the amount appropriated herein; provided further, however, that no such limitation shall be implemented unless the secretary has given 90 days notice to the house and senate committees on ways and means and the joint committee on health care financing; and provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years... $324,450,150

4000-1420 For the purposes of making payment to the federal Centers for Medicare and Medicaid Services in compliance with Title XIX of the Social Security Act..... $268,630,683

4000-1700 For the provision of information technology services within the executive office of health and human services..... $88,823,931

**Office for Refugees and Immigrants.**

4003-0122 For a citizenship for new Americans program to assist legal permanent residents in the commonwealth in becoming citizens of the United States; provided, that the office for refugees and immigrants shall administer the program; provided further, that the program funded by this item shall provide assistance to persons who are within 3 years of eligibility to become citizens of the United States; provided further, that services shall be designed to include: ESOL/civics classes, citizenship application assistance, interview preparation and support services including, but not limited to, interpretation and referral services; provided further, that persons who would qualify for benefits under chapter 118A of the General Laws but for their status as legal non-citizens shall be given highest priority for services; and provided further, that persons who currently receive state-funded benefits which could be replaced, in whole or in part, by federally-funded benefits if these persons become citizens, shall be given priority for services ..... $250,000

**Division of Health Care Finance and Policy.**

4100-0060 For the operation of the division and the administration of the Health Safety Net Trust Fund

4586 established in section 36 of chapter 118G of the
4587 General Laws; provided, that notwithstanding any
4588 general or special law to the contrary, the
4589 assessment to acute hospitals authorized pursuant
4590 to section 5 of said chapter 118G for the estimated
4591 expenses of the division shall include in fiscal
4592 year 2010 the estimated expenses, including
4593 indirect costs, of the division and shall be equal
4594 to the amount appropriated in this item less
4595 amounts projected to be collected in fiscal year
4596 2010 from: (a) filing fees; (b) fees and charges
4597 generated by the division's publication or
4598 dissemination of reports and information; and (c)
4599 federal financial participation received as
4600 reimbursement for the division's administrative
4601 costs; provided further, that the assessed amount
4602 shall not be less than 65 per cent of the total
4603 expenses appropriated for the division and the
4604 health safety net office; provided further, that
4605 the division shall promulgate regulations requiring
4606 all hospitals receiving payments from the Health
4607 Safety Net Trust Fund to report to the division the
4608 following utilization information: the number of
4609 inpatient admissions and outpatient visits by age
4610 category, income category, diagnostic category and
4611 average charge per admission; provided further,

that the division shall submit quarterly reports to the house and senate committees on ways and means compiling said data; provided further, that the division, in consultation with the executive office of health and human services, shall not promulgate any increase in Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act or any successor federal statute to ensure that rates of payment to providers do not exceed such rates as are necessary to meet only those costs incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that the division shall meet the reporting requirements of section 25 of chapter 203 of the acts of 1996; provided further, that funds may be expended for the purposes of a survey and study of the uninsured and underinsured in the commonwealth, including the health insurance needs of the residents of the commonwealth; provided further, that said study shall examine the overall impact of programs administered by the executive office of health and human services on the uninsured, the underinsured, and the role of employers in assisting their employees in affording health insurance pursuant to section 23 of chapter 118G of

4638 the General Laws; provided further, that the
4639 division shall publish annual reports on the
4640 financial condition of hospitals and other health
4641 care providers through the Health Benchmarks
4642 project website, in collaboration with the
4643 executive office of health and human services, the
4644 office of the attorney general, and the University
4645 of Massachusetts; provided further, that the
4646 division shall submit to the house and senate
4647 committees on ways and means and the joint
4648 committee on health care financing not later than
4649 December 8, 2009 a report detailing utilization of
4650 the Health Safety Net Trust Fund; provided further,
4651 that the report shall include: (a) the number of
4652 persons in the commonwealth whose medical expenses
4653 were billed to the Health Safety Net Trust Fund in
4654 fiscal year 2009; (b) the total dollar amount
4655 billed to the Health Safety Net Trust Fund in
4656 fiscal year 2009; (c) the demographics of the
4657 population using the Health Safety Net Trust Fund;
4658 and (d) the types of services paid for out of the
4659 Health Safety Net Trust Fund in fiscal year 2009;
4660 provided further, that the division shall include
4661 in the report an analysis on hospitals'
4662 responsiveness to enrolling eligible individuals
4663 into the MassHealth program upon the date of

service rather than charging those individuals to the Health Safety Net Trust Fund; provided further, that the division shall include in the report possible disincentives the state could provide to hospitals to discourage such behavior; provided further, that notwithstanding any general or special law or rule or regulation to the contrary, the division shall not allow any exceptions to the usual and customary charge defining rule as defined in 114.3 CMR 31.02, for the purposes of drug cost reimbursement to eligible pharmacy providers for publicly-aided and industrial accident patients; provided further, that the division is hereby authorized to change the pricing standard used by said division when determining the rate of payment to pharmacy providers for prescribed drugs for publicly-aided or industrial accident patients if such a change would financially benefit the commonwealth; provided further, that within 6 months of the publication date of the federal upper limits for multiple source drugs by the federal Centers for Medicare and Medicaid Services, the division shall submit a report to the secretary of administration and finance and the house and senate committees on ways and means on the savings realized by the MassHealth Pharmacy Program for the

4690 first 3 months that the federal upper limits for
4691 multiple source drugs are in place; provided
4692 further, that using said data, the division shall
4693 estimate the program savings for the remainder of
4694 fiscal year 2010; provided further, that the
4695 division, after consultation with the secretary and
4696 the chairs of the senate and house committees on
4697 ways and means, may adjust pharmacy dispensing fees
4698 for multiple source prescription drugs to
4699 compensate for any reduction as a result of the
4700 upper limits implemented under the Deficit
4701 Reduction Act of 2005; provided further, that the
4702 division shall examine the factors that contribute
4703 to the cost increases of the health care delivery
4704 system and strategies employed by the provider
4705 community to reduce cost growth; provided further,
4706 that in preparing its report, the division shall
4707 conduct a public hearing on the matter; and
4708 provided further, that the division shall submit
4709 its findings to the joint committees on health care
4710 financing and the house and senate committees on
4711 ways and means not later than February 16, 2010. $17,449,078

4712 **OFFICE OF DISABILITIES AND COMMUNITY SERVICES.**

4713
4714 **Massachusetts Commission for the Blind.**

4715
4716 4110-0001 For the office of the commissioner; provided, that
4717 the commissioner may transfer funds between items

4110-0001, 4110-1000, 4110-1010, 4110-2000, and 4110-3010; provided further, that the amount transferred from any of those items shall not exceed 5 per cent of the total amount appropriated for that item; provided further, that 30 days before any such transfer, the commissioner shall submit an allocation plan detailing the distribution of the funds to be transferred to the house and senate committees on ways and means; and provided further, that amounts appropriated to the commission in fiscal year 2010 that extend or expand services beyond the level of services provided in fiscal year 2009 shall not annualize above those amounts in fiscal year 2011..... $1,014,054

4110-1000 For the community services program; provided, that the Massachusetts commission for the blind shall work in collaboration with the Massachusetts commission for the deaf and hard of hearing to provide assistance and services to the deaf-blind community through the deaf-blind community access network..... $3,834,864

4110-1010 For aid to the adult blind; provided, that funds may be expended from this item for burial expenses incurred in the prior fiscal year and for sheltered workforce employee retirement benefits..... $8,351,643

4743 4110-2000 For the turning 22 program of the commission;
4744 provided, that the commission shall work in
4745 conjunction with the department of developmental
4746 services to secure the maximum amount of federal
4747 reimbursements available for the care of turning 22
4748 clients..... $10,663,291
4749 4110-3010 For a program of vocational rehabilitation for the
4750 blind in cooperation with the federal government;
4751 provided, that no funds from federal vocational
4752 rehabilitation grants or state appropriation shall
4753 be deducted for pensions, group health and life
4754 insurance, or any other such indirect costs of
4755 federally reimbursed state employees; and provided
4756 further, that the department may expend one-third
4757 of the amount appropriated for the purpose of
4758 providing comprehensive rehabilitation training in
4759 the Commonwealth for vocational development,
4760 including computer technology skills and
4761 independent living skills for blind adults..... $3,045,455
4762 **Massachusetts Rehabilitation Commission.**
4763
4764 4120-1000 For the operation of the commission; provided, that
4765 the commissioner may transfer funds between items
4766 4120-1000, 4120-2000, 4120-3000, 4120-4000, 4120-
4767 4001, 4120-4010, 4120-5000, and 4120-6000; provided
4768 further, that the amount transferred from any of
4769 those items shall not exceed 5 per cent of the

total amount appropriated for that item; provided further, that 30 days before any such transfer, the commissioner shall submit an allocation plan to the house and senate committees on ways and means detailing the distribution of the funds to be transferred; provided further, that amounts appropriated to the commission in fiscal year 2010 that extend or expand services beyond the level of services provided in fiscal year 2009 shall not annualize above those amounts in fiscal year 2011; provided further, that the commissioner shall report quarterly to the house and senate committees on ways and means and the secretary of administration and finance on the number of clients served and the amount expended on each type of service; provided further, that the comptroller shall act in accordance with item 1000-0001 if each report, with all of its components, is not filed by the end of the following fiscal quarter; provided further, that upon the written request of the commissioner of revenue, the commission shall provide lists of individual clients to whom or on behalf of whom payments have been made for the purpose of verifying eligibility and detecting and preventing fraud, error and abuse in the programs administered by the commission; and provided

further, that the lists shall include client names and social security numbers and payee names and other identification, if different from a client's. $472,928

4120-2000 For vocational rehabilitation services operated in cooperation with the federal government; provided, that no funds from the federal vocational rehabilitation grant or state appropriation shall be deducted for pensions, group health and life insurance and any other such indirect cost of the federally-reimbursed state employees; and provided further, that the commissioner, in making referrals to service providers, shall take into account the client's place of residence and the geographic proximity of the nearest provider to the residence $10,599,024

4120-3000 For employment assistance services; provided, that vocational evaluation and employment services for severely disabled adults may be provided..... $4,170,817

4120-4000 For independent living assistance services..... $11,946,137

4120-4001 For the housing registry for the disabled..... $80,000

4120-4010 For the turning 22 program of the commission..... $801,551

4120-5000 For homemaking services..... $5,508,257

4120-6000 For head injured services; provided, that the commission shall work with the executive office of health and human services to maximize federal reimbursement for clients receiving head injured services..... $11,209,371

**Massachusetts Commission for the Deaf and Hard of Hearing.**

4125-0100 For the operation of and services provided by the Massachusetts commission for the deaf and hard of hearing..... $5,334,020

**Soldiers' Home in Massachusetts.**

4180-0100 For the maintenance and operation of the Soldiers' Home in Massachusetts located in the city of Chelsea, including a specialized unit for the treatment of Alzheimer's disease patients; provided, that graduates from the LPN school of nursing shall work in state-operated facilities for at least 1 year; provided further, that no fee, assessment or other charge shall be imposed upon or required of any person for any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; and provided further, that no charge or contract shall be made with any alternate vendor to provide pharmacy services other than the state office of pharmacy services..... $25,963,213

4180-1100 The Soldiers' Home in Massachusetts may expend not more than $330,661 in revenues for facility maintenance and patient care, including personnel

costs; provided, that 60 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued..... $330,661

**Soldiers' Home in Holyoke.**

4190-0100 For the maintenance and operation of the Soldiers' Home in Holyoke, including the adult day care program, the Maguder House and the Chapin Mansion; provided, that no fee, assessment or other charge shall be imposed upon or required of any person for

any outpatient treatment, admission or hospitalization which exceeds the amount of fees charged in fiscal year 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; and provided further, that no charge or contract shall be made with any alternate vendor to provide pharmacy services other than the state office of pharmacy services..... $19,438,450

4190-0101 For the Soldiers' Home in Holyoke which may expend for its operation an amount not to exceed $5,000 from the licensing of the property for placement of aerial antennas..... $5,000

4190-0102 The Soldiers' Home in Holyoke may expend for the outpatient pharmacy program an amount not to exceed $110,000 from co-payments which it may charge to users of the program; provided, that no co-payments shall be imposed or required of any person which exceed the level of co-payments charged in fiscal year 2009..... $110,000

4190-0200 The Soldiers' Home in Holyoke may expend not more than $25,000 from fees collected from veterans in its care for the purposes of providing television and telephone services to residents; provided, that fees from the use of telephones and televisions

shall only be expended for payments to vendors for said services..... $25,000

4190-1100 For the Soldiers' Home in Holyoke which may expend not more than $225,000 for facility maintenance and patient care, including personnel costs; provided, that 40 per cent of all revenues generated pursuant to section 2 of chapter 90 of the General Laws through the purchase of license plates with the designation VETERAN by eligible veterans of the commonwealth, upon compensating the registry of motor vehicles for the cost associated with the license plates, shall be deposited into and for the purposes of this retained revenue account of the Soldiers' Home; provided further, that the Soldiers' Home may accept gifts, grants, donations, and bequests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Soldiers' Home may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system, prior appropriation continued..... $225,000

**Department of Youth Services.**

4200-0010 For the administration of the department of youth services; provided, that the department shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department shall continue to execute its education funding initiative..... $4,628,100

4200-0100 For supervision, counseling and other community-based services provided to committed youths in nonresidential care programs of the department; provided, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0200 and 4200-0300; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and finance and to the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... $21,813,030

4200-0200 For pretrial detention programs, including purchase-of-service and state-operated programs; provided, that the commissioner may transfer up to

7 per cent of the amount appropriated herein to items 4200-0100 and 4200-0300; and provided further, that 30 days before any transfer is made, the commissioner shall file with the secretary of administration and finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... $24,368,223

4200-0300 For secure facilities, including purchase-of-service and state operated programs incidental to the operations of the facilities; provided, that funds shall be expended to address the needs of the female population; provided further, that funds shall be expended to address suicide prevention; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B; provided further, that no charge or contract shall be made with alternate vendors to provide pharmacy services other than the state office of pharmacy services; provided further, that the commissioner may transfer up to 7 per cent of the amount appropriated in this item to items 4200-0100 and 4200-0200; and provided further, that 30 days before any such transfer is made, the commissioner shall file with the secretary of administration and

finance and the house and senate committees on ways and means a plan showing the amounts to be transferred and the reason for the proposed transfer..... $99,826,675

4200-0500 For enhanced salaries for teachers at the department of youth services..... $2,500,000

## OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

### Department of Transitional Assistance.

4400-1000 For the central administration of the department of transitional assistance; provided, that all costs associated with verifying disability for all programs of the department shall be paid from this item; provided further, that the department shall submit on a monthly basis to the house and senate committees on ways and means and the secretary of administration and finance a status report on program expenditures, savings and revenues, error rate measurements, and public assistance caseloads and benefits; provided further, that the department shall collect all out-of-court settlement restitution payments; provided further, that the restitution payments shall include, but not be limited to, installment and lump sum payments; provided further, that notwithstanding any general or special law to the contrary, unless otherwise expressly provided, federal reimbursements received

for the purposes of the department, including reimbursements for administrative, fringe and overhead costs, for the current fiscal year and prior fiscal years, shall be credited to the General Fund; provided further, that an application for assistance under chapter 118 of the General Laws shall be deemed an application for assistance under chapter 118E of the General Laws; provided further, that if assistance under said chapter 118 is denied, the application shall be transmitted by the department to the executive office of health and human services for a determination of eligibility under said chapter 118E; provided further, that the department shall, to the extent feasible within the appropriation provided, provide for extended office hours; provided further, that the department shall accomplish the staffing of these extended office hours to the maximum extent possible through the use of flex-time that will allow workers to modify their working hours to accommodate their specific personal and family needs; provided further, that the department shall, to the extent feasible within the appropriation provided, continue and expand the program of placing workers at community and human service organizations for the purposes of facilitating

supplemental nutrition assistance program applications and redeterminations; and provided further, that the department shall report to the house and senate committees on ways and means no later than December 15, 2009 on the extended office hours and placement of workers at community and human service organizations that the department has determined is feasible within the appropriation provided and that the department will provide in the current fiscal year..... $52,727,596

4400-1001 For programs to increase the commonwealth's participation rate in the supplemental nutrition assistance program and other federal nutrition programs; provided, that $1,500,000 may be expended for a grant with Project Bread-The Walk for Hunger, Inc.; provided further, that the work of department employees paid for from this item shall be restricted to processing supplemental nutrition assistance program applications; provided further, that the department shall not require supplemental nutrition assistance program applicants to provide re-verification of eligibility factors previously verified and not subject to change; provided further, that notwithstanding any general or special law to the contrary, the department shall require only 1 signature from supplemental

nutrition assistance program applicants; provided further, that the department shall fund a unit staffed by department employees to respond to supplemental nutrition assistance program inquiries, and arrange for and conduct telephone interviews for initial supplemental nutrition assistance program applications from this item; provided further, that the department shall fund a system to image and catalogue eligibility documents electronically from this item; and provided further, that funds shall be expended for supplemental nutrition assistance program outreach $2,355,724

4400-1025 For domestic violence specialists at local area offices ..... $726,455

4400-1100 For the payroll of the department's caseworkers; provided, that only employees of bargaining unit eight shall be paid from this item ..... $54,607,404

4401-1000 For employment and training services, including support services, for recipients of benefits provided under the transitional aid to families with dependent children program; provided, that funds from this item may be expended on former recipients of the program for up to 1 year after termination of their benefits; provided further, that $4,700,000 may be expended for the Young Parents Program; and provided further, that certain

parents who have not yet reached the age of 18 years, including those who are ineligible for transitional aid to families with dependent children and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income, shall be eligible to receive services..... $23,042,578

4401-1101 For the department of transitional assistance which may expend not more than $2,450,000 from federal bonuses and from reimbursements received from the United States Department of Agriculture for supplemental nutrition assistance program outreach and employment and training programs and any enhanced funding or bonuses; provided, that the department may expend such revenue for employment and training services provided to recipients of transitional aid to families with dependent children..... $2,450,000

4403-2000 For a program of transitional aid to families with dependent children; provided, that notwithstanding any general or special law to the contrary, benefits under the program of transitional aid to families with dependent children shall be paid only to citizens of the United States and to non-citizens for whom federal funds may be used to provide benefits; provided further, that

notwithstanding any general or special law or any provisions of this act to the contrary, no benefits under this item shall be made available to illegal or undocumented aliens; provided further, that the need standard shall be equal to the standard in effect in fiscal year 2009 unless the department determines that a reduction in the monthly payment standard should be implemented before the end of the fiscal year to keep program expenditures within the amounts appropriated in this item; provided further, that the payment standard shall be equal to the need standard; provided further, that the payment standard for families who do not qualify for an exempt category of assistance under subsection (e) of section 110 of chapter 5 of the acts of 1995, or any successor statute, shall be 2.75 per cent below the otherwise applicable payment standard, in fiscal year 2010, pursuant to the state plan required under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; provided further, that the department shall notify parents under the age of 20 receiving benefits from the program of the requirements found in clause (2) of subsection (i) of said section 110 of said chapter 5 of the acts of 1995, or any successor statute; provided further, that a $40 per

month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided further, that a nonrecurring children's clothing allowance in the amount of $150 shall be provided to each child eligible under this program in September 2009; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September 2009; provided further, that benefits under this program shall not be available to those families in which a child has been removed from the household pursuant to a court order after a care and protection hearing under chapter 119 of the General Laws, nor to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of children and families in accordance with department procedures; provided further, that notwithstanding section 2 of chapter 118 of the General Laws, or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the

month the payments are to be made or within the 3 month period after the month of payment, and who, if the child had been born and was living with her in the month of payment would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss; provided further, that the department shall review its disability standards to determine the extent to which they reflect the current medical and vocational criteria and report on the proposed revisions by December 1, 2009, to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities on the results of that review before any changes to the standards are proposed; provided further, that no funds from this item shall be expended by the department for child care or transportation services for the employment and training program; provided further, that no funds from this item shall be expended by the department for family reunification benefits or informal child care; provided further, that the

department shall provide oral and written notification to all recipients of their child care benefits at the time of application and on a semi-annual basis; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care, and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits and transitional benefits; provided further, that the notice shall further advise recipients of the availability of supplemental nutrition assistance program benefits; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility for, or levels of benefits under the program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the appropriation; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means and with the clerks of the senate

and house of representatives a detailed and comprehensive report setting forth the text of, basis, and reasons for the proposed changes; and provided further, that the report shall state the department's most accurate assessment of the probable effects of benefit or eligibility changes upon recipient families..... $308,076,608

4403-2007 For a nutritional benefit program for low-income workers; provided, that benefits shall be provided only to those for whom receiving these benefits will improve the work participation rate under the federal program of temporary assistance for needy families..... $1,200,000

4403-2119 For the provision of structured settings as provided in subsection (i) of section 110 of chapter 5 of the acts of 1995, or any successor statute, for parents under the age of 20 who are receiving benefits under the transitional aid to families with dependent children program..... $6,576,576

4405-2000 For the state supplement to the supplemental security income program for the aged and disabled, including a program for emergency needs for supplemental security income recipients; provided, that the expenses of special grants recipients residing in rest homes, as provided in section 7A of chapter 118A of the General Laws, may be paid

from this item; provided further, that the department, in collaboration with the executive office of health and human services, may fund an optional supplemental living arrangement category under the supplemental security income program that makes payments to persons living in assisted living residences certified under chapter 19D of the General Laws who meet the income and clinical eligibility criteria established by the department and the office; provided further, that the optional category of payments shall only be administered in conjunction with the Medicaid group adult foster care benefit; and provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item..... $222,310,783

4408-1000 For a program of cash assistance to certain residents of the commonwealth, entitled emergency aid to the elderly, disabled and children found by the department to be eligible for the aid under chapter 117A of the General Laws and regulations promulgated by the department and subject to the limitations of appropriation therefore; provided, that benefits under this item shall only be provided to residents who are citizens of the United States or qualified aliens or non-citizens

otherwise permanently residing in the United States under color of law and shall not be provided to illegal or undocumented aliens; provided further, that the individual shall not be a subject to sponsor income deeming or related restrictions; provided further, that the payment standard shall equal the payment standard in effect under the general relief program in fiscal year 1991; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically-determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates such individuals' capacity to support themselves and which has been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission and to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program created by section 210 of chapter 43 of the acts of 1997 and parents or other caretakers of dependent

children who are ineligible under said chapter 118 and under said separate program; provided further, that no ex-offender, person over age 45 without a prior work history or person in a residential treatment facility shall be eligible for benefits under this program unless the person otherwise meets the eligibility criteria described in this item and defined by regulations of the department; provided further, that no person incarcerated in a correctional institution shall be eligible for benefits under the program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall adopt emergency regulations under chapter 30A of the General Laws to implement the changes to this program required by this item promptly and within the appropriation; provided further, that in initially implementing the program for this fiscal year, the department shall include all eligibility categories permitted in this item at the payment standard in effect for the former general relief program in fiscal year 1991; provided further, that in promulgating, amending or rescinding its

regulations with respect to eligibility or benefits, including the payment standard, medical benefits and any other benefits under this program, the department shall take into account the amounts available to it for expenditure by this item so as not to exceed the amount appropriated in this item; provided further, that the department may promulgate emergency regulations under chapter 30A of the General Laws to implement these eligibility or benefit changes or both; provided further, that nothing in this item shall be construed as creating any right accruing to recipients of the former general relief program; provided further, that reimbursements collected from the Social Security Administration on behalf of former clients of the emergency aid to the elderly, disabled and children program or unprocessed payments from the program that are returned to the department shall be credited to the General Fund; provided further, that notwithstanding any general or special law to the contrary, the funds made available in this item shall be the only funds available for the program, and the department shall not spend funds for the program in excess of the amount made available in this item; and provided further, that, notwithstanding any general or special law to the

contrary, 60 days before implementing any eligibility or benefit changes, the commissioner shall file with the clerks of the house of representatives and the senate a determination by the secretary of health and human services that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth the proposed changes..... $84,658,966

## OFFICE OF HEALTH SERVICES.

### Department of Public Health.

4510-0040 For the department of public health; provided, that the department may expend for the regulation of all pharmaceutical and medical device companies that market their products in Massachusetts an amount not to exceed $840,000 from fees assessed under chapter 111N of the General Laws..... $840,000

4510-0100 For the administration and operation of the department, including the personnel support of programmatic staff within the department..... $18,542,090

4510-0110 For community health center services..... $1,000,000

4510-0600 For an environmental and community health hazards program, including control of radiation and nuclear hazards, consumer products protection, food and drugs, lead poisoning prevention in accordance with chapter 482 of the acts of 1993, lead-based paint inspections in day care facilities, inspection of

radiological facilities, licensing of x-ray technologists and the administration of the bureau of environmental health assessment pursuant to chapter 111F of the General Laws, the 'Right-to-Know' law; provided, that the department shall file a report with the house and senate committees on ways and means, the joint committee on public health, and the joint committee on health care financing, on the status of local health inspections of food establishments, consistent with the department of public health food safety regulations and a report on the current waiting list for indoor air inspections by October 1, 2009$3,160,567

4510-0615 The department may expend not more than $75,000 from assessments collected under section 5K of chapter 111 of the General Laws for services provided to monitor, survey and inspect nuclear power reactors; provided, that the department may expend not more than $1,499,783 from fees collected from licensing and inspecting users of radioactive material within the commonwealth under licenses presently issued by the Nuclear Regulatory Commission; provided further, that the revenues may be used for the costs of both programs, including the compensation of employees; and provided further, that for the purpose of accommodating

timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $1,574,783

4510-0616 The department may expend not more than $1,000,000 for a drug registration and monitoring program from revenues collected from fees charged to registered practitioners, including physicians, dentists, veterinarians, podiatrists and optometrists for controlled substance registration; provided, that funds may be expended from this item for the costs of personnel; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $1,000,000

4510-0710 For the operation of the division of health care quality and the office of patient protection; provided, that the division shall be responsible for assuring the quality of patient care provided

by the commonwealth's health care facilities and services, and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for the mentally retarded and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services; provided further, that investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation; provided further, that all investigators in the division of health care quality responsible for the investigations shall receive training by the Medicaid fraud control unit in the office of the attorney general; provided further, that the division shall continue a comprehensive training, education and outreach program for nursing home administrators and managers and other supervisory personnel in long-term care to improve the quality of care in long-term care facilities; provided further, that the program shall promote the use of best practices, models of quality care giving and the culture of workforce retention within the facilities and shall focus on systemic ways to reduce deficiencies; provided further, that services funded through this item shall include, but not be limited to:

education, training, intervention, support, surveillance and evaluation; and provided further, that the department shall report to the house and senate committees on ways and means on the results of the program not later than April 30, 2010..... $7,286,521

4510-0712 For the department of public health; provided, that the department may expend not more than $460,137 in revenues collected from the licensure of health facilities for program costs of the division of health care quality; provided further, that the department may expend not more than $882,132 from revenues collected from individuals applying for emergency medical technician licensure and recertification; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate therefore as reported in the state accounting system..... $1,342,269

4510-0715 For the operation of a center for primary care recruitment and placement to improve access to primary care services; provided, that funds may be

expended for primary care workforce development and loan forgiveness grant program..... $500,000

4510-0716 For the operation of an evidence-based outreach and education program designed to provide information and education on the therapeutic and cost-effective utilization of prescription drugs to physicians, pharmacists and other health care professionals authorized to prescribe and dispense prescription drugs..... $250,000

4510-0721 For the operation and administration of the board of registration in nursing; provided, that the board shall prepare an annual report detailing the total number of cases referred to and investigated by the board, the resolution of these cases, the approximate number of cases assigned to each investigator and any increases or decreases in cases referred to the board in the previous 6 months; and provided further, that the board shall submit the report to the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on public health and the commissioner of public health by January 4, 2010..... $1,230,663

4510-0722 For the operation and administration of the board of registration in pharmacy; provided, that the board shall prepare an annual report detailing the

total number of cases referred to and investigated by the board, the resolution of these cases, the approximate number of cases assigned to each investigator and any increases or decreases in cases referred to the board in the previous 6 months; and provided further, that the board shall submit the report to the house and senate committees on ways and means, the joint committee on health care financing, the joint committee on public health and the commissioner of the department of public health by January 4, 2010..... $333,135

4510-0723 For the operation and administration of the board of registration in medicine and the committee on acupuncture; provided, that the board of registration in medicine shall prepare an annual report addressing its activities with respect to licensing, enforcement, law and policy, patient safety and other relevant topics including, but not limited to, the total number of cases referred to and reviewed by the board, the resolution of such cases, the approximate number of cases assigned to each investigator, any increases or decreases in cases referred to the board in the previous 6 months, a compilation of cases from its patient care assessment program describing incidents involving preventable medical error that resulted

in harm to patient or health care provider for the purpose of assisting the providers, hospitals and pharmacies to modify their practices and techniques to avoid error and any other relevant topics; provided further, that the board shall submit the report to the general court, house and senate committees on ways and means and the joint committee on health care financing and the joint committee on public health by January 4, 2010, and shall make the compilation widely available, including by electronic means, to the public; and provided further, that the board shall promulgate rules and regulations to coordinate their patient care assessment program with the boards of registration in nursing and pharmacy..... $1,812,024

4510-0725 For the operation and administration of certain health boards of registration, including the boards of registration in dentistry, nursing home administrators, physician assistants, perfusionists, genetic counselors and respiratory care..... $358,904

4510-0726 For the board of registration in medicine, including the physician profiles program; provided, that the board may expend revenues not to exceed $300,000 from new revenues associated with increased license and renewal fees..... $300,000

4510-0790 For regional emergency medical services; provided, that no funds shall be expended in the AA object class; and provided further, that the regional emergency medical services councils, designated under 105 CMR 170.101 and the C-MED medical emergency communications centers that were in existence on January 1, 1992, shall remain the designated councils and C-MED communications centers ..... $955,855

4510-0810 For a statewide sexual assault nurse examiner program and pediatric sexual assault nurse examiner program for the care of victims of sexual assault; provided, that funds shall be expended to support children's advocacy centers; and provided further, that the program shall operate under specific statewide protocols and by an on-call system of nurse examiners ..... $3,503,336

4512-0103 For human immunodeficiency virus and acquired immune deficiency syndrome services and programs; provided, that particular attention shall be paid to direct funding proportionately to each of the demographic groups afflicted by HIV/AIDS; and provided further, that no funds from this item shall be expended for disease research in fiscal year 2010 ..... $35,335,527

4512-0106 For the department of public health which may expend for the human immunodeficiency virus and acquired immune deficiency syndrome drug assistance program an amount not to exceed $1,500,000 from revenues received from pharmaceutical manufacturers participating in the section 340B rebate program of the Public Health Service Act, administered by the federal Health Resources and Services Administration and Office of Pharmacy Affairs.... $1,500,000

4512-0200 For the division of substance abuse services, including a program to reimburse driver alcohol education programs for services provided for court adjudicated indigent clients; provided, that funds may be expended for programs that received funding in fiscal year 2009..... $75,924,448

4512-0201 For substance abuse step-down recovery services, otherwise known as level B beds and services, and other critical recovery services with severely reduced capacity; provided, that no funds shall be expended in the AA object class; and provided further, that the department shall submit quarterly to the house and senate committees on ways and means a report on the number of individuals served by the step-down recovery services program..... $4,800,000

4512-0202 For 2 pilot jail diversion programs primarily for nonviolent offenders with OxyContin or heroin

addiction to be procured by the department of public health; provided, that each program shall have at least 60 beds and shall provide clinical assessment services to the respective courts, inpatient treatment for up to 90 days and ongoing case management services for up to 1 year; provided further, that individuals may be diverted to this or other programs by a district attorney in conjunction with the office of the commissioner of probation if: (a) there is reason to believe that the individual being diverted suffers from an addiction to OxyContin or heroin, or other substance use disorder; and (b) the diversion of an individual is clinically appropriate and consistent with established clinical and public safety criteria; provided further, that both programs shall be established in separate counties and a location deemed suitable by the department of public health; provided further, that the department of public health shall coordinate operations with county sheriffs, the district attorneys, the office of the commissioner of probation and the department of correction; provided further, that not more than $500,000 shall be used to support the ongoing treatment needs of clients after 90 days for which there is no other

payer; and provided further, that not later than August 2, 2010, the department of public health shall provide a report to the joint committee on mental health and substance abuse and the house and senate committees on ways and means as to the outcomes of the program and the cost of operations$4,000,000

4512-0203 For family intervention and care management services programs, a pilot young adult treatment program, and early intervention services, for individuals who are dependent on or addicted to alcohol or controlled substances or both alcohol and controlled substances..... $2,000,000

4512-0225 The department of public health may expend not more than $1,000,000 for a compulsive gamblers' treatment program from unclaimed prize money held in the State Lottery Fund for more than 1 year from the date of the drawing when the unclaimed prize money was won, and from the proceeds of a multi-jurisdictional lottery game under subsection (e) of section 24A of chapter 10 of the General Laws; provided, that the state comptroller shall transfer the amount to the General Fund; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related

expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate therefor as reported in the state accounting system..... $1,000,000

4512-0500 For dental health services; provided, that funds shall be expended to maintain a program of dental services for the developmentally disabled; provided further, that the department shall submit to the house and senate committees on ways and means a quarterly report on the number of children served by this dental health services program and the number of children waiting to be served by the program; and provided further, that funds may be expended for the Forsyth Institute's Center for Children's Oral Health..... $1,424,477

4513-1000 For the provision of family health services; provided, that funds shall be provided for comprehensive family planning services, including HIV counseling and testing, community-based health education and outreach services provided by agencies certified as comprehensive family planning agencies; and provided further, that funds may be expended for the Massachusetts birth defects monitoring program..... $4,755,623

4513-1002 For women, infants and children's, WIC, nutrition services in addition to funds received under the federal nutrition program; provided, that all new WIC cases, in excess of fiscal year 1991 caseload levels, shall be served in accordance with priority categories 1 through 7, as defined by the state WIC program..... $13,565,092

4513-1012 The department of public health may expend not more than $26,875,000 from revenues received from the federal cost-containment initiatives including, but not limited to, infant formula rebates; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most-recent revenue estimate as reported in the state accounting system$26,875,000

4513-1020 For the early intervention program; provided, that the department shall report quarterly to the house and senate committees on ways and means the total number of units of service purchased and the total expenditures for the units of service paid by the department, the executive office of health and human services and third party payers for early intervention services for the following services

categories: home visit, center-based individual, child-focused group, parent-focused group, screening and assessment; provided further, that the department shall make all reasonable efforts to secure third party and Medicaid reimbursements for the services funded in this item; provided further, that funds from this item shall be expended to provide respite services to families of children enrolled in early intervention programs who have complex care requirements, multiple disabilities and extensive medical and health needs; provided further, that priority shall be given to low and moderate income families; provided further, that no claim for reimbursement made on behalf of an uninsured person shall be paid from this item until the program receives notice of a denial of eligibility for the MassHealth program from the executive office of health and human services; provided further, that nothing in this item shall give rise to or shall be construed as giving rise to enforceable legal rights to any such services or an enforceable entitlement to the early intervention services funded in this item; provided further, that the department shall provide written notification to the senate and house committees on ways and means 90 days prior to any change to its

current eligibility criteria; and provided further, that these funds may be used to pay for current and prior year claims..... $25,554,904

4513-1023 For the universal newborn hearing screening program; provided, that the funds appropriated in this item shall be expended for the notification of and follow through with affected families, primary care providers and early intervention programs upon the department's receipt of data indicative of potential hearing disorders in newborns..... $71,497

4513-1024 For the operation of a comprehensive, state-wide shaken baby syndrome prevention program including community-based, hospital-based and statewide activities; provided, that services funded through this item shall include, but not be limited to: education, training, intervention, support, surveillance and evaluation..... $192,988

4513-1026 For the provision of statewide and community-based suicide prevention, intervention, post-intervention and surveillance activities and the implementation of a statewide suicide prevention plan; provided, that funds may be expended for a program to address elder suicide behavior and attempts with the Geriatric Mental Health Services program within the department of elder affairs; provided further, that funds may be expended for a Veterans in Crisis

Hotline; provided further, that the hotline shall be for the use of veterans who seek counseling programs operated by the department of veterans affairs and/or concerned family members of those veterans so that they may be directed towards the programs and services offered by their local or regional VA office; and provided further, that the hotline shall be staffed by counselors or outreach programs contracted by the department and trained in issues of mental health counseling and veterans services..... $3,569,444

4513-1111 For the promotion of health and disease prevention including, but not limited to, the following programs: breast cancer prevention; diabetes screening and outreach; ovarian cancer screening; a statewide STOP stroke program and ongoing stroke prevention and education; hepatitis C prevention and management; multiple sclerosis screening, information, education, treatment programs and the Multiple Sclerosis Home Living Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society; colorectal cancer prevention; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; a program to combat mental

retardation in children suffering from a genetic effect causing phenylketonuria; maintenance of the Amyotrophic Lateral Sclerosis registry created pursuant to section 25A of chapter 111 of the General Laws; maintenance of the statewide lupus database; and the operation of the Betsy Lehman Center for patient safety..... $8,454,998

4513-1130 For domestic violence and sexual assault prevention and victim services, including batterers' intervention and services for immigrants and refugees; provided, that funds shall be expended for rape prevention and victim services, including the statewide Spanish language hotline; provided further, that funds shall be expended for statewide suicide and violence prevention outreach to gay and lesbian youth, and the public health model of community engagement and intervention services for crisis housing for sexual violence and intimate partner violence in the GLBT community; and provided further, that monies may be expended for the classroom based domestic violence prevention education program administered in item 0340-0900 in fiscal year 2009..... $4,908,264

4516-0263 For the department of public health; provided, that said department may expend not more than $1,442,468 in revenues from various blood lead testing fees

collected from insurers and individuals for the purpose of conducting such tests; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate therefor, as reported in the state accounting system..... $1,442,468

4516-1000 For the administration of the center for laboratory and communicable disease control, including the division of communicable venereal diseases, the division of tuberculosis control and the state laboratory institute; provided, that the department shall give priority to the analysis of samples used in the prosecution of controlled substances offenses; provided further, that funds shall be expended for an eastern encephalitis testing program and for tuberculosis testing and treatment services; provided further, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; and provided further,

that funds from this item may be expended for the purchase of equipment for the drug laboratory at the state laboratory institute..... $13,676,268

4516-1010 For state matching funds required by the Pandemic and All-Hazards Preparedness Act..... $1,133,713

4516-1022 For the department of public health; provided, that the department may expend not more than $300,000 generated by fees collected from insurers for tuberculosis tests performed at the state laboratory institute; provided further, that revenues collected may be used to supplement the costs of said laboratory; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $300,000

4518-0200 The department may expend not more than $400,000 generated by fees collected from the following services provided at the registry of vital records and statistics: amendments of vital records, requests for vital records not issued in person at the registry and research requests performed by

registry staff at the registry; provided, that revenues so collected may be used for all program costs, including the compensation of employees; provided further, that the registrar of vital records and statistics shall exempt from payment of a fee any person requesting a copy of a birth certificate for the purpose of establishing eligibility for Medicaid; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $400,000

4530-9000 For teenage pregnancy prevention services; provided, that applications for such funds shall be administered through the department upon receipt and approval of coordinated community service plans to be evaluated in accordance with guidelines issued by the department; provided further, that portions of the grants may be used for state agency purchases of designated services identified by the community service plans; provided further, that funding shall be expended on those communities with

the highest teen birth rates according to an annual statistical estimate conducted by the department; provided further, that funds shall be expended on programming directed at children under the care of the department of children and families who are at high risk for teenage pregnancy; and provided further, that the department shall collaborate with the department of children and families on this programming..... $3,148,327

4570-1502 For the purposes of implementing a proactive statewide infection prevention and control program. $668,820

4580-1000 For the operation of the universal immunization program, including the purchase and distribution of the rotavirus vaccine; provided, that no funds appropriated in this item shall be expended for administrative or energy expenses of the department not directly related to programs funded in this item; provided further, that notwithstanding any general or special law to the contrary, each health insurance carrier, as defined in chapter 176O of the General Laws, that conducts business in the commonwealth shall contribute to the total amount determined by the department to be sufficient to cover the costs of purchasing and distributing childhood vaccines for children in this item; and provided further, that the division of health care

finance and policy, in consultation with the department, shall specify by regulation the method of calculating a proportional contribution and procedures for payment of the contribution to the General Fund..... $52,135,817

4590-0250 For school health services and school-based health centers in public and non-public schools; provided further, that services shall include, but not be limited to: (a) strengthening the infrastructure of school health services in the areas of personnel and policy development, programming and interdisciplinary collaboration; (b) developing linkages between school health services programs and community health providers; (c) incorporating health education programs, including tobacco prevention and cessation activities in school curricula and in the provision of school based health services; and (d) incorporating obesity prevention programs, including nutrition and wellness programs, in school curricula to address the nutrition and lifestyle habits needed for healthy development; provided further, that the services shall meet standards and eligibility guidelines established by the department in consultation with the department of education; provided further, that funds may be expended for

the support of the commission on gay, lesbian, bisexual and transgender youth, established in section 67 of chapter 3 of the General Laws, and may be used to address the recommendations of said commission for reduction of health disparities for gay, lesbian, bisexual and transgender youth; provided further, that funds shall be expended for school nurses and school based health center programs; and provided further, that funds may be expended for the Massachusetts Model of Community Coalitions..... $13,422,121

4590-0300 For smoking prevention and cessation programs.... $5,001,077

4590-0912 For the department of public health, which may expend an amount not to exceed $16,554,915 from reimbursements collected for western Massachusetts hospital services, subject to the approval of the commissioner of public health; provided, that such revenues may be expended for the purpose of hospital-related costs, including personnel, capital expenditures, DD object class charge-backs and motor vehicle replacement; provided further, that all revenues expended shall be pursuant to schedules submitted to the secretary of administration and finance and the house and senate committees on ways and means; provided further, that notwithstanding any general or special law to

the contrary, the western Massachusetts hospital shall be eligible to receive and retain full payment under the medical assistance program administered by the executive office of health and human services pursuant to chapter 118E of the General Laws for all goods and services provided by the hospital in accordance with all federal requirements; provided further, that notwithstanding any general or special law to the contrary, the western Massachusetts hospital shall reimburse the General Fund for a portion of employee benefit expenses, according to a schedule submitted by the commissioner of public health and approved by the secretary of administration and finance; provided further, that such reimbursement shall not exceed 10 per cent of total personnel costs for the hospital; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; and provided further, that no funds appropriated herein shall be expended for administrative, space or

energy expenses of the department not directly related to personnel or programs funded in this item..... $16,554,915

4590-0913 For the department of public health which may expend not more than $500,000 for payments received for those services provided by the Lemuel Shattuck hospital to inmates of county correctional facilities; provided, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system..... $500,000

4590-0915 For the maintenance and operation of Tewksbury hospital, Massachusetts hospital school, Lemuel Shattuck hospital and the hospital bureau, including the state office of pharmacy services; provided, that no funds appropriated in this item shall be expended for administrative, space or energy expenses of the department not directly related to personnel or programs funded in this item; provided further, that reimbursements received for medical services provided at the Lemuel Shattuck hospital to inmates of county

correctional facilities not managed by private health care vendors shall be credited to item 4590-0903 of section 2B; and provided further, that notwithstanding any general or special law to the contrary, the department shall seek to obtain federal financial participation for care provided to inmates of the department of correction and of county correctional facilities who are treated at the public health hospitals..... $138,461,607

4590-0917 For the department of public health; provided, that the department may expend an amount not to exceed $4,160,000 from payments received from the vendor managing health services for state correctional facilities for inmate medical services provided by the Lemuel Shattuck hospital; provided further, that the payments may include capitation payments, fee for service payments, advance payments and other compensation arrangements established by contract between the vendor and the hospital; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the

6049 most recent revenue estimate therefor as reported
6050 in the state accounting system..... $4,160,000
6051 4590-1503 For the pediatric palliative care program
6052 established in section 24K of chapter 111 of the
6053 General Laws..... $786,444
6054 4590-1506 For a competitive grant program to be administered
6055 by the department of public health to support the
6056 establishment of a comprehensive youth violence
6057 prevention program; provided, that eligibility
6058 shall be determined by the criteria set forth in
6059 item 4590-1506 of section 2 of chapter 182 of the
6060 acts of 2008; provided further, that no grants
6061 shall be awarded to law enforcement agencies;
6062 provided further, that funds shall be considered 1-
6063 time and grants shall not annualize in fiscal year
6064 2011; provided further, that administrative costs
6065 for successful grant applications shall not exceed
6066 3 per cent of the value of the grant; provided
6067 further, that no grant funds shall be expended on
6068 food or beverages; provided further, that the
6069 department of public health shall report to the
6070 house and senate committees on ways and means and
6071 the executive office of administration and finance
6072 not later than November 1, 2009, detailing the
6073 grant amount awarded to each recipient and a
6074 description of each grant; and provided further,

that each grant recipient shall provide the department of public health with a comprehensive list of best practices that have been instituted as a result of these grants..... $2,000,000

## OFFICE OF CHILDREN, YOUTH AND FAMILY SERVICES.

**Department of Children and Families.**

4800-0015 For central and area office administration; provided, that the associated expenses of employees whose AA and DD object class costs are paid from item 4800-1100 shall be paid from this item; provided further, that no funds shall be expended from this item for the compensation of unit 8 employees; provided further, that the department shall not place a child or adolescent referred by, or discharged from, the care of the department of mental health until the latter department forwards an assessment and recommendation as to whether the child or adolescent may be appropriately placed in foster care or, if due to severe emotional disturbance, is more appropriate for group care; provided further, that if placement of a child with someone other than a parent becomes necessary, the department shall place the highest priority on identifying a family resource within the child's kinship or family circle and shall provide services and support to partner with the family resource in

meeting the child's needs; provided further, that the department, in consultation with the department of mental health, shall assist the latter department in making such assessments and recommendations; provided further, that unless otherwise authorized, all funds, including federal reimbursements received by the department, shall be credited to the General Fund; provided further, that the department and the department of early education and care shall provide standards for early education and care placements made through the supportive child care program; provided further, that the department of children and families, in collaboration with the department of early education and care, shall maintain a centralized list detailing the number of children eligible for supportive child care services, the number of supportive slots filled and the number of supportive slots available; provided further, that no waiting list for the services shall exist; provided further, that all children eligible for services under item 3000-3050 shall receive said services; provided further, that notwithstanding any general or special law to the contrary, the department shall not reduce recoupment amounts recommended by the state auditor; provided further,

that the department shall employ not less than 1 full-time board-certified physician; provided further, that the department shall employ four to five full-time board certified or board eligible child psychiatrists to serve the area offices; provided further, that hiring and supervision shall be done in conjunction with the department of mental health; provided further, that such physicians shall collaborate with the department's social workers; provided further, that not later than February 15 of the current fiscal year, the department shall provide to the house and senate committees on ways and means and the joint committee on children and families a report detailing the number of medical and psychiatric personnel currently employed by or under contract with the department; provided further, that the report shall include the number of foster care reviews conducted by the department and the average length of time in which each review is completed; provided further, that the report shall contain the number of the department's contracts reviewed by the state auditor and the number of corrective action plans issued; provided further, that the report shall also include the number of corrective action plans entered into by the department;

provided further, that the report shall include the number of social workers and supervisors who have earned a bachelors' or masters' degree in social work; provided further, that the report shall include the total number of social workers and the total number of social workers holding licensure, by level; provided further, that the comptroller shall act in accordance with item 1000-0001 if the report, with all of its components, is not filed within 10 days of the stated due date; provided further, that the department shall file a report on the first business day of each month to the senate and house committees on ways and means and the joint committee on children and families on the caseload of the department; provided further, that caseloads provided in this report shall include: residential placements, group care, foster care, therapeutic foster care, adoption, guardianship, 51A reports, substantiated 51A reports, the number of children who die in the care and custody of the department, the number of children currently eligible for supportive child care and the number of children presently receiving supportive child care, and the number of medical and psychiatric consultation requests made by the department's social workers; provided further, that the report

shall include the number of approved foster care placements; provided further, that the report shall also include the number of children in psychiatric hospitals and community-based acute treatment programs who remain hospitalized beyond their medically-necessary stay while awaiting placement and the number of days each case remains in placement beyond that which is medically-necessary; provided further, that the report shall include the number of children under the department of children and families care and custody who are being served in medical or psychiatric care provided through other publicly-funded sources; provided further, that the report shall also contain the number of children served by supervised visitation centers and the number of those children who are reunified with their families; provided further, that the report shall contain information on the total number of children served, their ages, the number of children served in each service plan, the number of children in out-of-home placements and the number of placements each child has had before receiving an out-of-home placement; provided further, that the report shall also contain, for each area office, the number of kinship guardianship subsidies that it provided for the

calendar quarters ending on March 31, 2009 and June 30, 2009, the number of kinship guardianship subsidies provided in the month covered by the report, and the number of kinship guardianship subsidies provided in that month for which federal reimbursement was received; provided further, that the report shall also contain, for each area office, the total spending on services other than case management services provided to families for the purposes of keeping a child with his parents or reunifying the child with his parents, spending by type of the service, and the unduplicated number of families that receive the services; provided further, that the report shall also contain for each area office, the total number of families in the month residing in shelter paid for by the department, a list of where the families are sheltered, the total cost and average cost per family of those shelters, and a description of how the department determines who does or does not qualify for shelter; provided further, that the report shall include, for each area office, broken down by type of service, the number of requests for voluntary services, whether the request was approved or denied, the reasons for denying the service, and what, if any, referrals were made for

services by other agencies or entities; provided further, that the report shall also contain the number of families receiving multiple 51A reports within a 10-month period, the number of cases reopened within 6 months of being closed and the number of children who return home and then re-enter an out-of-home placement within 6 months; provided further, that not later than November 2, 2009, the department shall submit a report to the house and senate committees on ways and means and the chairs of the joint committee on children and families that includes any rules, regulations, or guidelines established by the department to carry out its duties pursuant to chapter 119, including, but not limited to (a) criteria used to determine whether a child has been abused or neglected; (b) guidelines for removal of a child from the home; and (c) standards to determine what reasonable efforts are made to keep a child in the home; provided further, that the commissioner of the department of children and families may transfer funds between items 4800-0030, 4800-0038, and 4800-0041, as necessary, pursuant to an allocation plan, which shall detail, by object class, the distribution of the funds to be transferred and which the commissioner shall file with the house

and senate committees on ways and means 15 days prior to any such transfer; and provided further, that not more than 5 per cent of any item shall be transferred in fiscal year 2010..... $69,880,096

4800-0016 For the department of children and families which may expend for the operation of the transitional employment program an amount not to exceed $500,000 from revenues collected from various state, county and municipal government entities, as well as state authorities, for the costs related to the provision of services by the participants and the overhead costs and expenses incurred by the not-for-profit managing agent selected by the commissioner for administering the program; provided, that notwithstanding any general or special law to the contrary, the commissioner of the department of children and families may enter into a contract with Roca, Inc., a not-for-profit community-based agency, to manage the transitional employment program and to provide services to participants from the aging out population, parolees, probationers, youth service releases, or other community residents considered to have employment needs..... $500,000

4800-0025 For foster care review services..... $2,689,807

4800-0030 For local and regional administration and coordination of services provided by lead agencies and regional resource centers; provided, that flex services provided by these agencies shall be funded from this item..... $7,000,000

4800-0036 For a sexual abuse intervention network program to be administered in conjunction with the district attorneys..... $697,508

4800-0038 For stabilization, unification, reunification, permanency, adoption, guardianship and foster care services provided by the department of children and families; provided, that $5,600,000 made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, may be spent on adoption and foster care services; provided further, that services funded through this item shall include shelter services, substance abuse treatment, family reunification networks, young parent programs, parent aides, education and counseling services, family preservation services, foster care, adoption and guardianship subsidies, tiered reimbursements used to promote the foster care placement of children with special medical and social needs, assessment of the appropriateness of adoption for children in the care of the department for more than 12 months, protective services

provided by partnership agencies, targeted recruitment and retention of foster families, respite care services, post-adoption services, support services for foster, kinship and adoptive families and juvenile firesetter programs; provided further, that the regional offices shall work with the contracted entities for children placed in the intensive foster care system and with the receiving communities of these children to ensure all necessary services are provided; provided further, that funding may be expended on the young parent support program, supervised visitation programs, children's advocacy centers, services for child victims of sexual abuse and assault, family support and stabilization services, and community-based support and education programs helping low-income, female-headed families break the cycle of poverty; and provided further, that funds may be expended on programs that received funding in fiscal year 2009$301,734,364

4800-0041 For group care services; provided, that funds may be expended from this item to provide intensive community-based services to children who would otherwise be placed in residential settings; and provided further, that the department shall form area review teams that shall evaluate the feasibility of maintaining the child in the

community in this manner wherever possible before recommending placement in a residential setting $223,569,417

4800-0091 For the department of children and families which may expend not more than $2,672,812 in federal reimbursements received under Title IV-E of the Social Security Act during fiscal year 2010 for the purposes of developing a training institute for professional development at the department of children and families with the University of Massachusetts Medical School and Salem State College; provided, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system; provided further, that notwithstanding section 1 or any other general or special law to the contrary, federal reimbursements received in excess of $2,672,812 shall be credited to the General Fund; and provided further, that no funds shall be expended from this item for lease-purchases or the FamilyNet system..... $2,672,812

4800-0151 For a program to provide alternative overnight non-secure placements for status offenders and

nonviolent delinquent youths up to the age of 17 in order to prevent the inappropriate use of juvenile cells in police stations for such offenders, in compliance with the federal Juvenile Justice and Delinquency Prevention Act of 1974, as amended; provided, that the programs which provide the alternative non-secure placements shall collaborate with the appropriate county sheriff's office to provide referrals of those offenders and delinquent youths to any programs within the sheriff's office designed to positively influence youths or reduce, if not altogether eliminate, juvenile crime..... $270,919

4800-1100 For the AA and DD object class costs of the department's social workers; provided, that funds shall be directed toward mitigating social worker caseloads in those area offices furthest above the statewide weighted caseload standard and toward achieving a social worker caseload ratio of 18 to 1 statewide; and provided further, that only employees of bargaining unit 8 as identified in the Massachusetts personnel administrative reporting and information system shall be paid from this item$155,319,220

4800-1400 For shelters and support services for people at risk of domestic violence; provided, that the department shall pursue the establishment of public-private partnership agreements established

for family stabilization services funded from sources other than the commonwealth; provided further, that services shall include supervised visitation programs, and scattered site transitional housing programs, including programs to assist victims of domestic violence in finding and maintaining permanent housing; provided further, that participants in battered women's programs shall be provided with information regarding local transitional housing resources; provided further, that funding shall be made available to enhance counseling services for children who have witnessed domestic violence; provided further, that funding shall be made available for emergency shelters for substance abusing battered women; provided further, that funding shall be made available for a statewide domestic violence hotline; provided further, that the department shall continue to provide any match funding required by federal program regulations; and provided further, that domestic violence prevention specialists shall be funded from this item..... $21,925,460

## OFFICE OF HEALTH SERVICES.

### Department of Mental Health.

5011-0100 For the operation of the department..... $29,648,399

5042-5000 For child and adolescent services, including the costs of psychiatric and related services provided to children and adolescents determined to be medically-ready for discharge from acute hospital units or mental health facilities and who are experiencing unnecessary delays in being discharged due to the lack of more appropriate settings; provided, that for the purpose of funding those services, the commissioner of mental health may allocate funds from the amount appropriated in this item to other departments within the executive office of health and human services; provided further, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of children and families until the department of mental health forwards its assessment and recommendation as to whether the child or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more appropriate for group care; and provided further, that funds may be expended for the Child Psychiatry Access Project..... $72,199,953

5046-0000 For adult mental health and support services; provided, that the department shall allocate funds in an amount not to exceed $5,000,000 from item 5095-0015 to this item, as necessary, pursuant to

allocation plans submitted to the house and senate committees on ways and means 30 days prior to any such transfer, for residential and day services for clients formerly receiving care at department facilities; provided further, that the department shall report to the house and senate committees on ways and means on the distribution of funds per adult and child planning population and the types of services received in each region for fiscal year 2010, no later than February 1, 2010..... $310,283,591

5046-2000 For homelessness services..... $20,134,424

5046-4000 For the department of mental health; provided, that the department may expend not more than $125,000 in revenue collected from occupancy fees charged to the tenants in the creative housing option in community environments, the CHOICE program authorized by chapter 167 of the acts of 1987; and provided further, that all fees collected under that program shall be expended for the routine maintenance and repair of facilities in the CHOICE program including the costs of personnel..... $125,000

5047-0001 For emergency service programs and acute inpatient mental health care services; provided, that the department shall continue an interagency service agreement with the executive office of health and human services for the purchase of services and for

such other services as the agreement may provide; provided further, that the department shall require a performance specification to be developed for safe aftercare options for adults upon release from acute inpatient mental health care services; and provided further, that the emergency service programs shall take all reasonable steps to identify and invoice the third party insurer of all persons serviced by the programs..... $34,705,186

5055-0000 For forensic services provided by the department; provided, that funds may be expended for juvenile court clinics..... $8,148,410

5095-0015 For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the Olmstead decision and to enhance care within available resources to clients served by the department, the department shall take steps to consolidate or close psychiatric hospitals managed by the department and shall endeavor within available resources to discharge clients residing in the inpatient facilities to residential services in the community when the following criteria are met: a) the client is deemed clinically suited for a more integrated setting; b) community residential service capacity and resources available are sufficient to provide

each client with an equal or improved level of service; and c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed facility; provided further, that the department may allocate funds in an amount not to exceed $5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer, for residential and day services for clients formerly receiving inpatient care at the centers and facilities; and provided further, that the department of mental health shall notify the joint committee on mental health and substance abuse and the house and senate committees on ways and means 60 days prior to the closure of any inpatient state hospital beds..... $169,933,412

**Department of Developmental Services.**

5911-1003 For the administration and operations of the department of developmental services; provided, that the department shall not charge user fees for

transportation or community day services; provided further, that the department shall not charge fees for eligibility determination for services provided by the department or for applications of requests for transfer of guardianship; provided further, that notwithstanding any general or special law to the contrary, in fiscal year 2010 the comptroller shall transfer from the department of developmental services trust fund established under section 2RRR of chapter 29 of the General Laws an amount sufficient to reflect the costs of the assessment on public facilities collected under section 27 of chapter 118G of the General Laws and an amount sufficient to fund rate increases for services provided to MassHealth members by nonpublic intermediate care facilities and community-based residences; provided further, the comptroller shall transfer the federal financial participation received as a result of expenditures funded by the assessments to an account established for the department of developmental services to administer for the purposes described above; and provided further, that the assessments shall not be collected and the expenditures shall not be authorized until the department of developmental services and the executive office of health and

human services certify the receipt of federal approval of any home and community-based waiver amendments and related Title XIX state plan amendments, if required..... $67,224,506

5911-2000 For transportation costs associated with the adult services program; provided, that the department shall provide transportation on the basis of priority of need as determined by the department $13,537,324

5920-2000 For vendor-operated, community-based, residential adult services, including intensive individual supports; provided, that funds shall be expended towards compliance with the terms of the Rolland settlement agreement, dated June 16, 2008, Civil Action No. 98-30208-KPN, filed in the United States District Court of Massachusetts in order to provide services for class members; provided further, that annualized funding shall be expended for turning 22 clients who began receiving the services in fiscal year 2009 pursuant to item 5920-5000 of section 2 of chapter 182 of the acts of 2008; provided further, that funds shall be expended to comply with the terms of the Boulet v. Cellucci settlement agreement; provided further, that the commissioner of the department of developmental services shall transfer funds from this item to item 5920-2010, as necessary, pursuant to an allocation plan, which

shall detail, by object class, the distribution of said funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means 15 days before any such transfer; and provided further, that not more than $5,000,000 shall be transferred from this item in fiscal year 2010 ..... $697,680,652

5920-2010 For state-operated, community-based, residential services for adults, including community-based health services; provided, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this item; and provided further, that funds shall be expended to comply with the terms of the Boulet v. Cellucci settlement agreement ..... $144,559,478

5920-2025 For community-based day and work programs for adults; provided that annualized funding shall be expended for turning 22 clients who began receiving services in fiscal year 2009 pursuant to item 5920-5000 of section 2 of chapter 182 of the acts of 2008 ..... $119,988,888

5920-3000 For respite services and intensive family supports; provided, that the department shall pursue the

highest rates of federal reimbursement possible for such services..... $46,521,184

5920-3010 For contracted support services for families with autistic children through the autism division at the department of developmental services; provided, that funds shall be expended for the purposes of providing services under the Children's Autism Spectrum Disorder Waiver; provided further, that the department shall expend not less than the amount authorized in fiscal year 2009 on the Children's Autism Spectrum Disorder Waiver; provided further, that at a minimum, this waiver shall include children with autism spectrum disorder ages 0 to 8, inclusive, including children with autism spectrum disorder ages 0 to 3, inclusive, receiving services through the department of public health's early intervention program; provided further, that the income eligibility for the waiver shall not be any lower than MassHealth standard income eligibility for children; provided further, that the department shall take all steps necessary to ensure that eligible children with autism immediately begin to receive services pursuant to such waiver; provided further, that the department shall immediately file any waiver amendments necessary to comply with the

requirements of this item with the Centers for Medicare and Medicaid services; provided further, that the department shall report to the house and senate committees on ways and means, the joint committee on education and the joint committee on children, families and persons with disabilities on the number of contracted support services provided for families with autistic children under this item and the costs associated with such services, not later than January 4, 2010; provided further, that such report shall include, but not be limited to, the services provided by the Children's Autism Spectrum Disorder Waiver, with information regarding the number of children enrolled in the waiver and receiving services, linguistic and cultural diversity, age, gender and geographic representation of the applicants and the children enrolled in the program, and department plans to continue to assess the demand for waiver services, any executive office of health and human services plans to expand the waiver for children on the autism spectrum of all ages in the future and any other information determined relevant by the department; and provided further, that the department shall submit copies of any amended waiver to the house and senate committees on ways

and means, the joint committee on education and the joint committee on children, families and persons with disabilities upon submission of the amendment$4,123,387

5920-5000 For services to clients of the department who turn 22 years of age during state fiscal year 2010; provided, that the department shall report to the house and senate committees on ways and means not later than January 15, 2010, on the use of any funds encumbered or expended from this item including, but not limited to, the number of clients served in each region and the types of services purchased in each region..... $5,000,000

5930-1000 For the operation of facilities for the mentally retarded; provided, that in order to comply with the provisions of the Olmstead decision and to enhance care within available resources to clients served by the department, the department shall take steps to consolidate or close intermittent care facilities for the mentally retarded, in this item called ICF/MRs, managed by the department and shall endeavor, within available resources, to discharge clients residing in the ICF/MRs to residential services in the community if the following criteria are met: a) the client is deemed clinically suited for a more integrated setting; b) community residential service capacity and resources

available are sufficient to provide each client with an equal or improved level of service; and c) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in ICF/MRs; provided further, that any client transferred to another ICF/MR as the result of a facility closure shall receive a level of care that is equal to or better than the care that had been received at the closed ICF/MR; provided further, that the department shall report to the joint committee on children, families and persons with disabilities and the house and senate committees on ways and means on the progress of this initiative by December 1, 2009, including both past actions and proposed future actions; provided further, that the department may allocate funds from this item to items 5920-2000, 5920-2010, and 5920-2025, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer, for residential and day services for clients formerly receiving inpatient care at ICF/MRs; provided further, that the department shall maximize federal reimbursement, whenever possible under federal regulation, for the direct and indirect costs of services provided by the employees funded in this

item; provided further, that prior to closing the Monson Development Center, the Templeton Development Center, and the Glavin Regional Center as part of the Community Services Expansion and Facilities Restructuring Plan, the executive office for administration and finance shall submit a report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities; provided further, that the report shall examine the prospective costs and benefits of maintaining the facilities, the quality of care in the facilities and in alternative community-based settings and alternative methods of providing the services currently provided by the facilities; provided further, that the report shall include options for the retention of the skilled workforce; provided further, that the secretary of administration and finance shall submit the findings and recommendations of the report to the house and senate committees on ways and means and the joint committee on children, families, and disabilities no later than July 1, 2010; and provided further, that at least 3 months prior to closing each of the aforementioned ICF/MRs, the secretary of housing and economic development or his designee and the

commissioner of capital asset management and maintenance or his designee shall meet jointly with local officials and produce a plan for the timely demolition of buildings, remediation of hazardous materials and future use of the property, including disposition by the commonwealth for redevelopment or conservation, if appropriate.. $161,581,427

5982-1000 For the department of developmental services; provided, that the department may expend not more than $150,000 accrued through the sale of milk and other farm-related and forestry products at the Templeton Developmental Center for program costs of the center, including supplies, equipment, and maintenance of the facility; and provided further, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system..... $150,000

## EXECUTIVE OFFICE OF TRANSPORTATION.

**Office of the Secretary.**

6000-0100 For the office of the secretary of transportation; provided, that the office shall submit quarterly reports to the joint committee on transportation and the house and senate committees on ways and means detailing projects funded through the statewide transportation improvement program including, but not limited to, the location of the projects, the cost of the projects, the date of advertisement of the projects, the commencement date of the projects, the projected completion date of the projects and the source of funds for the projects; provided further, that the office shall also provide the committees with quarterly reports detailing construction and reconstruction projects on town and county ways as described in subdivision (a) of clause (2) of the first paragraph of section 34 of chapter 90 of the General Laws for which municipalities are projected to seek, have filed claims or have been paid state reimbursement; provided further, that a city or town shall comply with the procedures established by the secretary to obtain the necessary information to produce the reports; provided further, that the reports shall include, but not be limited to, the cost of the projects by city or town, the source of funding of the projects by city or town and the commencement

and completion dates of the projects by city or town; provided further, that the secretary of transportation, in collaboration with the commissioner of highways, shall file an annual report with the joint committee on transportation and the house and senate committees on ways and means not later than June 30; provided further, that the report shall include spending through the statewide road and bridge program, the Chapter 90 program, the Small Town Road Assistance Program and all other programs expending funds for road and bridge projects; provided further, that the report shall detail the location of the project by city or town, a brief project description, the project cost, the expected completion date, the source of funding and any other information deemed necessary; provided further, that the office shall submit to the house and senate committees on ways and means quarterly reports detailing all personnel-related expenditures made from capital funds; provided further, that the reports shall delineate for the executive office and for each agency, board, authority or commission under its control, the amounts paid in the prior quarter as compensation for each type of position assigned to capital projects that were charged to each such funding

source; provided further, that the reports shall also delineate by funding source any other amounts paid for personnel-related costs that were charged to those funds, including payroll allocations for budgetary employees, fringe recovery and other chargebacks; provided further, that the reports shall identify the number of full time equivalent personnel classified in each position type; provided further, that the reports shall list all employees who are paid from this item and items 6010-0002 and 6006-0003 who also receive payments from any capital funds; provided further, that the reports shall include for each of those employees how much money the employees receive from the items and how much money each employee receives from any capital funds; provided further, that the reports shall delineate the information for full-time employees, part-time employees and contracted personnel; provided further, that the report shall delineate any possibility of transferring equipment costs from operating expenditures to capital expenditures, and personnel costs from capital expenditures to operating expenditures, in a cost-neutral manner; and provided further, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve

administrative operations pursuant to interdepartmental service agreements..... $2,474,447

Commonwealth Transportation Fund.....100%

6000-0110 For the purpose of property management and maintenance of railroad properties owned by the executive office of transportation on behalf of the commonwealth, including the cost of personnel; provided, that the office may expend an amount not to exceed $27,344 from the rents and fees received pursuant to section 4 of chapter 161C of the General Laws..... $27,344

Commonwealth Transportation Fund.....100%

6000-1700 For the provision of information technology services within the executive office of transportation..... $6,150,987

Commonwealth Transportation Fund.....100%

6005-0015 For certain assistance to the regional transit authorities, including operating grants and reimbursements to increase the accessibility of transit provided to the elderly and disabled under the mobility assistance program, the regional transit authority program and the intercity bus capital assistance program; provided, that the commonwealth, acting by and through the executive office for administration and finance, for the period beginning July 1, 2009 and ending June 30,

2010, may enter into contracts with the authorities; provided further, that notwithstanding section 152A of chapter 161 of the General Laws and section 23 of chapter 161B of the General Laws, the amount shall be at least 50 per cent but not more than 75 per cent of the net cost of service of each authority incurred in fiscal year 2009, shall be paid by the commonwealth, and shall not be assessed upon the cities and towns constituting the authorities; provided further, that the share assessed upon the cities and towns shall be at least 25 per cent of the net cost of service; provided further, that in the event that 25 per cent of the net cost of service of each authority exceeds 102.5 per cent of the previous year's local assessment, excluding payments made by cities and towns for the costs of new service for which the cities and towns have not previously been assessed as allowed by chapter 580 of the acts of 1980, the regional transit authority shall reduce its operating expenses or increase its revenues to meet the difference; provided further, that operating expenditures of each of the regional transit authorities for fiscal year 2010 shall not exceed 102.5 per cent of its operating expenditures for fiscal year 2009; provided further, that for the

purposes of this item, operating expenditures shall not include federal, private or additional municipal non-state revenue sources or any expenses arising from the provision of services required by the Americans with Disabilities Act, or new services implemented after July 1, 1999, in an amount not to exceed a total of $3,613,905 for the 16 regional transit authorities; provided further, that the new services shall have first received approval of the appropriate regional transit authority advisory board; provided further, that not less than 25 per cent of the net cost of service of the new services shall be assessed to the cities and towns of the appropriate transit authority, as detailed previously in this item; provided further, that each regional transit authority which provides the new services shall file a report with the house and senate committees on ways and means and the joint committee on transportation, detailing the total costs and revenues associated with the new service; provided further, that the cost of the new services shall not annualize to more than $3,613,905; provided further, that the executive office of transportation shall work cooperatively with the authorities and other public and private funding

sources to maximize new revenue sources to expand transit services; provided further, that the authorities and the executive office of transportation shall develop processes and procedures for contracts for services with other state agencies; provided further, that the executive office of transportation and the authorities shall work cooperatively to implement multi-year contracting for regional transit authority capital projects, particularly for construction projects and other multi-year commitments of the authorities; provided further, that the regional transit authorities shall implement structural, managerial and administrative reforms in order to achieve cost savings in services provided by the authorities; provided further, that the reforms shall include, but not be limited to, improved financing procedures for capital needs, approved plans for short and long-term service, a coordinated program of mass transportation for the regional transit authorities that provides standards of service for the authorities for types of service, passenger miles, hours of service, cost of service by route and mile and passenger, non-transportation revenue and system revenue-generating options including, but

not limited to, fare revenue and advertising revenue, assessments on member cities and towns, net operating investment per passenger-mile ratio and service quality standards; provided further, that the program shall involve an approach to service coordinated with the Massachusetts Bay Transportation Authority and other transit providers in order to achieve maximum efficiency of regional transit authority service routes; provided further, that all regional transit authorities shall achieve the fare or revenue recovery ratio of 40 per cent within 18 months after the effective date of this act; and provided further, that the Massachusetts Association of Regional Transit Authorities shall, on or before November 15, 2009, report to the joint committee on transportation and the house and senate committees on ways and means on the operations of the authorities in the first half of fiscal year 2010 and focus the report on the reforms and improvements..... $44,670,909

Commonwealth Transportation Fund.....100%

**Massachusetts Aeronautics Commission.**

6006-0003 For the administration of the commission, including the expenses of the commissioners..... $392,794

Commonwealth Transportation Fund.....100%

**Department of Highways.**

6010-0001 For personnel costs of the department of highways, for certain administrative and engineering expenses and equipment of the highways commission, the office of the commissioner of highways, the division of administrative services, highway engineering, highway maintenance, highway construction, the outdoor advertising board, district and other highway activity offices, materials, supplies, fleet maintenance and equipment, general maintenance and equipment and the maintenance and operation of state highways and bridges and for the costs associated with the global positioning system program; provided, that no expenditures shall be made from the AA object code; provided further, that notwithstanding any general or special law to the contrary, the department may expend from capital authorizations amounts necessary to cover operational costs of the department in excess of amounts appropriated in this item to ensure that adequate staffing levels are maintained to support the services and programs offered by the department; provided further, that the department shall file quarterly reports with the house and senate committees on ways and means detailing all amounts expended on bond-funded capital projects under the jurisdiction of the

department and for all administrative and personnel expenses of the department charged to such bonds; provided further, that the reports shall be filed not later than 30 days after the end of each quarter; provided further, that the costs of routine highway maintenance provided by private and union workers in contract areas 1A, 1B, 2A, 2B, 3A, 3B, 3C, 4A, 4B, 4C, 4D, 5A, 5B and 5C and for costs associated with police services and overtime within such areas shall be paid from this item; and provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means detailing for each contract area expenditures for the costs of contractual contingency fees, personnel, police services, overtime, materials and vehicle repairs $8,733,602

Commonwealth Transportation Fund.....100%

6010-0002 For AA object class payroll costs of item 6010-0001; provided, that the funds appropriated in this item shall be the only source of funding for all overtime expenses associated with the department's snow and ice control efforts; provided further, that not later than June 30, 2012, the department shall develop a plan that phases into the budgetary appropriation all personnel costs transferred to capital authorizations since June 30, 2002;

provided further, the department shall complete an overview of the employment levels paid by capital authorizations since June 30, 2002, and the anticipated number of employees scheduled to be transferred to budgetary appropriations each fiscal year through June 30, 2012; and provided further, such plan shall be submitted to the house and senate committees on ways and means and the clerks of the house and senate not later than December 31, 2009..... $25,753,748

Commonwealth Transportation Fund.....100%

6010-0003 For the department of highways; provided, that the department may expend revenues collected up to $500,000 from revenue generated from promotional programs; provided further, that funds collected shall be used for the management of that program and for highway maintenance costs; provided further, that the department shall prepare a report delineating the proposed allocation of funds to be expended for the management of such program and highway maintenance costs; provided further, that the report shall be filed with the house and senate committees on ways and means not later than 30 days prior to any encumbrance of the funds; and provided further, that the program and any expenditures made under the program shall comply with all statutes,

7043 rules and regulations governing billboards, signs
7044 and other outdoor advertising devices..... $500,000
7045 Commonwealth Transportation Fund.....100%
7046 6030-7201 For the costs of hired and leased equipment,
7047 vehicle repair, fuel costs and sand, salt and other
7048 control chemicals used for snow and ice control. $65,000,000
7049 Commonwealth Transportation Fund.....100%
7050 **Board of Library Commissioners.**
7051
7052 7000-9101 For the operation of the board of library
7053 commissioners..... $938,042
7054 7000-9401 For state aid to regional public libraries;
7055 provided, that the board of library commissioners
7056 may provide quarterly advances of funds for
7057 purposes authorized by clauses (1) and (2) of
7058 section 19C of chapter 78 of the General Laws, as
7059 it considers proper, to regional public library
7060 systems throughout each fiscal year, in compliance
7061 with the office of the comptroller's regulations on
7062 state grants, 815 CMR 2.00; and provided further,
7063 that notwithstanding any general or special law to
7064 the contrary, in calculating the fiscal year 2010
7065 distribution of funds appropriated in this item,
7066 the board of library commissioners shall employ
7067 population figures used to calculate the fiscal
7068 year 2009 distribution..... $14,591,160

7069 7000-9402 For the talking book library at the Worcester
7070 public library..... $421,143
7071 7000-9406 For the Braille and talking book library at
7072 Watertown, including the operation of the machine
7073 lending agency..... $2,241,016
7074 7000-9501 For state aid to public libraries; provided, that
7075 notwithstanding any general or special law to the
7076 contrary, no city or town shall receive any money
7077 under this item in any year when the appropriation
7078 of the city or town for free public library
7079 services is below an amount equal to 102.5 per cent
7080 of the average of the appropriations for free
7081 public library service for the 3 years immediately
7082 preceding; provided further, that notwithstanding
7083 any general or special law to the contrary, the
7084 board of library commissioners may grant waivers in
7085 excess of the waiver limit set forth in the second
7086 paragraph of section 19A of chapter 78 of the
7087 General Laws in fiscal year 2010 for a period of
7088 not more than 1 year; provided further, that
7089 notwithstanding any general or special law to the
7090 contrary, of the amount by which this item exceeds
7091 the amount appropriated in chapter 194 of the acts
7092 of 1998, funds shall be distributed under the
7093 guidelines of the municipal equalization grant
7094 program, the library incentive grant program and

7095 the nonresident circulation offset program; and
7096 provided further, that any payment made under this
7097 item shall be deposited with the treasurer of the
7098 city or town and held in a separate account and
7099 shall be expended by the public library of that
7100 city or town without appropriation, notwithstanding
7101 any general or special law to the contrary..... $7,107,657
7102 7000-9506 For the technology and automated resource sharing
7103 networks..... $1,929,238

7104 **EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.**

7105
7106 **Office of the Secretary.**

7107
7108 7002-0010 For the operation of the office of the secretary of
7109 housing and economic development and the
7110 Massachusetts business-to-business program;
7111 provided, that agencies within the executive office
7112 may, with the prior approval of the secretary,
7113 streamline and improve administrative operations
7114 pursuant to interdepartmental service agreements;
7115 and provided further, that a report shall be
7116 submitted to the house and senate committees on
7117 ways and means not later than February 1, 2010,
7118 which shall include, but not be limited to, the
7119 following: (1) the number of businesses that have
7120 used the Massachusetts business-to-business program
7121 in fiscal year 2010, including both businesses
7122 located in the commonwealth and those that were

7123 attracted to Massachusetts by the program; (2) the
7124 number of jobs the commonwealth has retained as a
7125 result of the funding of this program; and (3) the
7126 amount of private investment that has occurred as a
7127 result of the funding of this program..... $506,531
7128 7002-0017 For the provision of information technology
7129 services within the executive office of housing and
7130 economic development, including the homeless
7131 management information system..... $2,897,371
7132 7002-0045 For the operation of the office of the wireless and
7133 broadband affairs director..... $194,189
7134
7135 **Department of Housing and Community Development.**
7136
7137 7004-0001 For the commission on Indian affairs..... $99,698
7138 7004-0099 For the operation of the department of housing and
7139 community development; provided, that
7140 notwithstanding any general or special law to the
7141 contrary, the department may make expenditures for
7142 the purposes of the department against federal
7143 grants for certain direct and indirect costs under
7144 a cost overhead allocation plan approved by the
7145 comptroller; provided further, that the comptroller
7146 shall maintain an account on the Massachusetts
7147 management accounting and reporting system for the
7148 purpose of making these expenditures; provided
7149 further, that expenditures made against the account
7150 shall not be subject to appropriation and may

include the cost of personnel; provided further, that notwithstanding any general or special law, rule, or regulation to the contrary, the department may conduct annual verifications of household income levels based upon state tax returns for the purposes of administering the state and federal housing subsidy programs funded in items 7004-9005, 7004-9024, 7004-9030, 7004-9033, 7004-9316, and items 7004-9009, 7004-9014, 7004-9019, 7004-9020 of section 2D; provided further, that as a condition of eligibility or continued occupancy by an applicant or a tenant, the department may require disclosure of the social security number of an applicant or tenant and members of the applicant's or tenant's household for use in verification of income eligibility; provided further, that the department may deny or terminate participation in subsidy programs for failure by an applicant or a tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may also consult with the department of revenue, the department of transitional assistance or any other state or federal agency which it considers necessary to conduct this income verification; provided further, that notwithstanding any general or special law to

the contrary, these state agencies shall consult and cooperate with the department and furnish any information in the possession of the agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that for the purposes of conducting this income verification, the director of the department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system for the purpose of verifying the income and eligibility of participants in federally assisted housing programs and that of members of the participants' households; and provided further, that for the purposes of clarification only, notwithstanding section 12 of chapter 490 of the acts of 1980, the department may authorize neighborhood housing services corporations to retain, re-assign, and reloan funds received in repayment of loans made under the neighborhood housing services rehabilitation program..... $6,895,062

7004-0100 For the operations of the homeless shelter and services unit, including the compensation of caseworkers and support personnel..... $4,754,159

7004-0101 For certain expenses of the emergency assistance program as follows: (i) contracted family shelters; (ii) transitional housing programs; (iii) programs to reduce homelessness in Barnstable, Dukes, Hampden and Nantucket counties; (iv) residential education centers for single mothers with children; (v) intake centers; and (vi) voucher shelters; provided, that eligibility shall be limited to families with income at or below 115 per cent of the federal poverty level; provided further, that families with income greater than 115 per cent but not exceeding 130 per cent of the federal poverty level that received services on or before June 30, 2009 from this item shall remain eligible for services in fiscal year 2010; provided further, however, that any family whose income exceeds 115 per cent of the federal poverty level while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 115 per cent level was exceeded; provided further, that the department shall establish reasonable requirements for such families to escrow a portion of their income; provided further, that any such escrowed funds shall be exempt from otherwise applicable asset

limits; provided further, that the family may withdraw the amount placed in escrow upon transition to permanent housing or losing eligibility for shelter services; provided further, that benefits under this item shall be provided only to residents who are citizens of the United States or aliens lawfully admitted for permanent residence or otherwise permanently residing under color of law in the United States; provided further, that the department shall take all steps necessary to enforce regulations to prevent abuse in the emergency assistance program; provided further, that no emergency assistance expenditures shall be paid from this item unless explicitly authorized; provided further, that eligible households shall be placed in shelters as close as possible to their home community unless a household requests otherwise; provided further, that if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date unless the household requests otherwise; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of

any non-shelter benefit; provided further, that the department shall make every effort to ensure that children receiving services from this item shall continue attending school in the community in which they lived prior to receiving services funded from this item; provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that shelter benefits received under the preceding proviso shall not render a family ineligible under any regulation providing that a family who previously received shelter is ineligible for shelter benefits for a period of 12 months; provided further, that families receiving such shelter benefits who are found not to be eligible for continuing shelter benefits shall be eligible for aid pending a timely appeal pursuant to chapter 23B of the General Laws; provided further, that the department shall not impose unreasonable requirements for third-party

verification and shall accept verifications from the family whenever reasonable; provided further, that in promulgating, amending or rescinding regulations with respect to eligibility or benefits under this program, the department shall take into account the amounts available to it for expenditure in this item so as not to exceed the amount appropriated in this item; provided further, that notwithstanding any general or special law to the contrary, 60 days before promulgating any such eligibility or benefit changes, the undersecretary shall file with the house and senate committees on ways and means and with the clerks of the house of representatives and the senate a determination by the secretary of the executive office of housing and economic development that available appropriations for the program will be insufficient to meet projected expenses and a report setting forth such proposed changes; provided further, that all of this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated by this item; provided further, that the department shall report quarterly to the house and senate

committees on ways and means on the emergency assistance family shelter program; and provided further, that the report shall contain the same data required in item 4403-2120 of section 2 of chapter 139 of the acts of 2006..... $91,605,510

7004-0102 For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide shelter, transitional housing, and services that help individuals avoid entry into shelter or successfully exit shelter; provided, that no organization providing services to the homeless shall receive less than an average per bed/per night rate of $12.92; provided further, that the department may allocate funds to other agencies for the purposes of this program; provided further, that no funds shall be expended for costs associated with the homeless management information system; and provided further, that funds may be expended for a 16-bed year-round nonprofit men's shelter program for the chronically mentally ill homeless that provides individualized case management, including job search assistance..... $36,281,684

7004-0104 For the home and healthy for good program operated by the Massachusetts housing and shelter alliance for the purpose of reducing the incidence of

7332 chronic homelessness in the commonwealth; provided,
7333 that the Massachusetts housing and shelter alliance
7334 shall be solely responsible for the administration
7335 of this program; provided further, that the
7336 Massachusetts housing and shelter alliance shall
7337 file a report with the clerks of the house and
7338 senate, the undersecretary of the department of
7339 housing and committee development, and the chairs
7340 of the house and senate committees on ways and
7341 means no later than March 1, 2010, detailing the
7342 implementation of this program; and provided
7343 further, that the report shall include information
7344 on the number of people served, the average cost
7345 per participant, the demographics of those served,
7346 whether participants have previously received
7347 government services and any projected cost-savings
7348 in other state-funded programs..... $1,200,000
7349 7004-3036 For housing services and counseling; provided, that
7350 funds shall be expended as grants to 9 regional
7351 housing consumer education centers operated by the
7352 regional nonprofit housing authorities; provided
7353 further, that the grants shall be through a
7354 competitive application process under criteria
7355 created by the department; provided further, that
7356 the department shall submit annual reports to the
7357 secretary of administration and finance, the house

7358 and senate committees on ways and means and the
7359 joint committee on housing detailing all
7360 expenditures of the program, including each
7361 regional housing consumer education center, the
7362 total number of persons who received information
7363 and referral services, the costs for such services
7364 rendered per consumer and the identification of
7365 consumer issues and trends; provided further, that
7366 said department shall report to the house and
7367 senate committees on ways and means no later than
7368 March 1, 2010 on possible savings and efficiencies
7369 that may be realized through the consolidation of
7370 said services; and provided further, that no funds
7371 shall be expended from this item in the AA object
7372 class for the compensation of state employees.... $1,624,317
7373 7004-3045 For a tenancy preservation program for neutral
7374 party consultation services in eviction cases
7375 before the housing court department of the
7376 Massachusetts trial court for individuals with
7377 disabilities and for families with members with
7378 disabilities if the disability is directly related
7379 to the reason for eviction..... $250,000
7380 7004-4314 For the expenses of a service coordinators program
7381 established by the department to assist tenants
7382 residing in housing developed pursuant to sections
7383 39 and 40 of chapter 121B of the General Laws to

meet tenancy requirements in order to maintain and enhance the quality of life in that housing..... $350,401

7004-9005 For subsidies to housing authorities and nonprofit organizations including funds for deficiencies caused by certain reduced rentals in housing for the elderly, handicapped, veterans and relocated persons under sections 32 and 40 of chapter 121B of the General Laws; provided, that notwithstanding any general or special law to the contrary, all housing authorities operating elderly public housing shall offer first preference for elderly public housing units which are vacant on the effective date of this act, and thereafter, to those persons 60 years of age or older as of June 30, 2009, receiving rental assistance from the Massachusetts rental voucher program; provided further, that the department may expend funds appropriated in this item for deficiencies caused by certain reduced rentals which may be anticipated in the operation of housing authorities for the first quarter of the subsequent fiscal year; provided further, that no monies shall be expended from this item for the purpose of reimbursing the debt service reserve included in the budgets of housing authorities; provided further, that no funds shall be expended from this item in the AA

object class for the compensation of state employees; provided further, that the amount appropriated in this item shall be considered to meet any and all obligations under said sections 32 and 40 of said chapter 121B; provided further, that any new reduced rental units developed in fiscal year 2010 eligible for subsidies under this item shall not cause any annualization that results in an amount exceeding the amount appropriated in this item; and provided further, that all funds in excess of normal utilities, operations and maintenance costs may be expended for capital repairs..... $65,300,000

7004-9024 For a program of rental assistance for low-income families and elderly persons through mobile and project-based vouchers; provided, that rental assistance shall only be paid under a program to be known as the Massachusetts rental voucher program; provided further, that the income of the households shall not exceed 200 per cent of the federal poverty level; provided further, that the department may award mobile vouchers to eligible households currently occupying project-based units that shall expire due to the nonrenewal of project-based rental assistance contracts; provided further, that the department, as a condition of

continued eligibility for vouchers and voucher payments, may require disclosure of social security numbers by participants and members of participants' households in the Massachusetts rental voucher program for use in verification of income with other agencies, departments and executive offices; provided further, that any household in which a participant or member of a participant's household shall fail to provide a social security number for use in verifying the household's income and eligibility shall no longer be eligible for a voucher or to receive benefits from the voucher program; provided further, that the vouchers shall be in varying dollar amounts and shall be set by the department based on considerations, including, but not limited to, family size, composition, income level and geographic location; provided further, that notwithstanding any general or special law to the contrary, the monthly dollar amount of each voucher shall be the department-approved total monthly rent of the unit less the monthly amount paid for rent by the household; provided further, that notwithstanding any general or special law to the contrary, the use of rent surveys shall not be required in determining the amounts of the mobile

vouchers or the project-based units; provided further, that any household which is proven to have caused intentional damage to its rental unit in an amount exceeding 2 month's rent during any 1-year lease period shall be terminated from the program; provided further, that notwithstanding any general or special law to the contrary, a mobile voucher whose use is or has been discontinued shall be re-assigned within 90 days; provided further, that the department shall pay agencies $32.50 per voucher per month for the costs of administering the program; provided further, that subsidies shall not be reduced for the cost of accommodating the cost of the inspections; provided further, that notwithstanding any general or special law to the contrary, each household holding a project-based voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent and each household holding a mobile voucher shall pay at least 30 per cent but not more than 40 per cent of its income as rent; provided further, that the department shall establish the amounts of the mobile vouchers and the project-based vouchers so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the

department shall not enter into commitments which shall cause it to exceed the appropriation set forth in this item; provided further, that the households holding mobile vouchers shall have priority for occupancy of the project-based dwelling units in the event of a vacancy; provided further, that the department may impose certain obligations for each participant in the Massachusetts rental voucher program through a 12-month contract which shall be executed by the participant and the department; provided further, that such obligations may include, but shall not be limited to, job training, counseling, household budgeting and education, as defined in regulations promulgated by the department and to the extent these programs are available; provided further, that each participant shall be required to undertake and meet these contractually established obligations as a condition for continued eligibility in the program; provided further, that for continued eligibility, each participant shall execute this 12-month contract on or before September 1, 2009, if the participant’s annual eligibility recertification date occurs between June 30, 2009, and September 1, 2009, and otherwise on or before the annual eligibility recertification

date; provided further, that any participant who is over the age of 60 years or who is disabled may be exempted from any obligations unsuitable under particular circumstances; provided further, that no funds shall be expended from this item in the AA object class for the compensation of state employees; provided further, that the department may assist housing authorities, at their written request, in the immediate implementation of a homeless prevention program utilizing alternative housing resources available to them for low-income families and the elderly by designating participants in the Massachusetts rental voucher program as at risk of displacement by public action through no fault of their own; provided further, that participating local housing authorities may take all steps necessary to enable them to transfer mobile voucher program participants from the Massachusetts rental voucher program into another housing subsidy program; and provided further, that the department of housing and community development shall strive to avoid a reduction in the value of the Massachusetts rental voucher from its value as of June 30, 2009..... $29,997,061

7004-9030 For the transitional rental assistance program established under section 16 of chapter 179 of the

acts of 1995; provided, that notwithstanding any general or special law to the contrary, the transitional rental assistance shall be in the form of mobile vouchers; provided further, that the vouchers shall be in varying dollar amounts set by the department based on considerations including, but not limited to, household size, composition, household income and geographic location; provided further, that any household which is proven to have caused intentional damages to its rental unit in an amount exceeding 2 months' rent during any 1 year shall be terminated from the program; provided further, that the department shall pay agencies that administer this program an allowance not to exceed $25 per voucher per month for the costs of administration; provided further, that notwithstanding any general or special law to the contrary, there shall be no maximum percentage applicable to the amount of income paid for rent by each household holding a mobile voucher, but each household shall be required to pay not less than 25 per cent of its net income, as defined in regulations promulgated by the department, for units if payment of utilities is not provided by the unit owner, or, not less than 30 per cent of its income for units if payment of utilities is

provided by the unit owner; provided further, that payments for the transitional rental assistance may be provided in advance; provided further, that the department shall establish the amounts of the mobile vouchers, so that the appropriation in this item is not exceeded by payments for rental assistance and administration; provided further, that the department shall not enter into commitments which will cause it to exceed the appropriation set forth in this item; provided further, that the amount of a rental assistance voucher payment for an eligible household shall not exceed the rent less the household's minimum rent obligation; provided further, that the word "rent," as used in this item, shall mean payments to the landlord or owner of a dwelling unit under a lease or other agreement for a tenant's occupancy of the dwelling unit, but shall not include payments made by the tenant separately for the cost of heat, cooking fuel, and electricity; provided further, that the department shall submit an annual report to the budget director, the secretary of administration and finance, and the house and senate committees on ways and means detailing expenditures, the number of outstanding rental vouchers, and the number and types of units leased;

provided further, that consistent with chapter 179 of the acts of 1995, the amount appropriated in this item shall not annualize to more than $4,000,000 in fiscal year 2011; and provided further, that the program shall provide funding for not more than 800 mobile vouchers..... $3,450,000

7004-9033 For rental subsidies to eligible clients of the department of mental health; provided, that the department shall establish the amounts of such subsidies so that payment thereof and of any other commitments from this item shall not exceed the amount appropriated herein..... $4,000,000

7004-9315 For the low-income housing tax credit program; provided, that the department may expend not more than $2,329,213 from revenue collected from fees collected under Executive Order No. 291, pertaining to low-income housing tax credits, for the costs of administering and monitoring the programs, including the costs of personnel, subject to the approval of the director of the department; and provided further, that notwithstanding any general or special law to the contrary and for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not

to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $2,329,213

7004-9316 For a program to provide assistance for homeless families moving into subsidized or private housing and families at risk of becoming homeless due to a significant reduction of income or increase in expenses; provided, that the amount of financial assistance shall not exceed $2,000 per family; provided further, that funds may be used for security deposits, first and last month's rent, electric, gas, sewer and water utility payments for utility arrearages incurred on or after December 1, 2007; provided further, that assistance shall be administered by the department through contracts with the regional non-profit housing agencies; provided further, that no assistance shall be provided to any family with an income in excess of 50 per cent of the area median income; provided further, that prior to authorizing a residential assistance payment for a family, the non-profit housing agency shall make a finding that the family experienced a significant reduction of income or increase in expenses and has secured new income or a change in circumstances and that the payment will enable the family to retain its current housing,

obtain new housing, or otherwise avoid homelessness; provided further, that in making these findings the agency shall, unless the facts of the case warrant otherwise, apply a presumption that the payment will enable a family to retain its housing, obtain new housing, or otherwise avoid homelessness if the family is paying less than or equal to 50 per cent of its income for that housing; provided further, that a family who is paying more than 50 per cent of its income for its housing shall be provided a fair opportunity to establish that a residential assistance payment will enable it to retain its housing, obtain new housing, or otherwise avoid homelessness; provided further, that residential assistance payments may be made through direct vendor payments according to standards to be established by the department; provided further, that the agencies shall establish a system for referring families approved for residential assistance payments who the agencies determine would benefit from these services to existing community-based programs that provide additional housing stabilization supports, including assistance in obtaining housing subsidies and locating alternative housing that is safe and affordable for those families; provided further,

that the program shall be administered under guidelines established by the department; and provided further, that the department shall provide a status report to the secretary of administration and finance and the house and senate committees on ways and means no later than March 1, 2010, that includes, but is not limited to, all program expenditures, the number of recipients of the funds, the housing status of the recipients before and after receiving assistance, the purposes for which each family used the assistance, the administrative costs and other related costs of the program, including whether such recipient resided or continues to reside in state or federal public housing, and any other information necessary to determine the effectiveness of the program..... $5,000,000

## EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

### Office of the Secretary.

7002-0100 For the operation of the executive office of labor and workforce development, including the divisions under the control of the department; provided, that not later than January 4, 2010, the director of workforce development shall submit to the house and senate committees on ways and means a comprehensive report describing in detail the job training services, including labor exchange, skills training

7698 and remedial education services related thereto
7699 which have been provided during the course of the
7700 fiscal year, systems for delivery of such services,
7701 the costs of such services and the sources of
7702 revenue for such services..... $1,050,292
7703 7002-0170 For the provision of information technology
7704 services within the executive office of labor and
7705 workforce development..... $213,779
7706 **Department of Labor.**
7707
7708 7002-0200 For the operation of the division of occupational
7709 safety; provided, that the division may employ
7710 staff not subject to chapter 31 of the General Laws
7711 for a program to evaluate asbestos levels in public
7712 schools and other public buildings..... $1,770,497
7713 7002-0201 For the division of occupational safety; provided,
7714 that the division may expend an amount not to
7715 exceed $252,850 received from fees authorized under
7716 section 3A of chapter 23 of the General Laws and
7717 civil fines issued under sections 197B of chapter
7718 111 of the General Laws, section 46R of chapter 140
7719 of the General Laws and section 6F1/2 of chapter
7720 149 of the General Laws; and provided further, that
7721 the division may retain an additional $200,000 in
7722 revenue collected in excess of $1,600,000..... $252,850
7723 7002-0500 For the operation and administrative expenses of
7724 the division of industrial accidents; provided,

that said division shall submit a report not later than February 1, 2010 to the house and senate committees on ways and means detailing the scope, objective and results of grant recipients' safety training program; provided further, that the General Fund shall be reimbursed the amount appropriated in this item and for associated indirect and direct fringe benefit costs from assessments levied pursuant to section 65 of chapter 152 of the General Laws; and provided further, that the treasurer may release to the division, subject to adequate and appropriate documentation of the need, to the workers' compensation advisory council and the affirmative vote of at least 7 members of the workers' compensation advisory council, sufficient funds from the special reserve account established in clause (c) of subsection (4) of said section 65 of said chapter 152 to pay for expenses to continue expansion of the conversion of the agency's computer system from unify to oracle..... $20,758,502

7002-0900 For the operation of the division of labor relations..... $1,838,835

**Department of Workforce Development.**

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7002-0012 For a youth-at-risk program targeted at reducing juvenile delinquency in high risk areas; provided,

that these funds may be expended for the development and implementation of a year-round employment program for at-risk youth as well as existing year-round employment programs; provided further, that $500,000 of these funds shall be matched by private organizations; and provided further, that funds shall be available for expenditure through September 1, 2010..... $4,000,000

7002-0101 For the operation of the apprentice training program; provided, that no position in the apprentice training division shall be subject to chapter 31 of the General Laws; provided further, that notwithstanding any general or special law to the contrary, the deputy director shall require each apprentice entering into a written agreement to submit an application to the division for an apprentice identification card; provided further, that an apprentice identification card shall contain the photograph of the apprentice, the apprentice registration number or another number that the deputy director requires, the name and business address of the appropriate apprenticeship committee or single employee sponsor, the steps of progression and related dates applicable to the apprentice and the projected date on which the apprentice is to complete the apprenticeship;

provided further, that as a condition of his apprenticeship, the apprentice shall keep the apprentice identification card on his person during his hours of employment during the apprenticeship; provided further, that an apprentice performing work on a project subject to this item shall maintain in his possession an apprentice identification card; provided further, that any apprentice who is determined by the deputy director to be not enrolled in related classroom instruction classes shall be paid at the journey level rate for the duration of the public works project; and provided further, that for every week in which an apprentice is employed by a contractor, subcontractor or public body subject to this item, a photocopy of the apprentice's apprentice identification card shall be attached to the records submitted under this item..... $377,696

7003-0605 For the operation and maintenance of the Massachusetts Manufacturing Extension Partnership for the purpose of maintaining and promoting manufacturing as an integral part of the Massachusetts economy and for programs designed to assist small and mid-sized manufacturing companies. $900,000

7003-0701 For grants and technical assistance administered by the department of workforce development, under

section 2RR of chapter 29 of the General Laws and for the cost of collecting the assessment established in section 14L of chapter 151A of the General Laws; provided, that the department of workforce development shall provide a report on the grants and technical assistance programs authorized in this item detailing the firms receiving grants, by number of employees, revenues, and industry, to the house and senate committees on ways and means not later than January 15, 2010; provided further, that the report shall include specific measures of how grant recipients were able to increase job growth, retention rates, and productivity as a result of the grants; provided further, that the report shall include measures of whether training participants received promotions and increased incomes as a result of training; provided further, that the director shall demonstrate that each dollar expended generates not less than $5 in private investment in job training; and provided further, that grants may be administered by the department of workforce development to recruit and provide career support and workforce development retention of graduate students training for careers in public sector behavioral health service delivery$10,000,000

Workforce Training Fund.....100%

7003-0702 For State Service Corps grants to be administered by the Massachusetts Service Alliance..... $750,000

7003-0803 For the one-stop career centers; provided, that one-stop career centers that were in existence on May 1, 1997, located in Boston, Hampden county and metro north service delivery areas shall maintain the same level of service provided in the previous fiscal year and any satellite offices of said centers which opened on or before December 1, 1997$5,435,698

**Office of Consumer Affairs and Business Regulation.**

7006-0000 For the office of the director of consumer affairs and business regulation, including expenses of an administrative services unit..... $982,341

7006-0043 The office of consumer affairs may expend for the administration and enforcement of the home improvement contractor program an amount not to exceed $500,000 from the revenue collected from fees for the registration and renewal of home improvement contractor registrations under section 11 of chapter 142A of the General Laws; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of

this authorization or the most recent revenue estimate, as reported in the state accounting system..... $500,000

**Division of Banks.**

7006-0010 For the operation of the division of banks; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon financial institutions which the division currently regulates pursuant to powers granted to the division by the general or special laws or by regulations; and provided further, that this assessment shall be in addition to any assessments that the division currently assesses upon financial institutions and shall be made at a rate sufficient to produce $12,931,502 in additional revenue that shall pay for this item..... $12,931,502

7006-0011 For the costs incurred by the division of banks associated with licensure of loan originators pursuant to chapter 255F of the General Laws; provided, that the division may expend revenues in an amount not to exceed $5,000,000 from the revenue received from administrative fees associated with said licensure fees and from civil administrative penalties pursuant to said chapter 255F; provided further, that the division may expend from such

revenue an amount to be determined by the commissioner of banks as grants for the operation of a pilot program for best lending practices, first-time homeowner counseling for non-traditional loans and 10 or more foreclosure education centers pursuant to section 16 of chapter 206 of the acts of 2007 and that the grants shall be awarded through a competitive application process under criteria created by the division and that no funds shall be expended from this item in the AA object class for the compensation of state employees for such program; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the commissioner may incur expenses and the comptroller may certify for payment the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $5,000,000

**Division of Insurance.**

7006-0020 For the operation of the division of insurance, including the expenses of the board of appeal on motor vehicle liability policies and bonds and certain other costs of supervising motor vehicle liability insurance and the expenses of the

fraudulent claims board; provided, that the positions of counsel I and counsel II shall not be subject to chapter 31 of the General Laws; provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section 1 of chapter 5 of the General Laws; provided further, that the division shall designate an employee to handle all incoming calls relative to chapter 218 of the acts of 1995 or regulations promulgated under section 51 of chapter 111 of the General Laws; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon the institutions which the division currently regulates except for licensed business entity producers under powers granted to the division by general or special law or regulation; and provided further, that such assessment shall be in addition to any assessments that the division currently assesses upon such institutions and shall be made at a rate sufficient to produce $11,620,632 in additional revenue that will pay for this item..... $11,620,632

7006-0029 For the operation of the health care access bureau of the division of insurance; provided, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item shall be assessed upon the institutions which the division currently regulates except for licensed business entity producers under powers granted to the division by general or special law or regulation; and provided further, that such assessment shall be in addition to any assessments that the division currently assesses upon such institutions and shall be made at a rate sufficient to produce $1,100,000 in additional revenue that will pay for this item..... $1,100,000

**Division of Professional Licensure.**

7006-0040 For the operation and administration of the division of professional licensure; provided, that of the funds appropriated in this item, sufficient monies shall be expended for the reduction of case backlog at the boards of registration; provided further, that the division shall at all times employ not less than 2 hearing officers to facilitate the processing of cases pending before the various boards; provided further, that the position of investigator of radio and television technicians shall not be subject to chapter 31 of

the General Laws; and provided further, that the division shall maintain and staff an office in the city of Springfield..... $2,982,991

**Division of Standards.**

7006-0060 For the operation of the division of standards..... $572,096

7006-0066 For the support of the division of standards' municipal inspection efforts; provided, that up to 15 per cent of the amount appropriated herein may be expended for administrative costs of the division..... $283,617

7006-0067 For the division of standards; provided, that the division may expend for enforcement of weights and measures laws an amount not to exceed $58,751 from revenues received from item pricing violations collected through municipal inspection efforts, and from weights and measures fees and fines collected from cities and towns..... $58,751

7006-0068 For the division of standards; provided, that the division may expend an amount not to exceed $360,000 from revenue received from license fees assessed to owners of motor vehicle repair shops... $360,000

**Department of Telecommunications and Cable.**

7006-0071 For the operation of the department of telecommunications and cable; provided, that

notwithstanding the second sentence of section 7 of chapter 25C of the General Laws, the assessments levied for fiscal year 2010 pursuant to said section 7 of said chapter 25C shall be made at a rate sufficient to produce $2,685,874..... $2,685,874

**State Racing Commission.**

7006-0110 For the operation of the state racing commission. $1,604,173

7006-0140 For distribution to each city and town within which racing meetings are conducted under section 18D of chapter 58 of the General Laws..... $1,179,000

**Department of Business Development.**

7007-0100 For the office of the director of business development..... $392,944

7007-0150 For a competitive grant program to promote the 8 regional economic development corporations, councils and partnerships across the commonwealth.. $800,000

7007-0300 For the operation of the Massachusetts office of business development, which shall include the operation and support of capital grants programs, including the Massachusetts Opportunity Relocation and Expansion Jobs Capital Program, established in chapter 123 of the acts of 2006, and for marketing and promoting the commonwealth in order to attract and retain targeted businesses and industries.... $2,259,352

7007-0500 For the operation and maintenance of the Massachusetts Biotechnology Research Institute for

the purpose of promoting the commercialization of new, academic-based research and development, and raising the scientific awareness of the communities of the commonwealth..... $420,000

7007-0800 For a grant for the state match for a small business development center; provided, that no funds shall be expended from this item until such time as the United States Small Business Administration has made a payment or has executed a contract to pay the University of Massachusetts at Amherst for the operation of the center; provided further, that the funds expended from this item shall not exceed 25 per cent of the gross operating cost of said center; provided further, that not more than 25 per cent of the amount appropriated herein shall be expended for the purpose of operating federal procurement technical assistance services within said center; provided further, that the services shall include, but not be limited to, assisting businesses in securing federal contracts, obtaining contract financing, generating responses to requests-for-proposals, interpreting bid documents, providing educational workshops and seminars and for the electronic identification and tracking of federal bid opportunities; provided further, that funds expended for the purpose of

operating federal procurement technical assistance services within said center shall be subject to the receipt of matching funds from federal or private sources, including the United States Department of Defense; and provided further, that quarterly expenditure reports shall be filed with the house and senate committees on ways and means..... $1,204,286

7007-0900 For the operation and administration of the office of travel and tourism; provided, that performance-based standards shall be incorporated in all contracts executed by said office for the procurement of tourism marketing and advertising services; provided further, that the organizations shall be required, as a condition of receiving a grant, to submit a total operating budget which identifies each source and use of operating and capital funds; and provided further, that not less than $1,000,000 shall be expended through a grant application process established by the office of travel and tourism to offset deficits that may occur during fiscal year 2010 for the highway information centers operating year-round on state highways and federally-assisted highways, and the visitor information centers on Boston Common and the Prudential Center, both in the city of Boston, and the Adams Visitor Center in the town of Adams $7,483,636

Massachusetts Tourism Fund.....100%

7007-0901 For the operation and administration of the Massachusetts Sports and Entertainment Commission; provided, that the Massachusetts Sports and Entertainment Commission shall be the official and lead agency to facilitate and attract major sports events and championships in the commonwealth; and provided further, that the Massachusetts Sports and Entertainment Commission shall establish a division within the commission which shall be the official and lead agency to facilitate motion picture production and development within the commonwealth$1,250,000

Massachusetts Tourism Fund.....100%

7007-0951 For the operation of the Commonwealth Zoological Corporation pursuant to chapter 92B of the General Laws; provided, that funds appropriated in this item shall be expended for the purposes of promoting private fundraising, achieving self-sufficiency and serving as a catalyst for urban economic development and job opportunities for local residents; provided further, that the corporation shall take all steps necessary to increase the amount of private funding available for the operation of the zoos; provided further, that funding in this item may not be transferred through interdepartmental service agreements; and

provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2010, on the status of, and amounts collected from, the private fundraising and enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations Plan, dated December, 1996..... $6,500,000

7007-1000 For assistance to regional tourist councils under section 14 of chapter 23A of the General Laws; provided, that notwithstanding any general or special law or rule or regulation to the contrary, each of the councils may expend an amount not to exceed 20 per cent of the funds appropriated in this item for the cost of administrative services $6,000,000

Massachusetts Tourism Fund.....100%

7007-1300 For the operation of the Massachusetts international trade council; provided, that subject to final execution of the terms and conditions of a contract, the council shall act on behalf of the department of business development to perform the functions of the Massachusetts office of international trade and investment under sections 23A through 28, inclusive, of chapter 23A of the General Laws..... $250,000

Massachusetts Tourism Fund.....100%

7007-1500 For the operation and administration of the office of minority and women business assistance; provided, that the office shall administer an electronic business certification application which shall be accessible to business applicants through use of the internet; provided further, that the office shall ensure the integrity and security of personal and financial information transmitted by electronic application; provided further, that the office shall, using all existing available resources, provide certification services within each of the 1-stop regional assistance centers of the Massachusetts office of business development; and provided further, that the office shall develop and implement measures and procedures to continue to improve the efficiency and the timeliness of the certification process..... $754,815

## EXECUTIVE OFFICE OF EDUCATION.

### Office of the Secretary of Education.

7009-1700 For the operation of information technology services within the executive office of education; provided, that the secretary shall file a report with the house and senate committees on ways and means not later than December 15, 2009 that shall include, but not be limited to, the following: (a) financial statements detailing savings realized

8152 from said consolidation; (b) the number of
8153 personnel assigned to the information technology
8154 services within the executive office; and (c)
8155 efficiencies that have been achieved from the
8156 sharing of resources..... $7,778,159
8157 7009-6379 For the operation of the office of the secretary of
8158 education; provided, that agencies within the
8159 executive office may, with the prior approval of
8160 the secretary, streamline and improve
8161 administrative operations under interdepartmental
8162 service agreements..... $762,872
8163 **Department of Elementary and Secondary Education.**
8164
8165 7010-0005 For the operation of the department of elementary
8166 and secondary education; provided, that not later
8167 than November 17, 2009, the department shall submit
8168 a progress report to the secretary of
8169 administration and finance, the chairs of the house
8170 and senate committees on ways and means and the
8171 house and senate chairs of the joint committee on
8172 education on efforts by the department to further
8173 define and advance the strategic vision of the
8174 department, along with a detailed implementation
8175 plan for realizing that vision; and provided
8176 further, that the department, in collaboration with
8177 the commission on gay and lesbian youth established
8178 by section 67 of chapter 3 of the General Laws, may

allocate funds for programming to ensure public schools' compliance with the board of elementary and secondary education's recommendations, which take into account the commission's recommendations, for the support and safety of gay and lesbian students and the implementation of related suicide and violence prevention efforts and reduction of health disparities for GLBT youth..... $13,750,821

7010-0012 For grants to cities, towns and regional school districts for payments of certain costs and related expenses for the program to eliminate racial imbalance established under section 12A of chapter 76 of the General Laws; provided, that funds shall be made available for payment for services rendered by METCO, Inc. and Springfield public schools... $18,491,758

7010-0033 For literacy and early literacy programs including, but not limited to, the Bay State Reading Institute program, the John Silber early literacy program, and the Reading Recovery program; provided, that said programs shall provide ongoing evaluation of the outcomes thereof and shall document said outcomes annually to the department and to the house and senate committees on ways and means; provided further, that the Bay State Reading Institute may be administered under contract to Middlesex Community College in programmatic

collaboration with Framingham State College and Fitchburg State College; and provided further, that funds appropriated in this item for said Institute may be expended through June 30, 2011..... $4,175,489

7010-1022 For the development and implementation of certificates of occupational proficiency..... $209,356

7027-0019 For school-to-career connecting activities; provided, that notwithstanding any general or special law to the contrary, the board of elementary and secondary education, in cooperation with the department of workforce development and the state workforce investment board, may establish and support a public-private partnership to link high school students with economic and learning opportunities on the job as part of the school-to-work transition program; provided further, that such program may include the award of matching grants to workforce investment boards or other local public-private partnerships involving local community job commitments and work site learning opportunities for students; provided further, that the grants shall require at least a 200 per cent match in wages for the students from private sector participants; provided further, that the program shall include, but not be limited to, a provision that business leaders commit resources to pay

salaries, to provide mentoring and instruction on the job and to work closely with teachers; provided further, that public funds shall assume the costs of connecting schools and businesses to ensure that students serve productively on the job; and provided further, that no funds shall be expended for personnel costs..... $2,000,000

7027-1004 For English language acquisition professional development to improve the academic performance of English language learners and effectively implement sheltered English immersion as outlined in chapter 386 of the acts of 2002; provided, that the department shall only approve professional development courses and offerings with proven, replicable results in improving teacher performance, and which shall have demonstrated the use of best practices, as determined by the department, including data comparing pre-training and post-training knowledge; provided further, that the department shall, not later than February 15, 2010, provide a report on the number of educators who have received such training since passage of said chapter 386, the estimated number who need such additional training, and a review and analysis of the most effective types of professional development and the most common gaps in the

knowledge base of educators implementing English immersion and teaching English language acquisition, along with legislative or regulatory recommendations of the department; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; and provided further, that no funds shall be expended for personnel costs..... $397,937

7028-0031 For the expenses of school age children in institutional schools under section 12 of chapter 71B of the General Laws; provided, that the department may provide special education services to eligible inmates in county houses of correction; provided further, that the department of youth services shall continue to collaborate with the department of elementary and secondary education in order to align curriculum at the department of youth services with the statewide curriculum frameworks and to ease the reintegration of youth from facilities at the department of youth services into regular public school settings; and provided further, that the department of elementary and secondary education, in conjunction with the

8283 commissioner of youth services, shall submit a
8284 report on progress made to the house and senate
8285 committees on ways and means not later than
8286 December 1, 2009..... $7,685,712
8287 7030-1002 For kindergarten development grants to provide
8288 ongoing grant awards to continue quality
8289 enhancement of existing full-day kindergarten
8290 classrooms; provided, that the department shall
8291 administer a grant program to encourage the
8292 voluntary expansion of high quality, full-day
8293 kindergarten education throughout the commonwealth;
8294 provided further, that grants funded through this
8295 appropriation shall not annualize to more than
8296 $18,000 per classroom in subsequent fiscal years;
8297 provided further, that preference shall be given to
8298 grant applicants with high percentages of students
8299 scoring in levels 1 or 2 on the Massachusetts
8300 comprehensive assessment system exam, as determined
8301 by the department based on available data; provided
8302 further, that any grant funds distributed from this
8303 item shall be deposited with the treasurer of such
8304 city, town or regional school district and held in
8305 a separate account and shall be expended by the
8306 school committee of such city, town or regional
8307 school district without further appropriation,
8308 notwithstanding any general or special law to the

contrary; provided further, that such program shall supplement and shall not supplant currently funded local, state and federal programs at the school or district; provided further, that not later than January 15, 2010, the department shall report to the house and senate committees on ways and means on the total number of grants requested and awarded; provided further, that the report shall detail common factors associated with both successful and unsuccessful applications and shall include the total number of full-day and half-day kindergarten classrooms projected to be in operation in public schools in fiscal year 2011; provided further, that all kindergarten programs previously funded through community partnership councils at the department of early education and care shall receive grants from this item in amounts equal to the amounts they received in fiscal year 2009, reduced in proportion to the overall reduction of this item from fiscal year 2009 to fiscal year 2010; and provided further, that no funds shall be expended for personnel costs .... $26,748,947

7035-0002 For the provision and improvement of adult basic education services, including reading, writing and mathematics; provided, that grants shall be distributed to a diverse network of organizations

which have demonstrated commitment and effectiveness in the provision of such services, and that are selected competitively by the department of elementary and secondary education; provided further, that such grants shall support the successful transition of students from other adult basic education programs to community college certificate and degree-granting programs; provided further, that such grants shall be contingent upon satisfactory levels of performance as defined and determined by the department; provided further, that in no case shall grants be considered an entitlement to a grant recipient; provided further, that the department shall consult with the community colleges and other service providers in establishing and implementing content, performance and professional standards for adult basic education programs and services; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education..... $28,085,096

7035-0006 For reimbursements to regional school districts for the transportation of pupils; provided, that notwithstanding any general or special law to the contrary, the commonwealth's obligation shall not exceed the amount appropriated in this item..... $40,521,840

7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives for certain expenditures for transportation of nonresident pupils to any approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative pursuant to section 8A of chapter 74 of the General Laws; provided, that should the amount appropriated herein be insufficient to fully fund said section 8A, initial reimbursements made by the department of elementary and secondary education may be pro-rated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth's full obligation under said section 8A, the department shall, within 10 days, notify the secretary of administration and finance, the house and senate chairs of the joint committee on education, and the chairs of the house and senate ways and means committees of the amount needed to fully fund said obligation..... $646,855

7051-0015 For operating funds to distribute food for the Massachusetts emergency food assistance program.. $1,239,518

7053-1909 For reimbursements to cities and towns for partial assistance in the furnishing of lunches to school children, including partial assistance in the furnishing of lunches to school children as authorized by chapter 538 of the acts of 1951, and for supplementing funds allocated for the special milk program; provided, that notwithstanding any general or special law to the contrary, payments so authorized in the aggregate for partial assistance in the furnishing of lunches to school children shall not exceed the required state revenue match contained in Public Law 79-396, as amended, cited as the National School Lunch Act and in the regulations implementing the act ..... $5,426,986

7053-1925 For the school breakfast program for public and nonpublic schools and for grants to improve summer food programs during the summer school vacation period; provided, that funds shall be expended for the summer food service outreach program and the school breakfast outreach program; provided further, that within the summer food program, priority shall be given to extending such programs for the full summer vacation period and promoting increased participation in such programs; provided

further, that the department of elementary and secondary education shall solicit proposals from returning sponsors and school food authorities in time for implementation of such grant program during the summer of 2010; provided further, that such grants shall only be awarded to sponsors who can demonstrate their intent to offer full summer programs or increase participation; provided further, that the department shall require sufficient reporting from each grantee to measure the success of such grant program; provided further, that the department shall select grantees for the program authorized by this item not later than March 30, 2010; provided further, that funds shall be expended for the universal school breakfast program in which all children in schools receiving funds under the program shall be provided free, nutritious breakfasts at no cost to them; provided further, that subject to regulations of the board that specify time and learning standards, breakfasts shall be served during regular school hours; provided further, that participation shall be limited to those elementary schools mandated to serve breakfast under section 1C of said chapter 69 where 60 per cent or more of the students are eligible for free or reduced-price meals under the

8439 federally-funded school meals program; provided
8440 further, that the department shall select school
8441 sites for programs authorized by this item not
8442 later than November 16, 2009, and shall report to
8443 the house and senate committees on ways and means
8444 on the preliminary results of these grants not
8445 later than January 8, 2010; provided further, that
8446 nothing in the universal school breakfast program
8447 shall give rise to enforceable legal rights in any
8448 party or enforceable entitlement to services; and
8449 provided further, that the department shall select
8450 grantees for the program authorized by this item
8451 not later than March 30, 2010, prior appropriation
8452 continued..... $4,177,632
8453 7061-0008 For school aid to cities, towns, regional school
8454 districts, counties maintaining agricultural
8455 schools, independent vocational schools and
8456 independent agricultural and technical schools to
8457 be distributed under chapters 70 and 76 of the
8458 General Laws and section 3; provided, that each
8459 school district shall report annually to the
8460 department of elementary and secondary education on
8461 its professional development expenditures, in a
8462 manner and form prescribed by the commissioner and
8463 consistent with the accountability requirements of
8464 the federal No Child Left Behind Act P.L.107-110;

provided further, that the department of elementary and secondary education shall report annually to the house and senate committees on ways and means on school districts' professional development spending; and provided further, that the governor may allocate $167,649,347 made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $3,869,847,585

7061-0011 For a reserve to: (1) meet extraordinary increases in the minimum required local contribution of a municipality pursuant to the requirements of section 3 of this act; provided, that a municipality seeking funds hereunder shall apply for a waiver from the department of revenue pursuant to section 114 of this act; provided further, that the commissioner shall issue a finding concerning such waiver applications within 30 days of the receipt thereof, after consulting with the commissioner of elementary and secondary education regarding the merits of such application; (2) assist regional school districts which, prior to fiscal year 2010, have assessed member towns using the provisions of their regional agreement, and which, in fiscal year 2010, will assess member towns using the required contributions calculated

pursuant to said section 3; (3) assist towns impacted by stresses in the commercial agricultural, fishing or lobster industry whose required local contribution exceeds 75 per cent of their foundation budget; (4) assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on military reservations located within the town's limits; provided, that any grants provided under this item shall be expended by a school committee without further appropriation; (5) assist regional school districts in rural areas which meet each of the following: (a) they have fewer than 30 full-time enrollment students per square mile; and (b) they have experienced more than 7 per cent enrollment decline between fiscal year 2004 and fiscal year 2009; provided further, that preference shall be given to those districts that have joined the group insurance commission before July 1, 2009; (6) meet extraordinary increases of greater than 10 per cent in a municipality’s total required contribution in municipalities whose target required local contribution exceeds 70 per cent of their foundation budget; provided, that not less than $500,000 shall be used for this purpose; (7) assist

towns in which in excess of one-third of the total land mass of the town is owned and controlled by the commonwealth and which receive payment in lieu of taxes on less than 25 per cent of said land; (8) assist operating districts in which the chapter 70 aid, so-called, distributed in fiscal year 2010 is less than the chapter 70 aid distributed in fiscal year 2002; and (9) assist towns which host a campus of the University of Massachusetts, but which have a target aid percentage of only 17.5 per cent; provided further, that any grants provided to school districts from this item shall be expended by a school committee without further appropriation; provided further, that the department shall make not less than 80 per cent of the awards from this item no later than October 15, 2009; and provided further, that no funds distributed from this item shall be considered prior year chapter 70 aid nor shall they be used in the calculation of the minimum required local contribution for fiscal year 2011..... $3,500,000

7061-0012 For the reimbursement of extraordinary special education costs under section 5A of chapter 71B of the General Laws; provided, that reimbursements shall be prorated so that expenses of this item do not exceed the amount appropriated in this item;

provided further, that upon receipt by the department of elementary and secondary education of required special education cost reports from school districts, the department shall reimburse districts based on fiscal year 2009 claims; provided further, that the department may expend funds to continue and expand voluntary residential placement prevention programs between the department of elementary and secondary education and other departments within the executive office of health and human services that develop community-based support services for children and their families; provided further, that the department shall make funds available to the department of developmental services for the voluntary residential placement prevention program administered by that department; provided further, that the department shall expend funds to provide books in accessible synthetic audio format made available through the federal NIMAS-NIMAC book repository for the outreach and training of teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks; provided further, that the department shall expend funds for the costs of borrowing audio textbooks by special education students; provided further, that funds may be expended for the

monitoring and follow-up activities of the department's complaint management system, review and approval of local educational agency applications, and local school districts' compliance with the part B requirements of the federal Special Education Law, known as the Individuals with Disabilities Education Act, in the provision of special education and related services to children with disabilities; provided further, that funds may be expended to administer the reimbursements funded herein; provided further, that funds may be expended to reimburse districts for extraordinary increases in costs incurred during fiscal year 2010 which would be reimbursable under section 5A of chapter 71B; provided further, that reimbursements for current year costs shall be limited to school districts which experience increases of greater than 25 per cent from costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2009 to costs reimbursable under said section 5A of said chapter 71B and incurred during fiscal year 2010 or other cases of extraordinary hardship where special education costs increase in relationship to total district costs as the department may define through regulation or guidelines; provided further, that

reimbursements for current year costs shall be allocated as one-time grants and shall not decrease reimbursements in the following fiscal year; provided further, that the department shall conduct audits of fiscal year 2009 claims; provided further, that if the claims are found to be inaccurate, the department shall recalculate the fiscal year 2010 reimbursement amount and adjust the third and fourth quarter payments to the districts to reflect the new reimbursement amount; and provided further, that the department shall file a report with the house and senate committees on ways and means not later than February 15, 2010, on the results of the audit..... $141,113,160

7061-0029 For the office of school and district accountability, established in section 55A of chapter 15 of the General Laws, as amended by chapter 311 of the acts of 2008..... $1,373,226

7061-9010 For fiscal year 2010 reimbursements to certain cities, towns and regional school districts of charter school tuition and the per pupil capital needs component included in the charter school tuition amount for commonwealth charter schools, as calculated under subsections (nn) and (oo) of section 89 of chapter 71 of the General Laws;

provided, that notwithstanding said subsection (nn) of said section 89 of said chapter 71 or any other general or special law to the contrary, the per pupil capital needs component of the commonwealth charter school tuition rate for fiscal year 2010 shall be $893; and provided further, that if the amount appropriated is insufficient to fully fund all reimbursements required by said section 89 of said chapter 71, the department shall fully reimburse the cost of such per pupil capital needs component and shall prorate the tuition reimbursements calculated under said subsection (oo) of said section 89 of said chapter 71..... $79,751,579

7061-9200 For the education technology program..... $657,526

7061-9400 For student and school assessment including the administration of the Massachusetts comprehensive assessment system (MCAS) exam established by the board of elementary and secondary education pursuant to sections 1D and 1I of chapter 69 of the General Laws and for grants to school districts to develop portfolio assessments for use in individual classrooms as an enhancement to student assessment; provided, that as much as is practicable, especially in the case of students whose performance is difficult to assess using conventional methods, such instruments shall

include consideration of work samples and projects and shall facilitate authentic and direct gauges of student performance; provided further, that such portfolio assessments shall not replace the statewide standardized assessment based on the curriculum frameworks; provided further, that all school assessments shall center on the academic standards embodied in the curriculum frameworks and shall involve gauges which shall be relevant and meaningful to students, parents, teachers, administrators and taxpayers pursuant to the first paragraph of section 1L of said chapter 69; and provided further, that notwithstanding any general or special law to the contrary, assessment of proficiency in English shall be administered in English..... $25,290,411

7061-9404 For grants to cities, towns and regional school districts to provide targeted remediation programs for students in the classes of 2003 to 2014, inclusive, scoring in level 1 or 2 on the Massachusetts comprehensive assessment system (MCAS) exam established by the board of elementary and secondary education pursuant to the provisions of sections 1D and 1I of said chapter 69 of the General Laws; provided, that the department and districts shall ensure that services are available

to students with disabilities; provided further, that in awarding remediation funds, preference may be given to schools and districts at risk of or determined to be under-performing in accordance with said sections 1J and 1K of said chapter 69; provided further, that the purpose of this program shall be to improve students' performance on the MCAS exam through replication of services and educational strategies with proven results as determined by the department of elementary and secondary education; provided further, that such programs shall supplement currently funded local, state, and federal programs at the school or district; provided further, that funds shall be expended for a competitive grant program to fund academic support and college transition services to be implemented in fiscal year 2010, and operated by public institutions of higher learning or by public-private partnerships in the commonwealth, for students in the graduating classes of 2003 to 2010, inclusive, who have completed high school but have not yet obtained a competency determination as defined in section 1D of chapter 69 as measured by the MCAS assessment instrument authorized by said section 1I of said chapter 69, but who are working to pass the English and math MCAS tests, obtain a

competency determination, and earn a high school diploma; provided further, that for the purpose of the programs, appropriated funds may be expended through August 31, 2010, to allow for summer remediation programs; provided further, that funds shall be expended for a competitive grant program to fund Pathways programs targeting eleventh and twelfth graders, instituted by local school districts, public institutions of higher education and qualified public and private educational services organizations and One Stop Career Centers including, but not limited to, school-to-work connecting activities, creating worksite learning experiences for students as an extension of the classroom, outreach programs for students who will need post-twelfth grade remediation to attain the skills necessary to pass MCAS, and counseling programs to educate parents and high school students on post-twelfth grade remediation options; provided further, that funds shall be expended for a competitive grant program, guidelines for which shall be developed by the department of elementary and secondary education, for intensive remediation programs in communities with students in the graduating classes of 2003 to 2014, inclusive, who have not obtained a competency determination or

have scored in levels 1 or 2 on either the English or math MCAS exams; provided further, that the department of elementary and secondary education may give preference for such assistance to those districts with a high percentage of high school students scoring in level 1 on the MCAS exam in English and math; provided further, that eligible applicants shall include individual high schools, and those institutions which shall have partnered with a high school or group of high schools; provided further, that no district shall receive a grant from this appropriation until said district submits to the department of elementary and secondary education a comprehensive district plan pursuant to the provisions of section 1I of chapter 69, to improve performance of all student populations including, but not limited to, students with disabilities; provided further, that any evaluation will examine the likelihood and efficiency of replication of these programs and practices in school districts with a large percentage of English language learners; provided further, that these funds may be expended for professional development related to these programs; provided further, that the department shall issue a report not later than February 2, 2010, and

annually thereafter as a condition of continued funding under this account, in collaboration with the department of higher education, describing MCAS support programs for the graduating classes of 2003 to 2014, inclusive, funded by items 7061-9404 and 7027-0019, school to work accounts, institutions of public higher education, and other sources, including federal sources; provided further, that such report shall include, but not be limited to, the number of students eligible to participate in such programs, the number of students participating in such programs, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs but not met local graduation requirements, and the number of students who have passed the MCAS assessment and obtained a competency determination through these programs and met local graduation requirements; provided further, that said report shall be provided to the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that any grant funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town, or regional school district and

8777 held in a separate account and shall be expended by
8778 the school committee of such city, town, or
8779 regional school district without further
8780 appropriation, notwithstanding any general or
8781 special law to the contrary; provided further, that
8782 funds may be expended to continue mentoring
8783 initiatives that combat the chronic dropout of at-
8784 risk youths that were funded in item 7030-1003 of
8785 section 2 of chapter 182 of the acts of 2008; and
8786 provided further, that no costs shall be expended
8787 for personnel costs..... $9,294,804
8788 7061-9408 For targeted intervention to schools and districts
8789 at risk of or determined to be underperforming
8790 under sections 1J and 1K of chapter 69 of the
8791 General Laws, schools and districts which have
8792 which have been placed in the accountability status
8793 of identified for improvement, corrective action,
8794 or restructuring pursuant to departmental
8795 regulations, or which have been designated
8796 Commonwealth priority schools or Commonwealth pilot
8797 schools pursuant to said regulations; provided,
8798 that no money shall be expended in any school or
8799 district that fails to file a comprehensive
8800 district plan pursuant to the provisions of section
8801 1I of said chapter 69 of the General Laws; provided
8802 further, that the department shall only approve

reform plans with proven, replicable results in improving student performance; provided further, that in carrying out the provisions of this item, the department may contract with school support specialists, turnaround partners, and such other external assistance as is needed in the expert opinion of the commissioner, to successfully turn around failing school and district performance; provided further, that no funds shall be expended on targeted intervention unless the department shall have approved, as part of the comprehensive district improvement plan, a professional development plan which addresses the needs of the district as determined by the department; provided further, that eligible professional development activities for purposes of this item shall include, but not be limited to: professional development among teachers of the same grade levels and teachers of the same subject matter across grade levels, professional development focused on improving the teacher’s content knowledge in the field or subject area in which the teacher is practicing, professional development which provides teachers with research based strategies for increasing student success, professional development teaching the principles of data driven

instruction, and funding which helps provide common planning time for teachers within a school and within the school district; provided further, that preference in the awarding of such funds shall be given to professional development in math and English content skills; provided further, that funds from any targeted intervention grant may be used to partially offset the cost of said professional development and common planning time; provided further, that funds may be expended for the purchase of instructional materials pursuant to section 57 of chapter 15 of the General Laws; provided further, that no funds shall be expended on instructional materials except where the purchase of such materials is part of a comprehensive plan to align the school or district curriculum with the Massachusetts curriculum frameworks; provided further, that preference in distributing funds shall be made for proposals which coordinate reform efforts within all schools of a district in order to prevent conflicts between multiple reforms and interventions among the schools; provided further, that funds may be expended for the Commonwealth pilot school initiative established by the board in November 2006; provided further, that the department shall

issue a report no later than February 2, 2010, and annually thereafter describing and analyzing all intervention and targeted assistance efforts funded by this item; provided further, that such report shall include but not be limited to: the number of school and school districts eligible to receive such assistance, the number of students attending school in said districts, the nature and type of intervention activities funded through this item, by school and school district, the number of teachers in professional development funded in part through this item, the number of districts with curricula or professional development systems aligned with the Massachusetts curriculum frameworks, and the number that are undertaking that effort with grants funded by this item, the number of outside vendors with whom the department has contracted to provide intervention and turnaround services, the amount each vendor has received, and the results obtained in each instance, the number of students who have passed the MCAS assessment and obtained a competency determination through these programs, before, and during the period of intervention and turnaround, and any other data relative to the successes achieved or challenges faced by the effort to turn

around schools, along with any legislative or budgetary recommendations for improving the initiative and increasing the success of all intervention efforts; provided further, that said report shall include an analysis of the number of districts with curriculum plans not aligned to the Massachusetts curriculum frameworks, along with any legislative and regulatory recommendations to address the issue; provided further, that said report shall indicate the number of schools which have accepted the Commonwealth pilot school model, the reforms which they have undertaken, and the number which have expressed interest in the pilot school option; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of the joint committee on education; provided further, that no funds shall be expended on recurring school or school district expenditures unless the department and school district have developed a long term plan to fund such expenditures from the district’s operational budget; provided further, that for the purpose of this item, appropriated funds may be expended

through August 31, 2010, to allow for intervention and school and district improvement planning in the summer months; provided further, that funds may be expended for the continuation of a parent engagement program pursuant to item 7061-9408 of section 2 of chapter 182 of the acts of 2008; and provided further, that any funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town, or regional school district without further appropriation, notwithstanding any general or special law to the contrary..... $6,900,841

7061-9412 For grants to cities, towns, and regional school districts for the purpose of planning for and implementing expanded learning time in the form of longer school days or school years at selected schools; provided, that implementation grants shall only be provided under this item to schools and districts which submitted qualifying applications which were approved by the department in fiscal year 2009 and which include a minimum of an additional 300 hours on a mandatory basis for all children attending that school; provided further,

that in approving expanded learning time implementation grant applications, preference shall be given to districts with high poverty rates or a high percentage of students scoring in levels I or II on the Massachusetts comprehensive assessment system, those districts with proposals that have the greatest potential for district-wide impact, those districts that plan to utilize partnerships with community-based organizations and institutions of higher education, and those districts with proposals that include a comprehensive restructuring of the entire school day and/or year to maximize the use of the additional learning time; provided further, that the department shall approve implementation proposals that include an appropriate mix of additional time spent on core academics, additional time spent on enrichment opportunities such as small group tutoring, homework help, music, arts, sports, physical activity, health and wellness programs, project-based experiential learning and additional time for teacher preparation and/or professional development; provided further, that the department shall only approve implementation proposals that assume not more than $1,300 per pupil per year in future state appropriations of expanded learning

time implementation funds; provided further, that in extraordinary cases the department may exceed the $1,300 per pupil per year limit; provided further, that the department shall review all qualified proposals and award approved grants not later than August 14, 2009; provided further, that in carrying out the provisions of this item, funds may be expended by the department to evaluate the impact and effectiveness of the program; provided further, that the department shall issue an annual report, not later than February 2, 2010, on the implementation of plans in all participating districts; provided further, that said report shall include, but not be limited to the names of schools and school districts participating, the number of students attending these schools and the nature and type of changes made in participating schools as a result of this program; provided further, that the report shall also include an anticipated budget for this program for the next fiscal year and a breakdown of the distribution of the $1,300 per student by school; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate committees on ways and means and the

house and senate chairs of the joint committee on education; provided further, that for this item, appropriated funds may be expended through August 31, 2010, to allow for planning and implementation during the summer months; provided further, that any grant funds distributed from this item to a city, town, or regional school district shall be deposited with the treasurer of such city, town, or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; and provided further, that no funds shall be expended for personnel costs at the department of elementary and secondary education..... $15,672,375

7061-9600 For a discretionary grant pilot program with the purpose of providing monies to school districts and state public institutions of higher education partnering together to offer inclusive concurrent enrollment programs for students with disabilities as defined in section 1 of chapter 71B of the General Law ages 18-22; provided, that the grant program will be limited to said students who are considered to have severe disabilities and have been unable to achieve the competency determination

necessary to pass the Massachusetts comprehensive assessment system (MCAS) exam; provided further, that said students with disabilities shall be offered enrollment in credit and noncredit courses that include nondisabled students, including enrollment in noncredit courses and credit bearing courses in audit status for students who may not meet course prerequisites and requirements, and that the partnering school districts will provide supports, services and accommodations necessary to facilitate a student's enrollment; provided further, that the department, in consultation with the department of higher education, shall develop guidelines to ensure that the grant program promotes civic engagement and mentoring of faculty in state institutions of higher education, and supports college success, work success, participation in student life of the college community, and provision of a free appropriate public education in the least restrictive environment; provided further, that funds may be distributed to the department of higher education in order to increase the capacity of public institutions of higher education to include students with severe disabilities in the concurrent enrollment pilot program; provided further, that

9037 funds may be allocated to the department of
9038 elementary and secondary education to provide
9039 training and technical assistance to school
9040 districts for program implementation; provided
9041 further, that the department of elementary and
9042 secondary education, in consultation with the
9043 department of higher education, shall report to the
9044 house and senate committees on ways and means, the
9045 joint committee on education and the joint
9046 committee on higher education on said discretionary
9047 grant program not later than February 15, 2010; and
9048 provided further, that for the purpose of this
9049 item, appropriated funds may be expended through
9050 August 31, 2010..... $721,000
9051 7061-9604 For teacher preparations and certification..... $1,599,351
9052 7061-9611 For grants or subsidies for after-school and out-
9053 of-school programs; provided, that preference shall
9054 be given to after-school proposals developed
9055 collaboratively by public and non-public schools
9056 and private community based programs; provided
9057 further, that the department shall fund only those
9058 applications which contain accountability systems
9059 and measurable outcomes, under guidelines to be
9060 determined by the department in consultation with
9061 the department of early education and care;
9062 provided further, that applicants shall detail

funds received from all public sources for existing after-school and out-of-school programs and the types of programs and type of students served by said funds; provided further, that funds may be directed to increase comprehensive after-school and out-of-school time programming to school age children and youth during the school year and the summer, including but not limited to 21st century community learning centers programs; provided further, that funds from this item may be used for a variety of activities, including but not limited to: (1) academic tutoring and homework centers where content is linked to and based on the curriculum guidelines promulgated by said department, (2) programs which improve the health of students, including physical activities, athletics, nutrition and health education, and exercise, (3) art, theater, and music programs developed in collaboration with the Massachusetts cultural council, local cultural councils, or cultural organizations in the Commonwealth funded by the Massachusetts cultural council, (4) enrichment activities not otherwise provided during the school day, (5) advanced study for the gifted and talented, and (6) community service programs; provided further, that funds shall be expended for

9089 services that actively include children with
9090 disabilities in after-school programs that also
9091 serve non-disabled children and services that
9092 include children where English is a second
9093 language, including but not limited to: increased
9094 per-child reimbursement rates, additional staff,
9095 technical assistance, training, and transportation;
9096 provided further, that the department of elementary
9097 and secondary education shall consult the executive
9098 office of health and human services and the
9099 department of early education and care to maximize
9100 the provision of wrap-around services and to
9101 coordinate programs and services for children and
9102 youth during after-school and out-of-school time
9103 programs; provided further, that the department
9104 shall select grant recipients not later than
9105 September 30, 2009, and shall report on the
9106 preliminary results of said grants not later than
9107 February 15, 2010, to the secretary of
9108 administration and finance, the house and senate
9109 chairs of the joint committee on education, and the
9110 chairs of the house and senate committees on ways
9111 and means; provided further, that for the purpose
9112 of this item, appropriated funds may be expended
9113 through August 31, 2010, to allow for
9114 implementation of said programs during the summer

9115 months; and provided further, funds shall be
9116 expended to convene regional networks, to work with
9117 the department of elementary and secondary
9118 education and the department of early education and
9119 care to support the implementation of school-
9120 community partnerships and to submit a report by
9121 October 15, 2009, to the general court and the
9122 administration making recommendations on how to
9123 enhance school-community partnerships and positive
9124 outcomes for children and youth through funding as
9125 provided in this item..... $2,000,000
9126 7061-9612 For the school of excellence program at the
9127 Worcester Polytechnic Institute; provided, that
9128 every effort shall be made to recruit and serve
9129 equal numbers of male and female students; provided
9130 further, that sending districts of students
9131 attending the Institute shall not be required to
9132 expend any funds for the cost of these students
9133 while in attendance at the Institute; provided
9134 further, that the Massachusetts Academy of
9135 Mathematics and Science shall provide professional
9136 development activities at the school located at
9137 Worcester Polytechnic Institute, including salary
9138 and benefits for master teachers and visiting
9139 scholars; provided further, that the academy shall
9140 file a report with the joint committee on education

9141 and the house and senate committees on ways and
9142 means no later than February 1, 2010, detailing the
9143 professional development activities; and provided
9144 further, that the department of elementary and
9145 secondary education shall provide a subsidy to the
9146 Worcester Polytechnic Institute to operate a school
9147 of excellence in mathematics and science..... $1,300,000
9148 7061-9614 For the alternative education grant program
9149 established pursuant to section 1N of chapter 69 of
9150 the General Laws; provided, that the commissioner
9151 shall allocate funds for both subsections (a) and
9152 (b) of said section 1N of said chapter 69; and
9153 provided further, that no funds shall be expended
9154 for personnel costs..... $200,000
9155 7061-9619 For the purpose of funding the Benjamin Franklin
9156 Institute of Technology; provided, that the
9157 institute shall have access to the Massachusetts
9158 education computer system; and provided further,
9159 that the institute may join the state buying
9160 consortium..... $1
9161 7061-9626 For grants and contracts with youth-build programs
9162 for the purposes of providing comprehensive youth-
9163 build services..... $1,500,000
9164 7061-9634 For a transfer of this item to the Massachusetts
9165 Service Alliance, which shall be responsible for
9166 administering a competitive statewide grant program

for public and private agencies to start or expand youth mentoring programs according to current best practices and for purposes including advancing academic performance, self-esteem, social competence and workforce development; provided, that the department of elementary and secondary education shall transfer the amount appropriated in this item to the Massachusetts Service Alliance for the purpose of these grants; provided further, that in order to be eligible to receive funds from this item, each public or private agency shall provide a matching amount equal to $1 for every $1 disbursed from this item; and provided further, that the Massachusetts Service Alliance shall submit a report detailing the impact of grants, expenditure of funds and the amount and source of matching funds raised to the department of elementary and secondary education..... $250,000

7061-9804 For teacher content training in math and science; provided, that said training shall include math specialist and Massachusetts test for educator licensure preparation; provided further, that funds from this item shall be expended on content based professional development in math and science, with a focus on increasing the content knowledge of elementary and middle school math and science

teachers in districts with a high percentage of students scoring in level 1 or 2 on the math or science Massachusetts comprehensive assessment system exams, or in districts which are at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that such professional development courses shall demonstrate proven, replicable results in improving teacher and student performance, and shall demonstrate the use of best practices, as determined by the department, including data comparing pre-training and post-training content knowledge; provided further, that the department shall report, not later than February 15, 2010, on the number of educators provided content training under this item, the estimated number of math and science teachers currently teaching without certification, and any legislative or regulatory recommendations necessary to make middle school and elementary math and science education more rigorous and data driven; provided further, that said report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees and the house and senate chairs of

the joint committee on education; provided further, that no funds shall be expended for personnel costs; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2010..... $386,227

**Department of Higher Education.**

7066-0000 For the operation of the department of higher education; provided, that the department shall recommend savings proposals that permit institutions of public higher education to achieve administrative and program cost reductions, resource re-allocation and program re-assessment and to utilize resources otherwise available to such institutions; and provided further, that in order to meet the estimated costs of employee fringe benefits provided by the commonwealth on account of employees of the Massachusetts State College Building Authority and the University of Massachusetts Building Authority, and in order to meet the estimated cost of heat, light, power and other services, if any, to be furnished by the commonwealth to projects of these authorities, the boards of trustees of the state colleges and the University of Massachusetts shall transfer to the General Fund from the funds received from the operations of the projects such costs, if any, as

shall be incurred by the commonwealth for these purposes in the current fiscal year, as determined by the appropriate building authority, verified by the commissioner of higher education and approved by the secretary of administration and finance. $1,933,249

7066-0005 For the commonwealth's share of the cost of the compact for education..... $91,800

7066-0009 For the New England board of higher education..... $367,500

7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws..... $1,250,000

7066-0016 For a program of financial aid to support the matriculation of certain persons at public and private institutions of higher learning; provided, that only persons in the custody of the department of children and families under a care and protection petition upon reaching the age of 18, or persons in the custody of the department matriculating at such an institution at an earlier age, shall qualify for such aid; provided further, that no such person shall be required to remain in the custody of the department beyond age 18 to qualify for such aid; provided further, that this aid shall not exceed $6,000 per recipient per year; and provided further, that this aid shall be

granted after exhausting all other sources of financial support..... $1,149,561

7066-0019 For the department of higher education to support the dual enrollment program allowing qualified high school students to take college courses; provided, that public higher education institutions may offer courses in high schools in addition to courses offered at the institutions or online if the number of students is sufficient..... $750,000

7066-0020 For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; provided further, that funds shall be transferred to the Trust Fund according to an allotment schedule adopted by the executive office for administration and finance; and provided further, that the department of higher education shall provide monthly expenditure reports to the

executive office for administration and finance and the house and senate committees on ways and means $1,000,000

7066-0021 For reimbursements to public institutions of higher education for foster and adopted child fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this line item prior to certification by the state and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for foster and adopted children attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the board of higher education..... $1,000,000

7070-0065 For a scholarship program to provide financial assistance to Massachusetts students enrolled in and pursuing a program of higher education in any approved public or independent college, university, school of nursing, or any other approved institution furnishing a program of higher education; provided, that all scholarship programs receiving funding through this item shall follow the same guidelines as detailed in item 7070-0065 in section 2 of chapter 182 of the acts of 2008; provided further, that funds from this item may be

9322 expended on the administration of the scholarship
9323 program; and provided further, that the
9324 commissioner of higher education, in coordination
9325 with the Massachusetts state scholarship office,
9326 shall adopt regulations governing the eligibility
9327 and the awarding of financial assistance..... $87,875,218
9328 7077-0023 For a contract with the Tufts School of Veterinary
9329 Medicine; provided, that funds appropriated in this
9330 item shall be expended under the resident
9331 veterinary tuition remission plan submitted January
9332 8, 1998, for supportive veterinary services
9333 provided to the commonwealth; provided further,
9334 that prior year costs may be paid from this item;
9335 provided further, that funds appropriated in this
9336 item shall support bioterrorism prevention research
9337 related to diseases that can be transmitted from
9338 animals to humans, in consultation with
9339 Massachusetts emergency authorities; and provided
9340 further, that the school shall work in consultation
9341 with the Norfolk County Agricultural School on
9342 veterinary programs..... $2,500,000
9343 7520-0424 For a health and welfare reserve for eligible
9344 personnel employed at the community and state
9345 colleges..... $5,494,616
9346 **University of Massachusetts.**
9347

7100-0200 For the operation of the University of Massachusetts; provided, that notwithstanding any general or special law to the contrary, the university may establish and organize auxiliary organizations, subject to policies, rules and regulations adopted by the board, to provide essential functions which are integral to the educational mission of the university; provided further, that notwithstanding any general or special law to the contrary, the university may enter into leases of real property without prior approval of the division of capital asset management and maintenance; provided further, that the University of Massachusetts shall expend funds for the operation of the department of higher education's commonwealth college honors program at the University of Massachusetts Amherst, for the operation of the toxics use reduction institute at the University of Massachusetts Lowell, for the operation of the office of dispute resolution at the University of Massachusetts Boston, for capital lease payments from the University of Massachusetts to the Massachusetts Development Finance Agency and for annual operations of the advanced technology and manufacturing center in Fall River, and for the University of Massachusetts Amherst Cranberry

Station; provided further, that the University of Massachusetts shall expend $2,700,000 for facilities costs associated with the college of visual and performing arts at the University of Massachusetts Dartmouth; provided further, that funds may be expended for the University of Massachusetts Lowell to operate a program in math, science, engineering and technology for academically accelerated students in their final 2 years of high school, for the operation of the University of Massachusetts Boston's Edward J. Collins Center for Public Management, for the University of Massachusetts Medical School to enhance efforts to increase the number of graduating medical students in primary care specialties, and for the operation of an inner-city youth collaborative at the UMass Field Station on Nantucket to learn about nature, ecology, environment, science and history on the island; and provided further, that the governor may allocate $78,853,735, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $413,398,263

**State Colleges.**

7109-0100 For Bridgewater State College; provided, that the governor may allocate $6,526,756, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$33,008,533

7110-0100 For Fitchburg State College; provided, that the governor may allocate $4,591,008, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $23,218,646

7112-0100 For Framingham State College; provided, that the governor may allocate $4,102,757, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$20,749,354

7113-0100 For the Massachusetts College of Liberal Arts; provided, that the governor may allocate $2,372,749, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $11,999,981

7114-0100 For Salem State College; provided, that the governor may allocate $6,574,553, made available

through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$33,250,262

7115-0100 For Westfield State College; provided, that the governor may allocate $3,833,766, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$19,388,959

7116-0100 For Worcester State College; provided, that the governor may allocate $3,907,318, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$19,760,937

7117-0100 For the Massachusetts College of Art; provided, that the governor may allocate $2,509,677, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $12,692,483

7118-0100 For the Massachusetts Maritime Academy; provided, that the governor may allocate $2,324,025, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in

addition to the amount appropriated herein..... $11,753,563

**Community Colleges.**

7502-0100 For Berkshire Community College; provided, that the governor may allocate $1,549,162, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$7,834,053

7503-0100 For Bristol Community College; provided, that the governor may allocate $2,670,710, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$13,505,682

7504-0100 For Cape Cod Community College; provided, that the governor may allocate $1,910,297, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein; and provided further, that funding may be expended for the operation of the environmental technology, education and job training partnership..... ..... $9,660,300

7505-0100 For Greenfield Community College; provided, that the governor may allocate $1,522,486, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $7,699,155

7506-0100 For Holyoke Community College; provided, that the governor may allocate $3,095,823, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $15,655,462

7507-0100 For Massachusetts Bay Community College; provided, that the governor may allocate $2,318,569, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $11,724,917

7508-0100 For Massasoit Community College; provided, that the governor may allocate $3,359,097, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $16,986,829

7509-0100 For Mount Wachusett Community College; provided, that the governor may allocate $2,119,040, made available through the American Recovery and

Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $10,715,906

7510-0100 For Northern Essex Community College; provided, that the governor may allocate $3,164,037, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $16,000,413

7511-0100 For North Shore Community College, including the post-secondary programs of the Essex Agricultural and Technical Institute operated by North Shore Community College; provided, that the governor may allocate $3,401,531, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $17,201,414

7512-0100 For Quinsigamond Community College; provided, that the governor may allocate $2,515,281, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $12,719,679

7514-0100 For Springfield Technical Community College; provided, that the governor may allocate $4,077,389, made available through the American

Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $20,619,201

7515-0100 For Roxbury Community College; provided, that the governor may allocate $1,877,385, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein..... $9,493,865

7515-0121 For the Reggie Lewis Track and Athletic Center at Roxbury Community College; provided, that the college may expend an amount not to exceed $529,843 received from fees, rentals, and facility expenses associated with the running and operation of national track meets, high school track meets, high school dual meets, Roxbury Community College athletic events, other special athletic events, conferences, meetings, and programs; and provided further, that only expenses for contracted services associated with these events and for the capital needs of the facility shall be funded from this item..... $529,843

7516-0100 For Middlesex Community College; provided, that the governor may allocate $3,315,025, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the

amount appropriated herein.....$16,763,954

7518-0100 For Bunker Hill Community College; provided, that the governor may allocate $3,447,025, made available through the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, in addition to the amount appropriated herein.....$17,431,475

## EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

### Office of the Secretary.

8000-0000 For the office of the secretary, including the administration of the committee on criminal justice and the highway safety bureau to provide matching funds for a federal planning and administration grant pursuant to 23 U.S.C. section 402 and the costs associated with the implementation of chapter 228 of the acts of 2000..... $1,988,884

8000-0038 For the operation of a witness protection program pursuant to chapter 263A of the General Laws..... $348,491

8000-0040 For police career incentives to reimburse certain cities and towns for career incentive salary increases for police officers; provided, however, that regular full-time members of municipal police departments hired on or after July 1, 2009 shall not be eligible to participate in the career incentive pay program established pursuant to

9584 section 108L of chapter 41 of the General Laws;
9585 provided further, that any current regular full-
9586 time member of a municipal police department who
9587 has not started accumulating points pursuant to
9588 said section 108L of said chapter 41 of the General
9589 Laws, as of September 1, 2009, shall not be
9590 eligible to participate in the career incentive pay
9591 program established pursuant to said section 108L
9592 of said chapter 41 of the General Laws; and
9593 provided further, that any current regular full-
9594 time member of a municipal police department who
9595 has begun to accumulate points pursuant to said
9596 section 108L of said chapter 41 of the General Laws
9597 as of September 1, 2009 shall be allowed to
9598 accumulate the maximum number of points permissible
9599 pursuant to said section 108L of said chapter 41 of
9600 the General Laws..... $10,000,000
9601 8000-1700 For the provision of information technology
9602 services within the executive office of public
9603 safety and security..... $21,264,358
9604 **Office of Chief Medical Examiner.**
9605
9606 8000-0105 For the operation of the office of the chief
9607 medical examiner established pursuant to chapter 38
9608 of the General Laws; provided, that the agency
9609 shall submit a report to the house and senate
9610 committees on ways and means not later than January

15, 2010 detailing the caseload of said office; and provided further, that said report shall include, but not be limited to, the number of toxicology tests, the reduction of turnaround time of toxicology tests and the reduction of the case backlog, the number of autopsies performed, the number of cases under the office's jurisdiction, the number of external exams performed, the number of cases determined to be homicides, and the number of cremations performed under the office's jurisdiction in 2008 and 2009..... $7,880,997

**State Police Crime Laboratory.**

8000-0106 For the operation and related costs of the state police crime laboratory; provided, that the analysis of narcotic drug synthetic substitutes, poisons, drugs, medicines, and chemicals shall be funded in this item in order to support the law enforcement efforts of the district attorneys, the state police and municipal police departments; provided further, that the agency shall contract with a public institution to conduct testing for criminal cases; provided further, that the agency shall enter into agreements with the various district attorneys to provide forensic services for criminal cases brought forth by the commonwealth; provided further, that the practices and procedures

of the state police crime laboratory shall be informed by the recommendations of the Forensic Sciences Advisory Board; and provided further, that the agency shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security, not later than December 31, 2009, concerning, but not limited to, the detailing of the number of cases introduced to the CODIS database, the number of confirmations attained from the CODIS database, and the number of cases referred to district attorney delineated by county..... $13,809,040

**Criminal History Systems Board.**

8000-0110 For the operation of the criminal history systems board; including criminal justice information services, criminal offender record information services, firearms support services, and victim services; provided further, that funds may be expended for the purpose of enabling local housing authorities' access to criminal offender record information when qualifying applicants for state-assisted housing..... $2,123,066

**Chief Medical Examiner**

8000-0122 For the office of the chief medical examiner which may expend for its operations an amount not to exceed $1,700,000 in revenues collected from fees

for services provided by the chief medical examiner; provided, that notwithstanding any general or special law to the contrary, for the purposes of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the agency may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $1,700,000

**Sex Offender Registry.**

8000-0125 For the operation of the sex offender registry program including, but not limited to, the costs of maintaining a computerized registry system and the classification of persons subject to the registry; provided, that the $75 registration fee paid by convicted sex offenders shall be directed from the General Fund to the Massachusetts office for victim assistance..... $3,983,913

8000-0202 For the purchase and distribution of sexual assault evidence collection kits..... $102,240

**Department of State Police**

8100-0000 For the administration and operation of the department of state police; provided, that the department shall expend funds from this item for the purpose of maximizing federal grants for the

operation of a counter-terrorism unit and the payment of overtime for state police officers; provided further, that the department shall maintain the division of field services which shall include, but not be limited to, the bureau of metropolitan district operations; provided further, that not fewer than 40 officers may be provided to the department of conservation and recreation for the purpose of patrolling the watershed property of the department of conservation and recreation; provided further, that funds shall be expended from this item for the administration and operation of an automated fingerprint identification system and the motor carrier safety assistance program; provided further, that not fewer than 5 officers shall be provided to the disabled persons protection commission for the purpose of investigating cases of criminal abuse; provided further, that the department shall enter into an interagency agreement with the department of conservation and recreation to provide police coverage on department properties and parkways; provided further, that the creation of a new or the expansion of the existing statewide communications network shall include the office of law enforcement in the executive office of energy and environmental

affairs at no cost to, or compensation from that office; provided further, that there shall be a study submitted to the house and senate committees on ways and means not later than January 30, 2010, on traffic details worked by the department of state police, including troops A, B, C, D, E, F, and H, over the last 5 years, which shall detail, on a monthly basis: the total number of hours worked on traffic details by state police officers, the total amount paid to state police officers for traffic details, the standard hourly rates for traffic details done by state police officers and the city or town in which traffic details are performed by state police officers; and provided further, that the department may expend funds from this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services of the office of the chief medical examiner, the municipal police training committee and the criminal history systems board..... $236,186,152

8100-0006 For private police details; provided, that the department may expend up to $19,000,000 in revenues collected from fees charged for private police details and for the costs of administering such details; and provided further, that notwithstanding

any general or special law to the contrary, the department may incur, and the comptroller may certify for payment, expenses and liabilities during fiscal year 2010 to be charged to this item in an amount not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system for the purposes stated in this item to accommodate the delayed receipt of revenues authorized to be retained in this item during fiscal year 2010... $19,000,000

8100-0011 For the department of state police which may expend an amount not to exceed $3,000,000 for certain police activities provided pursuant to agreements authorized in this item; provided, that for fiscal year 2010, the colonel of state police may enter into service agreements with the commanding officer or other person in charge of a military reservation of the United States located in the Massachusetts Development Finance Agency, established in chapter 23G of the General Laws; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits;

and (b) provisions governing payment to the department for the cost of furnishings and equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may enter into service agreements as may be necessary to enhance the protection of persons, as well as assets and infrastructure located within the commonwealth, from possible external threat or activity; provided further, that such agreements shall establish the responsibilities pertaining to the operation and maintenance of police services including, but not limited to: (a) provisions governing payment to the department for the cost of regular salaries, overtime, retirement and other employee benefits; and (b) provisions governing payment to the department for the cost of equipment necessary to provide such police services; provided further, that the department may charge any recipients of police services for the cost of such services, as

authorized by this item; provided further, that the department may retain the revenue so received and expend such revenue as necessary pursuant to this item to provide the agreed level of services; provided further, that the colonel may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received therefor; and provided further, that notwithstanding any general or special law to the contrary, for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate..... $3,000,000

8100-0012 For the department of state police; provided, that the department may expend for the costs of security services provided by state police officers, including overtime and administrative costs, an amount not to exceed $550,000 from fees charged for these services; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur

expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system $550,000

8100-0020 For the department of state police which may expend an amount not to exceed $35,000 in fees charged for the use of the statewide telecommunications system for the maintenance of the system..... $35,000

8100-0101 For the department of state police which may expend for the Governor's Auto Theft Strike Force an amount not to exceed $331,200 from fees for services performed through the auto etching program and from assessments upon the insurance industry... $331,200

8100-0111 For a grant program to be known as the Senator Charles E. Shannon, Jr. Community Safety Initiative, to be administered by the executive office of public safety and security, to support regional, multidisciplinary approaches to combat gang violence through coordinated programs for prevention and intervention, coordinated law enforcement, including regional gang task forces and regional crime mapping strategies, focused prosecutions and reintegration strategies for ex-convicts; provided, that the secretary of public safety and security shall distribute grant funds through a competitive grant program that gives

preference to applications that: (a) demonstrate high levels of youth violence, gang problems and substance abuse in a region; (b) demonstrate a commitment to regional, multijurisdictional strategies to deal with such community safety issues, including written commitments for municipalities, law enforcement agencies, community-based organizations and government agencies to work together; (c) clearly outline a comprehensive plan for municipalities to work with law enforcement, community-based organizations and government agencies to address gang activity; (d) make a written commitment to match grant funds with a 25 per cent match provided by either municipal or private contributions; and (e) identify a local governmental unit to serve as fiscal agent; provided further, that clusters of municipalities, in partnership with nonprofit organizations and other agencies, including district attorney's offices, may apply for such funds; provided further, that such funds shall be considered one-time and grants awarded to public agencies and shall not annualize into fiscal year 2011 or subsequent years; provided further, that administrative costs for successful grant applications shall not exceed 3 per cent of the

value of the grant; provided further, that no grants shall be awarded to the department of state police; provided further, that no grant funds shall be expended on food or beverages; provided further, that the executive office of public safety and security shall publish guidelines and an application for the competitive portion of the grant program not later than August 15, 2009; provided further, that awards shall be made to applicants not later than December 15, 2009; and provided further, that the executive office of public safety and security may expend not more that $100,000 of the sum appropriated in this item for its costs in administering programs..... $6,500,000

**Municipal Police Training Committee.**

8200-0200 For the operation of veteran, reserve and in-service training programs conducted by the municipal police training committee; provided, that under no circumstances shall any expenditures authorized by this item be charged to item 8200-0222; and provided further, that no expenditures shall be made, on or after the effective date of this act, which would cause the commonwealth's obligation for the purpose of this item to exceed the amount appropriated in this item..... $2,883,088

8200-0222 The committee may collect and expend an amount not to exceed $900,000 for the purposes of providing training to new recruits; provided, that the committee shall charge $2,500 per recruit for the training; provided further, that notwithstanding any general or special law to the contrary, the committee shall charge a fee of $2,500 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2009; provided further, that the fee shall be retained and expended by the committee; provided further, that the trainee, or, if the trainee is a recruit, the municipality in which the recruit shall serve, shall provide the fee in full to the committee no later than the first day of orientation for the program in which such trainee or recruit has enrolled; provided further, that no recruit or person shall begin training unless the municipality or the person has provided the fee in full to the committee; provided further, that for recruits of municipalities, upon the completion of the program, the municipality shall deduct the fee from the recruit’s wages in 23 equal monthly installments, unless otherwise negotiated between the recruit and the municipality in which the recruit shall serve; provided further, that if a

recruit withdraws from the training program before graduation, the committee shall refund the municipality in which the recruit was to have served a portion of the fee according to the following schedule: if a recruit withdraws from the program before the start of week 2, 75 per cent of the payment shall be refunded; if a recruit withdraws from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee shall be refunded; if a recruit withdraws from the program after the start of week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; if a recruit withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from the program shall pay the municipality in which he was to have served the difference between the fee and the amount forfeited by the municipality according to the schedule; provided further, that the schedule shall also apply to trainees other than recruits who enroll in the program; provided further, that no expenditures shall be charged to this item that are not directly related to new recruit training; provided further, that no expenditures shall be charged to this item that are related to chief, veteran, in-service, or reserve

training, or any training not directly related to new recruits; provided further, that the committee shall submit a report on the status of recruit training, including the number of classes, start and end dates of each class, total number of recruits enrolled and graduating in each class, cost per recruit and cost per class for fiscal years 2009 and 2010; provided further, that the report shall be submitted to the house and senate committees on ways and means no later than January 1, 2010; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the committee may incur expenses and the comptroller may certify for payments not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $900,000

**Department of Public Safety.**

8311-1000 For the administration of the department of public safety, including the board of building regulations and standards and the architectural access board; provided, that the department may charge fees for permitting the operation of amusement devices and to support the department's participation in the National Council for Amusement and Recreational

Equipment Safety; provided further, that the department may charge fees for amusement operator certification; and provided further, that the salaries of the commissioner and the deputy commissioner of the department of public safety shall be paid from this item..... $1,913,530

8315-1000 For the administrative costs of the division of inspections; provided, that the expenses of the state boxing commission shall be paid from this item; provided further, that a doctor's certificate from another state shall be accepted as evidence of an eye examination; provided further, that no funds shall be expended from this item for the salaries of the commissioner or deputy commissioner of public safety; provided further, that the department shall employ not less than 42 full-time equivalent elevator inspectors, including an additional engineer inspector; provided further, that such additional engineer inspector's duties shall include, but not be limited to, administering pipefitter license examinations; provided further, that such an additional engineer inspector and elevator inspectors shall be regular state employees compensated from the AA object class of this item; provided further, that such additional engineer inspector position shall be in addition to

any such positions added during fiscal year 1995; provided further, that the division shall develop reasonable rules or promulgate regulations for the granting of hardship fee exemptions to certain owners or persons in control of a building or domicile in which an elevator is operated; provided further, that the division shall report to the house and senate committees on ways and means on the elevator inspection backlog not later than October 1, 2009; provided further, that the division shall develop and maintain an electronic database that shall include, but not be limited to, the location and a categorical classification of buildings in which inspections are conducted; and provided further, that the division shall inspect all elevators in the state house and the McCormack office building..... $4,930,555

8315-1020 For the department of public safety which may expend not more than $1,816,997 in revenues collected from fees for annual elevator and amusement park ride inspections; provided, that funds shall be expended for the operation of the department and for the purposes of addressing the existing elevator inspection backlog; provided further, that the department shall make efforts to employ inspectors that will perform overnight and

weekend inspections as their regular work shift; provided further, that the department shall provide a full waiver of the inspection fee for an individual who requires a wheelchair lift as a medical necessity and whose annual income does not exceed the maximum allowable federal SSI benefit, or $7,236 a year, whichever is greater; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to more than the lesser of this authorization or the most-recent revenue estimate as reported in the state accounting system..... $1,816,997

8315-1025 For the department of public safety which may collect and expend an amount not to exceed $130,000 for the purposes of providing state building code training and courses for instruction; provided, that the agency may charge fees for the classes and education materials associated with administering training; and provided further, that for the purposes of accommodating discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and

10059 the comptroller may certify for payment amounts not
10060 to exceed the lower of this authorization or the
10061 most recent revenue estimate as reported in the
10062 state accounting system..... $130,000

10063 **Department of Fire Services.**

10064

10065 8324-0000 For the administration of the department of fire
10066 services, including the state fire marshal's
10067 office, the hazardous materials emergency response
10068 program, the board of fire prevention regulations,
10069 under section 4 of chapter 22D of the General Laws,
10070 the expenses of the fire safety commission, and the
10071 Massachusetts firefighting academy, including the
10072 Massachusetts fire training council certification
10073 program, municipal and non-municipal fire training,
10074 and expenses of the council; provided, that the
10075 fire training program shall use the split days
10076 option; provided further, that not less than
10077 $1,200,000 shall be expended for the SAFE program,
10078 which shall include information about the fire
10079 risks caused by smoking; provided further, that not
10080 less than $1,750,000 shall be provided for the
10081 Boston fire department training academy; provided
10082 further, that $100,000 shall be expended to Norfolk
10083 county to maintain and improve services of the
10084 Norfolk county regional fire & rescue dispatch
10085 center; provided further, that $1,296,000 shall be

provided for the commonwealth's hazardous material response teams; provided further, that $500,000 shall be provided for the Boston, Cambridge and Everett fire department hazardous material response teams; provided further, that not less than $100,000 shall be expended for critical incident stress intervention for the fire departments of the cities, towns and the fire districts of the commonwealth, including but not limited to consultant services, training, equipment and supplies; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal’s office, the Massachusetts firefighting academy, the Boston fire department training academy, and the Norfolk county regional fire & rescue dispatch center shall be assessed upon insurance companies writing fire, homeowners multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that notwithstanding any general or special law to the contrary, 100 per cent of the amount appropriated

10112 in this item for the operation of the hazardous
10113 materials emergency response program shall be
10114 assessed upon insurance companies writing
10115 commercial multiple peril, non-liability portion,
10116 policies on property situated in the commonwealth
10117 and commercial auto liability policies as
10118 referenced in line 5.1 and line 19.4, respectively,
10119 in the most recent annual statement on file with
10120 the commissioner of insurance; and provided
10121 further, that not more than 10 per cent of the
10122 amount designated for the arson prevention program
10123 shall be expended for the administrative cost of
10124 the program…..... 16,909,693
10125 8324-0304 For the department of fire services; provided, that
10126 the department may expend for the purposes of
10127 enforcement and training an amount not to exceed
10128 $25,000 from revenue generated under chapter 148A
10129 of the General Laws and sections 8 and 9 of chapter
10130 304 of the acts of 2004..... $25,000
10131 **Registry of Motor Vehicles.**
10132
10133 8400-0001 For the administration and operation of the
10134 registry of motor vehicles, including the title
10135 division and including all rent and related parking
10136 and utility expenses of the registry; provided,
10137 that the positions of administrative assistant to
10138 the registrar, legislative assistant, executive

assistant to the registrar and the director of employee relations shall not be subject to civil service laws and rules; provided further, that all expenditures related to computer automation shall be subject to satisfactory quarterly reviews by the information technology division and under schedules by the division; provided further, that 40 per cent of the costs of personnel services associated with the registry computer, which reflects the proportionate use of the computer by the merit rating board, shall be assessed to insurance companies doing motor vehicle insurance business within the commonwealth, under section 183 of chapter 6 of the General Laws; provided further, that the registrar of motor vehicles shall report to the house and senate committees on ways and means and the joint committee on transportation 60 days prior to the closure of any registry branch; provided further, that said report shall include all cost savings associated with the closure; provided further, that the registry shall establish and maintain a record of all vehicles leased within the commonwealth for a period longer than 30 days; and provided further, that the record shall include, but not be limited to, the names and addresses of the lessor and the lessee..... $42,400,708

Commonwealth Transportation Fund.....100.0%

8400-0011 For the registry of motor vehicles which may expend for additional expenses associated with the production of drivers' licenses, state identification cards and motor vehicle license plates an amount not to exceed $6,393,906 from revenue collected from fees charged by the registry; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the registry may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate, as reported in the state accounting system..... $6,393,906

Commonwealth Transportation Fund.....100%

8400-0016 For the operation of the motorcycle safety program. $189,958

Commonwealth Transportation Fund.....100%

8400-0100 For the operation of the motor vehicle insurance merit rating board, including the rent, related parking and utility expenses of the board; provided, that notwithstanding any general or special law to the contrary, no safe driver insurance plan shall require the payment of an unsafe driver point surcharge for the first offense

for non-criminal, motor vehicle traffic violations as described in chapter 90C of the General Laws.. $7,613,529

Commonwealth Transportation Fund.....100.0%

**Military Division.**

8700-0001 For the operation of the military division, including the offices of the adjutant general and state quartermaster, the operation of the armories, the camp Curtis Guild rifle range and certain national guard aviation facilities; provided, that notwithstanding chapter 30 of the General Laws, certain military personnel in the military division may be paid salaries according to military pay grades; provided further, that the division may expend funds appropriated in this item for the administration of budgetary, procurement, fiscal, human resources, payroll and other administrative services; and provided further, that the adjutant general shall maintain a roster of Massachusetts veterans as directed by section 15 of chapter 33 of the General Laws..... $9,207,659

8700-1140 The military division may expend for the costs of national guard missions and division operations an amount not to exceed $1,400,000 from fees charged for the non-military rental or use of armories and from reimbursements generated by national guard missions..... $1,400,000

8700-1150 For reimbursement of the costs of the Massachusetts national guard tuition and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this item prior to certification by the state and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for national guard members attending public institutions of higher education under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the military division of the Massachusetts national guard; provided further, that funds from this item may be expended through August 31, 2010 for the reimbursement of the tuition and fees waived for classes taken during the summer months; provided further, that the military division of the Massachusetts national guard and the board of higher education shall issue a joint report not later than February 15, 2010 on the implementation of this waiver; provided further, that the report shall be submitted to the secretary of administration and finance, the chairs of the house and senate committees on ways and means, the house and senate chairs of the joint committee on

veterans and federal affairs and the house and senate chairs of the joint committee on higher education; and provided further, that the military division may expend funds from this item for administrative services..... $4,031,738

8700-1160 For life insurance premiums under section 88B of chapter 33 of the General Laws..... $1,575,900

**Massachusetts Emergency Management Agency.**

8800-0001 For the operations of the Massachusetts emergency management agency; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities..... $1,479,077

8800-0100 For the Pilgrim Nuclear Power Plant Nuclear Safety Preparedness Program of the Massachusetts emergency management agency; provided, that the costs of the program, including fringe benefits and indirect costs, shall be assessed upon Nuclear Regulatory Commission licensees operating nuclear power generating facilities in the commonwealth; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among such licensees; and provided further, that such assessments shall be paid during the current fiscal year as provided by the department..... $429,791

8800-0200 For the Seabrook and Vermont Yankee Power Plants Nuclear Safety Preparedness Program; provided, that the cost of the program, including associated fringe benefits and indirect costs, shall be assessed on electric companies in the commonwealth which own, in whole or in part, or purchase power from, nuclear power plants located outside the commonwealth whose nuclear power plant areas, as defined in section 2B of chapter 639 of the acts of 1950 include communities located within the commonwealth and shall be credited to the General Fund; provided further, that the department of public utilities shall develop an equitable method of apportioning such assessments among the licensees; provided further, that such assessments shall be paid during the current fiscal year as provided by the department; provided further, that not less than $75,000 shall be expended for regional radiological monitoring within the Emergency Planning Zone communities located within the commonwealth; provided further, that such monitoring shall be conducted by the C-10 Research and Education Foundation; and provided further, that for the purposes of this item, “electric companies” shall mean all persons, firms, associations and private corporations which own or

operate works or a distributing plant for the manufacture and sale or distribution and sale of electricity within the commonwealth, but shall not include municipalities or municipal light plants... $357,839

**Department of Correction.**

8900-0001 For the operation of the commonwealth's department of correction; provided, that before closing any correctional facility, the commissioner of corrections and the secretary of public safety and homeland security shall report to the house and senate committees on ways and means and public safety on the per-inmate cost of incarceration in the closing facility, and the per-inmate cost in the facilities to which inmates will be moved; provided further, the commissioner of corrections and the secretary of public safety and homeland security shall report to the house and senate committees on ways and means and public safety before January 1 of each year the point score compiled by the department of correction's objective classification system for all prisoners confined in each prison operated by the department; provided, that the department shall expend not less that $1,010,500 for cities and towns hosting facilities; and provided further, that in an effort to monitor and reduce current levels of over-

classification, the department of correction shall provide quarterly reports to the joint committee on public safety and the house and senate committees on ways and means with data on the number of prisoners at each security level..... $521,112,630

8900-0010 For prison industries and farm services..... $2,620,247

8900-0011 For a prison industries and farm services revenue retention account; provided, that the department may expend an amount not to exceed $2,600,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... $2,600,000

8900-0045 For the department of correction which may expend for the operation of the department, including personnel-related expenses, an amount not to exceed $3,000,000 from revenues received from federal inmate reimbursements; provided, that $900,000 from these reimbursements shall not be available for expenditure and shall be deposited in the General Fund before the retention by the department of any of these reimbursements; and provided further, that

notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $3,000,000

8900-1100 For re-entry programs at the department of correction intended to reduce recidivism rates; provided, that said programs shall be in addition to those provided in fiscal year 2006; and provided further, that the department shall report to the house and senate committees on ways and means not later than January 20, 2010 on re-entry programming at the department of correction..... $594,745

**County Correction.**

8910-0000 For a reserve to provide funds for certain costs of the Barnstable, Bristol, Dukes, Nantucket, Norfolk, Plymouth and Suffolk sheriffs' departments including, but not limited to, employee health care, retirement, and Plymouth correctional facility debt service; provided, that the county finance review board shall consult the public employee retirement administration commission about sheriff employee retirement costs before

distributing funds to county retirement systems; provided further, that the secretary of administration and finance may transfer from the sum appropriated in this item to other items of appropriation; provided further, that the transfers may be expended solely for the purposes authorized by the secretary; and provided further, that the county government finance review board shall approve all transfers from this item..... $70,407,014

8910-0002 For the administration of a sex offender warrant unit program in the Barnstable county sheriff's office; provided, that the unit shall support the regional Cape Cod sex offender management task force, provide address verification and maintain a regional sex offender database for local law enforcement..... $63,900

8910-0003 For 2 regional behavioral evaluation and stabilization units to provide forensic mental health services within existing physical facilities for incarcerated persons in the care of correctional facilities; and provided further, that the department of mental health shall maintain monitoring and quality review functions of the units..... $2,186,871

8910-0010 For the purpose of funding expenses for services provided to inmates of county correctional

facilities by the department of public health Lemuel Shattuck hospital in fiscal year 2010; provided, that the department shall notify the county government finance review board and the comptroller of all such expenses; provided further, that not more than 30 days after receiving such notification, the board shall certify to the comptroller the amount of these expenses to be charged to this item; provided further, that upon receiving such certification, the comptroller shall effect the transfer of such amount from this item to item 4590-0903 in section 2B; and provided further, that these actual and projected payments shall be considered expenditures within each county spending plan and shall be reflected as such in proposed spending plans required by item 8910-0000$2,172,244

**Sheriffs.**

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**Hampden Sheriff's Department.**

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8910-0102 For the operation of the Hampden sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B$66,350,440

8910-1000 For the Hampden sheriff's department which may expend for prison industries programs an amount not to exceed $1,844,458 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities, reimbursement for community service projects and compensation of employees of the program; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... $1,844,458

8910-2222 For the Hampden sheriff's department which may expend for the operation of the department an amount not to exceed $320,000 from federal inmate reimbursements; provided, that $312,000 from the reimbursements shall not be available for expenditure and shall be deposited into the General Fund before the retention by the department of any of these reimbursements; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this

authorization or the most recent revenue estimate as reported in the state accounting system..... $320,000

**Worcester Sheriff's Department.**

8910-0105 For the operation of the Worcester sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services..... $40,135,460

**Middlesex Sheriff's Department.**

8910-0107 For the operation of the Middlesex sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B,

not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services..... $60,831,296

8910-0160 For a retained revenue account for the Middlesex sheriff's department for reimbursements from the federal government for costs associated with the incarceration of federal inmates at the Billerica house of correction; provided, that the department may expend for the operation of the department an amount not to exceed $850,000 from revenues collected from the incarceration of federal inmates; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system; and provided further, that all expenditures from this item shall be subject to chapter 29 of

the General Laws and recorded on the Massachusetts management accounting and reporting system..... $850,000

8910-1100 For a prison industries revenue retention account for the Middlesex sheriff's department; provided, that the department may expend an amount not to exceed $100,000 from revenues collected from the sale of products, for materials, supplies, equipment, maintenance of facilities and compensation of employees of the program; and provided further, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded in the Massachusetts management accounting and reporting system..... $100,000

**Franklin Sheriff's Department.**

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8910-0108 For the operation of the Franklin Sheriff's Department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B $8,878,719

8910-0188 For the Franklin sheriff's department which may expend for the operation of the department an amount not to exceed $2,100,000 from revenues received from federal inmate reimbursements;

provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system..... $2,100,000

8910-0288 For a retained revenue account for the Franklin sheriff's department from monies collected through federal reimbursements for transportation of federal detainees; provided, that the Franklin sheriff's department may expend an amount not to exceed $500,000..... $500,000

**Hampshire Sheriff's Department.**

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8910-0110 For the operation of the Hampshire sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B$11,876,291

8910-1112 For the Hampshire sheriff's department which may expend for the operation of the Hampshire county

regional lockup at the Hampshire county jail an amount not to exceed $250,000 in revenue; provided, that that the sheriff shall enter into agreements to provide detention services to various law enforcement agencies and municipalities and shall determine and collect fees for those detentions from the law enforcement agencies and municipalities..... $250,000

**Berkshire Sheriff's Department.**

8910-0145 For the operation of the Berkshire sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services..... $14,584,616

8910-0445 For the Berkshire sheriff's department which may expend an amount not to exceed $250,000 from revenues generated from the operation of the

Berkshire county communication center's 911 dispatch operations and other law enforcement related activities, including the Berkshire county sheriff prison industries program; provided, that all expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... $250,000

8910-0446 For the Berkshire sheriff's department which may expend an amount not to exceed $1,100,000 from revenues collected from Berkshire county public school systems; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the sheriff's office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefor as reported in the state accounting system; and provided further, that expenditures from this item shall be subject to chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system..... $1,000,000

**Essex Sheriff's Department.**

8910-0619 For the operation of the Essex sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B$45,140,720

8910-6619 For the Essex sheriff's department which may expend for the operation of the department an amount not to exceed $2,000,000 from revenues received from federal inmate reimbursements; provided, that $150,000 from the reimbursements shall not be available for expenditure and shall be deposited quarterly into the General Fund before the retention by the department of any of these revenues as certified by the comptroller; provided further, that the quarterly payments shall total $600,000 in fiscal year 2010; provided, that said sheriff may expend from this item costs associated with joint federal and state law enforcement activities from federal reimbursements received; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and

related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $2,000,000

**Massachusetts Sheriff's Association.**

8910-7100 For the Massachusetts Sheriffs Association which may expend for its operation an amount not to exceed $344,790 in revenue collected from voluntary contributions from all sheriffs; provided, that the sheriffs shall appoint persons to serve as executive director, assistant executive director and research director and other staff positions as necessary for the purpose of coordination and standardization of services and programs, the collection and analysis of data related to incarceration and recidivism and generation of reports, technical assistance and training to ensure standardization in organization, operations, and procedures; provided further, that this staff shall not be subject to section 45 of chapter 30 of the General Laws or chapter 31 of the General Laws and shall serve at the will and pleasure of a majority of sheriffs; provided further, that the executive director of the association shall submit a report that shows the amounts of all grants

awarded to each sheriff in fiscal year 2009; and provided further, that the report shall be submitted to the house and senate committees on ways and means not later than February 1, 2010..... $344,790

**Barnstable Sheriff's Department.**

8910-8200 For the operation of the Barnstable sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services..... $21,176,700

8910-8210 For the Barnstable sheriff's department which may expend for the operation of the department an amount not to exceed $250,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the

receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $250,000

**Bristol Sheriff's Department.**

8910-8300 For the operation of the Bristol sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; and provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B$27,256,334

8910-8310 For the Bristol sheriff's department which may expend for the operation of the department an amount not to exceed $6,500,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the

most recent revenue estimate as reported in the state accounting system..... $6,500,000

**Dukes Sheriff's Department.**

8910-8400 For the operation of the Dukes sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services..... $2,567,765

**Nantucket Sheriff's Department.**

8910-8500 For the operation of the Nantucket sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B.. $782,593

**Norfolk Sheriff's Department.**

8910-8600 For the operation of the Norfolk sheriff's department provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services ..... $22,871,958

8910-8610 For the Norfolk sheriff's department which may expend for the operation of the department an amount not to exceed $2,500,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the

most recent revenue estimate as reported in the state accounting system..... $2,500,000

**Plymouth Sheriff's Department.**

8910-8700 For the operation of the Plymouth sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B$23,943,379

8910-8710 For the Plymouth sheriff's department which may expend for the operation of the department an amount not to exceed $16,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system..... $16,000,000

**Suffolk Sheriff's Department.**

8910-8800 For the operation of the Suffolk sheriff's department; provided, that the sheriff shall report to the house and senate committees on ways and means on the average monthly inmate population in the county starting not later than August 1, 2009; provided further, that all pharmacy services shall be paid through the state office of pharmacy services chargeback, item 4510-0108 of section 2B, not later than June 30, 2010; and provided further, that upon transitioning to the state office of pharmacy services, no charge or contract shall be made with an alternate vendor to provide pharmacy services other than the state office of pharmacy services ..... $85,442,734

8910-8810 For the Suffolk sheriff's department which may expend for the operation of the department an amount not to exceed $8,000,000 from revenues received from federal inmate reimbursements; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the

most recent revenue estimate as reported in the state accounting system..... $8,000,000

**Parole Board.**

8950-0001 For the operation of the parole board..... $18,572,321

8950-0002 For the victim and witness assistance program of the parole board under chapter 258B of the General Laws..... $217,185

8950-0008 For the operation of the parole board's sex offender management program and the supervision of high-risk offenders, the parole board may expend an amount not more than $600,000 from revenues collected from fees charged for parolee supervision; provided, that the parole board shall file a report with the house and senate committees on ways and means not later than February 1, 2010, which shall include, but not be limited to, the number of parolees participating in the program and the re-incarceration rate of participating parolees $600,000

**Department of Elder Affairs.**

9110-0100 For the operation of the executive office and regulation of assisted living facilities; provided, that the secretary shall continue to support community care ombudsman services; and provided further, that the executive office of elder affairs shall report annually to the house and senate

10856 committees on ways and means the number of assisted
10857 living units certified and the total revenues
10858 generated from application and certification fees
10859 for such units..... $2,120,392
10860 9110-1455 For the costs of the drug insurance program
10861 authorized by section 39 of chapter 19A of the
10862 General Laws; provided, that amounts received by
10863 the executive office of elder affairs' vendor as
10864 premium revenue for this program may be retained
10865 and expended by the vendor for the purposes of the
10866 program; provided further, that funds shall be
10867 expended for the operation of the pharmacy outreach
10868 program established in section 4C of chapter 19A of
10869 the General Laws; provided further, that
10870 notwithstanding any general or special law to the
10871 contrary, unless otherwise prohibited by state or
10872 federal law, prescription drug coverage or benefits
10873 payable by the executive office of elder affairs,
10874 and the entities with which it has contracted for
10875 administration of the subsidized catastrophic drug
10876 insurance program pursuant to said section 39 of
10877 said chapter 19A, shall be the payer of last resort
10878 for this program for eligible persons with regard
10879 to any other third-party prescription coverage or
10880 benefits available to such eligible persons;
10881 provided further, that the executive office shall

notify the house and senate committees on ways and means not less than 90 days in advance of any action to limit or cap the number of enrollees in the program; provided further, that this program shall be subject to appropriation and, in fiscal year 2010, expenditures shall not be more than the amount authorized in this item; provided further, that no action shall be taken to expand the benefits of the program, extend benefits to additional populations or reduce cost sharing in the program without approval of the general court; provided further, that the department shall submit drafts of legislation required to implement such actions for review and analysis by the general court; provided further, that the executive office shall take steps for the coordination of benefits with the Medicare prescription drug benefit created pursuant to the federal Medicare Prescription Drug Improvement and Modernization Act of 2003 to ensure that Massachusetts residents take advantage of said benefit; provided further, that the department shall provide assistance for prescription drug costs to enrollees who qualify for Medicare Part D as well as assistance for premiums, deductibles, payments, and co-payments required by the Part D or Medicare Advantage plans, or by other plans which

provide creditable prescription drug coverage as defined by section 104 of said Medicare Modernization Act, and which provide coverage of the cost of prescription drugs actuarially equal to or better than that provided by Medicare Part D; provided further, that a person shall also be eligible to enroll in the program at any time within a year after reaching age 65; and provided further, that the department shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year..... $40,000,000

9110-1500 For the provision of enhanced home care services, including case management to elders who meet the eligibility requirements of the home care program and who need services above the level customarily provided under the program to remain safely at home, including elders previously enrolled in the managed care in housing, enhanced community options, and chronic care enhanced services programs; provided, that the secretary shall actively seek to obtain federal financial participation for all services provided to seniors who qualify for Medicaid benefits under the section 1915C waiver; provided further, that the executive office shall collect income data on persons receiving services provided in this item; provided

further, that the executive office shall submit a report to the house and senate committees on ways and means detailing the population served by this item delineated by both 2009 federal poverty income levels and 2009 social security income standards; provided further, that the report shall be submitted not later than February 1, 2010; and provided further, that the executive office shall submit a report not later than October 15, 2009, to the house and senate committees on ways and means which shall include the number of individuals on a waiting list for these services on October 1, 2009, compared to the number of individuals on a waiting list on July 1, 2009..... $45,789,340

9110-1604 For the operation of the supportive senior housing program at state or federally-assisted housing sites; provided, that the funds shall be expended to fully fund existing sites..... $4,014,802

9110-1630 For the operation of the elder home care program, including contracts with aging service access points or other qualified entities for the home care program, home care, health aides, home health and respite services, geriatric mental health services, and other services provided to the elderly; provided, that a sliding fee shall be charged to qualified elders; provided further, that

the secretary of elder affairs may waive collection of sliding fees in cases of extreme financial hardship; provided further, that not more than $11,500,000 in revenues accrued from sliding fees shall be retained by the individual home care corporations without re-allocation by the executive office of elder affairs, and shall be expended for the purposes of the home care program, consistent with guidelines to be issued by the executive office; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means on the receipt and expenditure of revenues accrued from the sliding fees; provided further, that the executive office shall report quarterly to the house and senate committees on ways and means and the executive office for administration and finance on the amount expended from this item for purchase of service expenditures by category of service as set forth in 651 C.M.R. 3.01 and 651 C.M.R. 3.06; provided further, that no rate increase shall be awarded in fiscal year 2010 which would cause a reduction in client services or the number of clients served; provided further, that no funds shall be expended from this item to pay for salary increases for direct service workers who provide state-funded

homemaker and home health aid services which would cause a reduction in client services; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated in this item to item 9110-1633 for case management services and the administration of the home care program..... $100,307,274

9110-1633 For the operation of the elder home care case management program, including contracts with aging service access points, or other qualified entities for home care case management services and the administration of the home care corporations funded through item 9110-1630 and item 9110-1500; provided, that such contracts shall include the costs of administrative personnel, home care case managers, travel, rent and other costs deemed appropriate by the executive office of elder affairs; provided further, that no funds appropriated in this item shall be expended for the enhancement of management information systems; and provided further, that the secretary of elder affairs may transfer an amount not to exceed 3 per cent of the funds appropriated herein to item 9110-1630..... $37,568,041

9110-1636 For the elder protective services program, including protective services case management,

guardianship services, the statewide elder abuse hotline, money management services, and the elder-at-risk program..... $16,252,499

9110-1660 For congregate and shared housing services for the elderly; provided, that funds may be expended for naturally occurring retirement communities..... $1,503,617

9110-1700 For residential assessment and placement programs for homeless elders..... $136,000

9110-1900 For the elder nutrition program..... $6,279,770

9110-9002 For grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary; provided further, that funding shall be expended for provider training and outreach for LGBT elders and caregivers; and provided further, that such distribution schedules shall be submitted to the house and senate committees on ways and means..... $8,615,068

**LEGISLATURE.**

**Senate.**

9500-0000 For the operation of the senate..... $17,636,527

**House of Representatives.**

9600-0000 For the operation of the house of representatives$31,302,640

**Joint Legislative Expenses.**

9700-0000 For the joint operations of the legislature..... $6,492,232

**Commission on the Status of Women.**

0950-0000 For the commission on the status of women..... $70,000

**Section 2B**

The amounts set forth in this section are hereby appropriated from the General Federal Grants Fund. Federal funds received in excess of the amount appropriated in this section shall be expended only in accordance with section 6B of chapter 29 of the General Laws. The amount of any unexpended balance of federal grant funds received prior to June 30, 2009, and not included as part of an appropriation item in this section, is hereby made available for expenditure during fiscal year 2010, in addition to any amount appropriated in this section.

**OFFICE OF THE SECRETARY OF STATE.**

0511-0003 For the costs of providing electronic and other publications purchased from the state bookstore, for commission fees, notary fees and for direct access to the secretary's computer library..... $16,000

0511-0235 For the costs of obsolete records destruction incurred by the office of the secretary of state; provided, that state agencies, including the judicial branch, may be charged for the destruction of their obsolete records by the records center where appropriate; provided further, that the secretary of state may expend revenues not to

exceed $100,000 of the funds received for the costs of the obsolete record destruction; and provided further, that the fees shall be charged on an equitable basis..... $100,000

**OFFICE OF THE STATE COMPTROLLER.**

1000-0005 For the cost of the single state audit for the fiscal year ending June 30, 2010; provided, that the comptroller may charge other appropriations and federal grants for the cost of the audit..... $675,000

1000-0008 For the costs of operating and managing the MMARS and New MMARS accounting system for fiscal year 2010..... $2,628,018

**EXECUTIVE OFFICE OF ADMINISTRATION AND FINANCE.**

**Office of the Secretary.**

1100-1701 For the cost of information technology services provided to agencies of the executive office of administration and finance..... $20,771,507

**DIVISION OF CAPITAL ASSET MANAGEMENT AND MAINTENANCE.**

1102-3224 For the costs for the Leverett Saltonstall building lease and occupancy payments; provided, that the division of capital asset management and maintenance shall submit to the house and senate committees on ways and means on or before the first of each month beginning July 1, 2009 a monthly report on the agencies that currently, or will

during fiscal year 2010 occupy space in the Saltonstall building, their rental costs, utility costs, parking space allocation, floor space, lease dates, all services included in the lease and all services that the agencies are obligated to fund beyond the lease payments; and provided further, that the report shall include both estimated payments and prior expenditures..... $11,217,734

**Bureau of State Office Buildings.**

1102-3333 For the operation and maintenance of state buildings, including reimbursement for overtime expenses, materials and contract services purchased in performing renovations and related services for agencies occupying state buildings or for services rendered to approved entities using state facilities..... $135,000

1102-3336 For the operation and maintenance of the space in the Hurley state office building occupied by the division of unemployment assistance..... $2,333,900

**Reserves.**

1599-2040 For the payment of prior year deficiencies based upon schedules provided to the house and senate committees on ways and means; provided, that the comptroller may charge departments' current fiscal year appropriations and transfer to such item amounts equivalent to the amounts to any prior year

deficiency, subject to the conditions stated in this item; provided further, that the comptroller shall only assess chargebacks to those current fiscal year appropriations when the account to which the chargeback is applied is the same account to which the prior year deficiency pertains or, if there is no such account, to the current fiscal year appropriation for the general administration of the department that administered the account to which the prior year deficiency pertains; provided further, that no chargeback shall be made which would cause a deficiency in any current fiscal year item; provided further, that the comptroller shall report with such schedule a detailed reason for the prior year deficiency on all chargebacks assessed that exceed $1,000 including the amount of the chargeback, the item and object class charged; and provided further, that the comptroller shall report on a quarterly basis on all chargebacks assessed, including the amount of the chargeback, the item, object class charged and the reason for the prior year deficiency..... $10,000,000

1599-3100 For the cost of the commonwealth's employer contributions to the Unemployment Compensation Fund and the Medical Security Trust Fund; provided, that the secretary for administration and finance shall

authorize the collection, accounting and payment of such contributions; and provided further, that in executing these responsibilities the comptroller may charge in addition to individual appropriation accounts certain non-appropriated funds in amounts that are computed on the same basis as the commonwealth's contributions are determined, including expenses, interest expense or related charges..... $26,000,000

**Division of Human Resources.**

1750-0101 For the cost of goods and services rendered in administering training programs, including the cost of training unit staff; provided, that the division shall charge to other items for the cost of participants enrolled in programs sponsored by the division or to state agencies employing such participants; provided further, that the division may collect from participating state agencies a fee sufficient to cover administrative costs of the commonwealth's performance recognition programs and to expend such fees for goods and services rendered in the administration of these programs; and provided further, that the division may charge and collect from participating state agencies a fee sufficient to cover administrative costs and expend such fees for goods and services rendered in the

administration of information technology services related to the human resources compensation management system program..... $400,000

1750-0105 For the cost of workers' compensation paid to public employees; provided, that the secretary of administration and finance shall charge other items or state agencies for costs incurred on behalf of these state agencies; provided further, that the secretary may transfer workers' compensation-related fringe benefit assessments from federal grants and trust accounts to this item; provided further, that no funds shall be expended from this item that would cause the item to be deficient; provided further, that the secretary shall provide projected costs of workers' compensation costs incurred by agencies in fiscal year 2010 to the house and senate committees on ways and means no later than March 2, 2010; provided further, that in accordance with chapter 177 of the acts of 2001, the secretary of administration and finance shall charge state agencies in fiscal year 2010 as provided in this item for workers' compensation costs, including related administrative expenses incurred on behalf of the employees of the agencies; provided further, that administrative expenses shall be allocated; provided further, that

the personnel administrator shall administer the charges on behalf of the secretary, and may establish such rules and procedures as deemed necessary to implement this item; provided further, that the personnel administrator shall: (1) notify agencies regarding the chargeback methodology to be used in fiscal year 2010; (2) notify agencies of the amount of their estimated workers compensation charges for the fiscal year; and (3) require agencies to encumber funds in an amount sufficient to meet the estimated charges; provided further, that the estimated charges for each agency in the fiscal year shall be not less than the amount of the actual workers' compensation costs, including related administrative expenses, incurred by each such agency in fiscal year 2009, and may include such additional amounts as the human resources division finds necessary under regulations adopted under this item; provided further, that the division may adopt a program of incentives for agencies to reduce agencies' claims; provided further, that for any agency that fails within 30 days of the effective date of this act to encumber funds sufficient to meet the estimated charges, the comptroller shall so encumber funds on behalf of that agency; provided further, that the personnel

administrator shall: (1) determine the amount of the actual workers' compensation costs incurred by each agency in the preceding month, including related administrative expenses; (2) notify each agency of the amounts; and (3) charge the amounts to each agency's accounts as estimates of the costs to be incurred in the current month; provided further, that notwithstanding any general or special law to the contrary, any balance remaining in the Intergovernmental Service Fund, at the close of fiscal year 2009 shall be transferred to the General Fund; provided further, that any unspent balance at the close of fiscal year 2009 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and is hereby re-authorized for expenditures for such item in fiscal year 2010; provided further, that the personnel administrator may expend in fiscal year 2010 for hospital, physician, benefit, and other costs related to workers' compensation for employees of state agencies, including administrative expenses; and provided further, that such expenditures may include payments for medical services provided to claimants in prior fiscal years, as well as

compensation benefits and associated costs for prior fiscal years..... $56,401,355

1750-0106 For the workers' compensation litigation unit, including the costs of personnel..... $639,023

**Operational Services Division.**

1775-0800 For the purchase, operation and repair of certain vehicles and for the cost of operating and maintaining all vehicles that are leased by other agencies, including the costs of personnel..... $7,600,000

1775-1000 For printing, photocopying, and related graphic art or design work, including all necessary incidental expenses and liabilities; provided, that the secretary for administration and finance shall charge to other items of appropriation within the agencies of the executive branch for such services, including the costs of personnel..... $1,000,000

**Information Technology Division.**

1790-0200 For the cost of computer resources and services provided by the information technology division in accordance with the policies, procedures and rates approved by the secretary for administration and finance, including the purchase, lease or rental of telecommunications lines, services and equipment, that are centrally billed to the commonwealth; provided, that the secretary shall charge other items of appropriation for the cost of the

resources and services; provided further, that notwithstanding any general or special law to the contrary, charges for the cost of computer resources and services provided by the bureau of computer services for the design, development, and production of reports and information related to the analysis, development and production of appropriations bills and other legislation shall not be charged to any item of appropriation of the executive office for administration and finance, the house of representatives, the senate or any joint legislative account in fiscal year 2010; provided further, that the bureau shall submit quarterly reports to the house and senate committees on ways and means summarizing the total charges, payments and services provided for the preceding quarter from each department charged to this item; provided further, that the reports shall include, but not be limited to, a delineation of the rates charged to each department as approved by the secretary for administration and finance for each service performed by the division; provided further, that the secretary for administration and finance shall establish regulations, procedures and a schedule of fees including, but not limited to, the development and distribution of forms and

instructions, including the costs of personnel; and provided further, that any unspent balance at the close of fiscal year 2010 in an amount not to exceed 5 per cent of the amount authorized shall remain in the Intergovernmental Service Fund and may be expended for the item in fiscal year 2011 $62,121,176

1790-0400 For the purchase, delivery, handling of and contracting for supplies, postage and related equipment and other incidental expenses provided pursuant to section 51 of chapter 30 of the General Laws ..... $2,329,665

**EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.**

2000-1701 For the cost of information technology services provided to agencies of the executive office of energy and environment ..... $4,841,523

**EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.**

**Office of the Secretary.**

4000-0102 For the cost of transportation services for health and human services clients and the operation of the health and human services transportation office .. $7,272,275

4000-0103 For the costs of core administrative functions performed within the executive office of health and human services; provided, that the secretary of the executive office of health and human services may, notwithstanding any general or special law to the

contrary, identify administrative activities and functions common to the separate agencies, departments, offices, divisions, and commissions within the executive office and may designate such functions “core administrative functions” in order to improve administrative efficiency and preserve fiscal resources; provided further, that common functions that may be designated core administrative functions include human resources, financial management, and leasing and facility management; provided further, that all employees performing functions so designated may be employed by the executive office, and the executive office shall charge the agencies, departments, offices, divisions, and commissions for such services; provided further, that upon the designation of a function as a core administrative function, the employees of each agency, department, office, or commission who perform such core administrative functions may be transferred to the executive office of health and human services; provided further, that the reorganization shall not impair the civil service status of any such transferred employee who immediately before the effective date of this act either holds a permanent appointment in a position classified under chapter 31 of the

General Laws or has tenure in a position by reason of section 9A of chapter 30 of the General Laws; and provided further, that nothing in this item shall impair or change an employee's status, rights, or benefits under chapter 150E of the General Laws ..... $19,824,955

4000-1701 For the cost of information technology services provided to agencies of the executive office of health and human services ..... $33,501,589

**Massachusetts Commission for the Deaf and Hard of Hearing.**

4125-0122 For the costs of interpreter services provided by commission staff; provided, that the costs of personnel may be charged to this item; and provided further, that for the purpose of accommodating discrepancies between the receipt of retained revenues and related expenditures, the commission may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state accounting system ..... $250,000

**Department of Public Health.**

4510-0108 For the costs of pharmaceutical drugs and services provided by the state office for pharmacy services, in this section called SOPS; provided, that SOPS shall notify in writing all agencies listed below of their obligations under this item by July 15,

2009; provided further, that SOPS shall continue to be the sole provider of pharmacy services for the following agencies currently under SOPS: the department of public health, the department of mental health, the department of developmental services, the department of correction, the department of youth services, the sheriff's departments of Bristol, Essex, Franklin, Hampden, Hampshire, and Plymouth, and the Soldiers' Homes in Holyoke and Chelsea; provided further, that SOPS shall become the sole provider of pharmacy services to the following agencies currently not being serviced by SOPS: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further, that SOPS shall be the sole provider of pharmacy services for all said agencies and all costs for pharmacy services shall be charged by this item; provided further, that said agencies shall not charge or contract with any other alternative vendor for pharmacy services other than SOPS; provided further, that SOPS shall develop an implementation plan to transition the following agencies within the current fiscal year: the sheriff's departments of Worcester, Middlesex, Berkshire, Suffolk, Norfolk, Barnstable and Dukes; provided further,

that SOPS shall validate previously-submitted pharmacy expenditures including HIV Drug Assistance Program drug reimbursements during fiscal year 2010; provided further, that SOPS shall continue to work to reduce medication costs, provide standardized policies and procedures in a clinically responsible manner, provide comprehensive data analysis and improve the quality of clinical services; provided further, that SOPS shall report to the house and senate committees on ways and means no later than April 15, 2010 detailing the projected savings realized by each transitioning agency in comparison to their pharmacy costs in fiscal year 2009 and their projected savings for fiscal year 2011; and provided further, that the report shall also provide recommendations for the inclusion of other entities that may realize cost savings by joining SOPS..... $47,865,393

4590-0901 For the costs of medical services provided at public health hospitals pursuant to a schedule of services and fees approved by the commissioner of public health, which may be expended for the purposes of hospital related costs, including, but not limited to, capital repair and the maintenance and motor vehicle replacement; provided, that

notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system. $150,000

4590-0903 For the costs of medical services provided at the department of public health Lemuel Shattuck hospital to inmates of the county correctional facilities; provided, that the costs shall be charged to items 8910-0000, 8910-0010, 8910-0102, 8910-0105, 8910-0107, 8910-0108, 8910-0110, 8910-0145, 8910-0619, 8910-8200, 8910-8300, 8910-8400, 8910-8500, 8910-8600, and 8910-8800 of section 2 pursuant to the provisions thereof; provided further, that expenditures from this item shall be for hospital-related costs including, but not limited to, capital repair and the maintenance and motor vehicle replacement; and provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller

may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system..... $3,800,000

**Department of Developmental Services.**

5948-0012 For a program providing alternatives to residential placements for children with mental retardation, including the costs of intensive home-based supports, provided in item 7061-0012 of section 2 $6,500,000

**EXECUTIVE OFFICE OF TRANSPORTATION AND CONSTRUCTION.**

**Office of the Secretary.**

6000-1701 For the cost of information technology services provided to agencies of the executive office of transportation and public works..... $10,362,132

6030-7501 For the cost of the purchase of bulk fuel for certain vehicles under the authority of the operational services division and the cost of purchased fuel for other agencies and for certain administrative expenses related to purchasing and distributing the fuel..... $2,000,000

**EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.**

**Office of the Secretary.**

7002-0018 For the cost of information technology services provided to agencies of the executive office of housing and economic development..... $3,924,404

## EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

**Office of the Secretary.**

7002-0171 For the cost of information technology services provided to agencies of the executive office of labor and workforce development..... $19,041,403

## EXECUTIVE OFFICE OF EDUCATION.

**Office of the Secretary.**

7009-1701 For the cost of information technology services provided to agencies of the executive office of education..... $1,975,782

## EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.

8000-1701 For the cost of information technology services provided to agencies of the executive office of public safety and security..... $12,316,836

**State Police.**

8100-0002 For the costs of overtime associated with requested police details; provided, that for the purpose of accommodating discrepancies between the receipt of revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate thereof as reported in the state accounting system$6,481,785

8100-0003 For the costs associated with the use of the statewide telecommunications system for the maintenance of the system..... $156,375

**Military Division.**

8700-1145 For the costs of utilities and maintenance and for the implementation of energy conservation measures with regard to the state armories..... $300,000

**Department of Correction.**

8900-0021 For the cost of products produced by the prison industries and farm program and for the cost of services provided by inmates, including the costs of moving, auto repair, culinary and renovation and construction services; provided, that the costs for renovation and construction services shall not exceed the amount established by the operational services division; and provided further, that such revenues may also be expended for materials, supplies, equipment, maintenance of facilities and compensation of employees and for the inmate employment and training program..... $6,050,000

## Section 2D

The amounts set forth in this section are hereby appropriated from the General Federal Grants Fund. Federal funds received in excess of the amount appropriated in this section shall be expended only in accordance with section 6B of chapter 29 of the General Laws. The amount of any unexpended balance of federal grant funds received prior to June 30, 2009, and not included as part of an

appropriation item in this section, is hereby made available for expenditure during fiscal year 2010, in addition to any amount appropriated in this section.

**JUDICIARY**

0320-1700 For the purposes of a federally funded grant entitled, State Court Improvement Program Basic Grant ..... $240,211

0320-1701 For the purpose of a federally funded grant entitled, CIP Data Sharing Grant ..... $205,000

0320-1703 For the purpose of a federally funded grant entitled, CIP Training Grant ..... $195,121

**DISTRICT ATTORNEYS.**

**Plymouth District Attorney.**

0340-0806 For the purposes of a federally funded grant entitled, Weed and Seed Campello ..... $175,000

0340-0816 For the purposes of a federally funded grant entitled, Drug Free Communities ..... $100,000

0340-0821 For the purposes of a federally funded grant entitled, Brockton’s Promise- Youth Mentoring ..... $116,218

**Bristol District Attorney.**

0340-0906 For the purposes of a federally funded grant entitled, Weed and Seed ..... $149,843

**Cape and Islands District Attorney.**

0340-1013 For the purposes of a federally funded grant entitled, Federal Forfeiture Trust Account ..... $60,000

**SECRETARY OF STATE.**

0521-0800 For the purpose of a federally funded grant entitled, Election Assistance for Disabled Individuals..... $700,041

0526-0114 For the purposes of a federally funded grant entitled, Historic Preservation Survey and Planning $825,000

## TREASURER AND RECEIVER GENERAL.

**Massachusetts Cultural Council.**

0640-9716 For the purposes of a federally funded grant entitled, Folk and Traditional Arts Initiative..... $20,000

0640-9717 For the purposes of a federally funded grant entitled, Basic State Plan..... $633,300

0640-9718 For the purposes of a federally funded grant entitled, Arts Education..... $62,200

0640-9724 For the purposes of a federally funded grant entitled, Arts in Underserved Communities..... $151,000

0640-9729 For the purposes of a federally funded grant entitled, Challenge America..... $158,500

**Department of Veterans' Services.**

1410-0254 For the purposes of a federally funded grant entitled, Non-Urban Homeless Veterans Reintegration $300,000

1410-0255 For the purposes of a federally funded grant entitled, Urban Homeless Veterans Reintegration.... $300,000

1410-0256 For the purposes of a federally funded grant entitled, Veterans' Workforce Investment Program... $300,000

## ATTORNEY GENERAL.

0810-0026 For the purposes of a federally funded grant entitled, Crime Victim Compensation..... $285,250

0810-6664 For the purposes of a federally funded grant entitled, Cyber Crime Information Sharing..... $98,865

**Victim and Witness Assistance Board.**

0840-0110 For the purposes of a federally funded grant entitled, Victims of Crime Assistance Programs... $7,446,427

0840-4611 For the purposes of a federally funded grant entitled, Byrne Federal Grant..... $195,000

0840-4620 For the purposes of a federally funded grant entitled, VAWA Federal Grant..... $265,880

## Executive Office of Administration and Finance.

**Massachusetts Developmental Disabilities Council.**

1100-1703 For the purposes of a federally funded grant entitled, Implementation of the Federal Developmental Disabilities Act; provided, that in order to qualify for this grant, this item shall be exempt from the first $350,000 of fringe benefit and indirect cost charges pursuant to section 6B of chapter 29 of the General Laws..... $2,128,816

**Disabled Persons Protection Commission.**

1107-2450 For the purposes of a federally funded grant entitled, Client Assistance Program..... $239,839

1107-2509 For the purposes of a federally funded grant entitled, Disabled Persons Protection Commission, Multi-Disciplinary Responses to Crime..... $475,000

**Department of Revenue.**

1201-0104 For the purposes of a federally funded grant entitled, Joint Federal-State Motor Fuel Tax Compliance Project..... $10,000

1201-0109 For the purposes of a federally funded grant entitled, Access and Visitation - Parent Education Program..... $222,169

1201-0412 For the purposes of federally funded grants entitled, Child Support Enforcement Grants, Child Support IVD Companion account to CSE Demonstration Grants..... $113,667

**EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.**

**Office of the Secretary.**

2000-0141 For the purposes of a federally funded grant entitled, Coastal Zone Management and Development $3,600,000

2000-0177 For the purposes of a federally funded grant entitled, Wetlands Development ..... $33,312

2000-0179 For the purposes of a federally funded, grant entitled Eel River Restoration ..... $961,500

2000-0186 For the purposes of a federally funded grant entitled, Aquatic Nuisance Species Management Plan.. $73,798

2000-0248 For the purposes of a federally funded grant entitled, National Estuary Program — Operation..... $640,334

2000-9600 For the purposes of a federally funded grant entitled, Narragansett Bay..... $73,370

2000-9701 For the purposes of a federally funded grant entitled, Outdoor Recreation Projects - Political Subdivisions..... $2,317,517

2000-9735 For the purposes of a federally funded grant entitled, Buzzards Bay Estuary Program..... $593,203

2000-9760 For the purposes of a federally funded grant entitled, Inventory of Navy Shipwreck..... $4,490

2030-0013 For the purposes of a federally funded grant entitled, Fisheries Enforcement..... $769,808

2030-9701 For the purposes of a federally funded grant entitled, Safe Boating Program..... $1,396,630

**Department of Public Utilities.**

7006-9000 For the purposes of a federally funded grant entitled, Motor Carrier Safety Assistance..... $102,000

7006-9002 For the purposes of a federally funded grant entitled, Pipeline Security..... $953,682

**Department of Environmental Protection.**

2200-9706 For the purposes of a federally funded grant entitled, Water Quality Management Planning..... $534,866

2200-9712 For the purposes of a federally funded grant entitled, Cooperative Agreement-Leaking Underground Storage Tanks..... $1,000,000

2200-9717 For the purposes of a federally funded grant entitled, D.O.D. Environment Restoration Program for Department of Defense..... $1,422,301

2200-9724 For the purposes of a federally funded grant entitled, Superfund Block Grant..... $975,728

2200-9728 For the purposes of a federally funded grant entitled, Brownfields Assessment Program - Multi-Site Cooperative Agreement..... $231,390

2200-9729 For the purposes of a federally funded grant entitled, Brownfield Pilots Cooperative Agreements.. $22,314

2200-9731 For the purposes of a federally funded grant entitled, Brownfield Response..... $1,570,062

2230-9702 For the purposes of a federally funded grant entitled, Air, Water and Hazardous Waste Management Regulatory Programs..... $17,611,753

2230-9709 For the purposes of a federally funded grant entitled, Environmental Information Exchange..... $195,494

2230-9710 For the purposes of a federally funded grant entitled, FY07 Network..... $186,004

2230-9711 For the purposes of a federally funded grant entitled, Environmental Information Exchange Network..... $260,000

2240-9762 For the purposes of a federally funded grant entitled, Reimbursement to Operators to Small Water Systems for Training and Certification..... $304,404

2240-9764 For the purposes of a federally funded grant entitled, Special Appropriation Set-Aside Administration..... $55,819

2240-9769 For the purposes of a federally funded grant entitled, Estuaries Watershed Permitting..... $18,915

2240-9773 For the purposes of a federally funded grant entitled, Technical Assistance and Training for Drinking Water..... $58,500

2240-9774 For the purposes of a federally funded grant entitled, Regional Dedicated Water Quality..... $15,000

2250-9712 For the purposes of a federally funded grant entitled, Clean Air Act-Fine Particulate Matter Air Monitoring..... $446,479

2250-9716 For the purposes of a federally funded grant entitled, Ambient Air Toxics Pilot Project..... $133,645

2250-9724 For the purposes of a federally funded grant entitled, Mass Food Waste RCC Program..... $ 31,649

2250-9725 For the purposes of a federally funded grant entitled, Innovation Environment Compliance Strategies..... $55,470

2250-9726 For the purposes of a federally funded grant entitled, Homeland Security Co-op Agreement..... $863,645

2250-9727 For the purposes of a federally funded grant entitled, School Bus Retrofit..... $20,000

2250-9728 For the purposes of a federally funded grant entitled, Off Road Construction (ORCVRP)..... $5,000

2250-9729 For the purposes of a federally funded grant entitled, Composting Recycling..... $5,000

2250-9730 For the purposes of a federally funded grant entitled, Air Toxic-Spatial Trends..... $82,335

**Department of Fish and Game.**

2300-0112 For the purposes of a federally funded grant entitled, River Restoration Program..... $27,133

2300-0114 For the purposes of a federally funded grant entitled, USFWS Partnership Program..... $48,534

2300-0115 For the purposes of a federally funded grant entitled, US Fish and Wildlife Service Eastern Brook Trout Joint Venture..... $100,000

2300-0116 For the purposes of a federally funded grant entitled, Riverways- Natural Resource Conservation Services Wildlife Habitat Incentive Program..... $299,664

2310-0115 For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier I..... $80,000

2310-0116 For the purposes of a federally funded grant entitled, Land Owner Incentive Program – Tier II. $1,000,000

2310-0117 For the purposes of a federally funded grant entitled, Chronic Wasting Disease..... $90,000

2310-0118 For the purposes of a federally funded grant entitled, Junior Duck Stamp..... $1,300

2310-0119 For the purposes of a federally funded grant entitled, Avian Influenza Surveillance Program..... $20,000

2330-9222 For the purposes of a federally funded grant entitled, Clean Vessel..... $850,000

2330-9712 For the purposes of a federally funded grant entitled, Commercial Fisheries Statistics..... $200,206

2330-9713 For the purposes of a federally funded grant entitled, Right Whale Conservation..... $320,000

2330-9721 For the purposes of a federally funded grant entitled, Anadromous Fisheries Management..... $37,500

2330-9725 For the purposes of a federally funded grant entitled, Boating Infrastructure..... $100,000

2330-9726 For the purposes of a federally funded grant entitled, Lobster Trap Escape Vent Selectivity Study..... $40,000

2330-9730 For the purposes of a federally funded grant entitled, Interstate Fisheries Management Support.. $233,000

2330-9732 For the purposes of a federally funded grant entitled, ACCSP Implementation Strategic Plan..... $125,000

2330-9736 For the purposes of a federally funded grant entitled, Marine Fisheries Institute..... $600,000

2330-9739 For the purposes of a federally funded grant entitled, Turtle Disengagement..... $51,000

2330-9740 For the purposes of a federally funded grant entitled, Lobster Gear Removal/Rope Work..... $40,000

2330-9741 For the purposes of a federally funded grant entitled, Groundfish Disaster Relief..... $13,400,000

**Department of Agricultural Resources.**

2511-0310 For the purposes of a federally funded grant entitled, Pesticide Enforcement..... $320,324

2511-0320 For the purposes of a federally funded grant entitled, Certification of Pesticide Applicators... $123,000

2511-0336 For the purposes of a federally funded grant entitled, Special Pesticide Disposal Initiative..... $7,240

2511-0400 For the purposes of a federally funded grant entitled, Cooperative Pest Survey Program..... $150,000

2511-0401 For the purposes of a federally funded grant entitled, Cooperative Pesticide Recordkeeping Program..... $17,500

2511-0972 For the purposes of a federally funded grant entitled, Farmland Protection..... $4,500,000

2511-1025 For the purposes of a federally funded grant entitled, Country of Origin Labeling..... $50,000

2515-1002 For the purposes of a federally funded grant entitled, Animal Disease Surveillance Homeland Security..... $125,030

2515-1003 For the purposes of a federally funded grant entitled, Voluntary Johne’s Disease Control..... $44,300

2515-1004 For the purposes of a federally funded grant entitled, Scrapie Disease Surveillance and Flock Certification..... $8,300

2515-1005 For the purposes of a federally funded grant entitled, Low Pathogenic Avian Influenza Prevention. $29,350

2515-1006 For the purposes of a federally funded grant entitled, National Animal Identification System.... $246,500

2515-1008 For the purposes of a federally funded grant entitled, Highly Pathogenic Avian Influenza..... $126,000

2516-9002 For the purposes of a federally funded grant entitled, Development of Institutional Marketing... $163,726

2516-9003 For the purposes of a federally funded grant entitled, Farmer's Market Coupon Program..... $450,000

2516-9004 For the purposes of a federally funded grant entitled, Senior Farmers Market Nutrition Program.. $556,000

2516-9007 For the purposes of a federally funded grant entitled, Organic Certification Cost-Share Program.. $77,500

**Department of Conservation and Recreation.**

2800-9707 For the purposes of a federally funded grant entitled, National Flood Insurance Program..... $190,000

2800-9709 For the purposes of a federally funded grant entitled, Map Modernization..... $109,404

2800-9721 For the purposes of a federally funded grant entitled, Schooner Ernestina Historical Documentation..... $20,000

2800-9726 For the purposes of a federally funded grant entitled, FEMA National Dam Safety Program..... $67,907

2800-9727 For the purposes of a federally funded grant entitled, Boston Harbor Islands Projects-National Park Service..... $250,000

2800-9750 For the purposes of a federally funded grant entitled, Ipswich River Watershed EPA Grant..... $70,200

2820-9702 For the purposes of a federally funded grant entitled, Rural Community Fire Protection..... $74,207

2820-9704 For the purposes of a federally funded grant entitled, NRCS Wildlife Habitat Incentives Program.. $63,805

2820-9705 For the purposes of a federally funded grant entitled, Animal and Plant Health Inspections... $25,010,000

2821-9705 For the purposes of a federally funded grant entitled, Urban and Community Forestry Program..... $417,588

2821-9709 For the purposes of a federally funded grant entitled, Forestry Stewardship, Forest Legacy and Conservation Education..... $3,098,041

2821-9711 For the purposes of a federally funded grant entitled, Rural Fire Prevention and Control..... $228,492

2821-9713 For the purposes of a federally funded grant entitled, Wildland Urban Interface Fuels Management $293,608

2821-9714 For the purposes of a federally funded grant entitled, Rural Development through Forestry..... $26,005

2821-9719 For the purposes of a federally funded grant entitled, Watershed Forest Management – Guidebook.... $2,714

2821-9726 For the purposes of a federally funded grant entitled, Forest Health Management - US Forest Service..... $103,251

2830-9705 For the purposes of a federally funded grant entitled, SUASCO Watershed Flood Control Reservoir... $7,014

2840-9709 For the purposes of a federally funded grant entitled, Waquoit Bay National Estuarine Research Reserve Consolidated Funding..... $624,789

2840-9710 For the purposes of a federally funded grant entitled, NOAA - S. Cape Beach Salt Marsh Restoration..... $100,461

2840-9714 For the purposes of a federally funded grant entitled, Waquoit Bay Land Acquisition..... $83,837

2840-9715 For the purposes of a federally funded grant entitled, NOAA CECLP Grant..... $2,250,000

2850-9701 For the purposes of a federally funded grant entitled, Recreational Trails Program..... $563,400

**Department of Energy Resources.**

7006-9237 For the purposes of a federally funded grant entitled, Rebuild Mass – Energy Smart Communities... $48,041

7006-9238 For the purposes of a federally funded grant entitled, SEP – 4 Natural Gas Buses..... $196,843

7006-9239 For the purposes of a federally funded grant entitled, SEP – A Module-Integrated..... $190,164

7006-9240 For the purposes of a federally funded grant entitled, Tall Tower Wind..... $88,562

7006-9243 For the purposes of a federally funded grant entitled, BIOMASS – Sustainable Forest..... $444,127

7006-9244 For the purposes of a federally funded grant entitled, Evaluation of Switchgrass for Biofuel in Massachusetts..... $10,000

7006-9301 For the purposes of a federally funded grant entitled, How Cost-Effective energy Efficiency..... $164,210

7006-9302 For the purposes of a federally funded grant entitled, State Industrial Assessment Projects..... $50,000

7006-9303 For the purposes of a federally funded grant entitled, SEP Advance Energy Codes..... $400,000

7006-9720 For the purposes of a federally funded grant entitled, State Heating Oil..... $22,288

7006-9730 For the purposes of a federally funded grant entitled, SEP II..... $753,000

7006-9757 For the purposes of a federally funded grant entitled, BIOMASS..... $9,376

## DEPARTMENT OF EARLY EDUCATION AND CARE.

**Department of Early Education and Care.**

3000-0708 For the purposes of a federally funded grant entitled, Head Start Collaboration..... $175,000

3000-9002 For the purposes of a federally funded grant entitled, Child Abuse Prevention and Treatment Activities..... $585,000

## EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

**Office of the Secretary.**

4000-7560 For the purposes of a federally funded grant entitled, Emergency Room Diversion..... $143,034

4000-7570 For the purposes of a federally funded grant entitled, Medicaid Transformation..... $189,417

4000-9401 For the purposes of a federally funded grant entitled, Community Mental Health Services..... $8,058,984

**Office for Refugees and Immigrants.**

4003-0801 For the purposes of a federally funded grant entitled, Achieving Self-Sufficiency in a Short Time..... $335,000

4003-0803 For the purposes of a federally funded grant entitled, Refugee School Impact..... $287,500

4003-0804 For the purposes of a federally funded grant entitled, refugee Targeted Assistance Grant..... $1,156,746

4003-0805 For the purposes of a federally funded grant entitled, refugee Resettlement Program..... $1,613,552

4003-0806 For the purposes of a federally funded grant entitled, Refugee Cash, Medical, and Administration$7,772,792

4003-0810 For the purposes of a federally funded grant entitled, Refugee Agriculture Partnership Program (RAPP)..... $93,518

**Massachusetts Commission for the Blind.**

4110-3020 For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees..... $194,885

4110-3021 For the purposes of a federally funded grant entitled, Basic Support Grant..... $7,023,706

4110-3023 For the purposes of a federally funded grant entitled, Independent Living — Adaptive Housing..... $65,550

4110-3026 For the purposes of a federally funded grant entitled, Independent Living — Services to Older Blind Americans..... $774,609

4110-3027 For the purposes of a federally funded grant entitled, Rehabilitation Training..... $29,280

4110-3028 For the purposes of a federally funded grant entitled, Supported Employment..... $75,000

**Massachusetts Rehabilitation Commission.**

4120-0020 For the purposes of a federally funded grant entitled, Vocational Rehabilitation; provided, that no funds shall be deducted for pensions, group health and life insurance or any other such indirect cost of federally reimbursed state employees..... $40,119,565

4120-0040 For the purposes of a federally funded grant entitled, Vocational Rehabilitation and Comprehensive Systems of personnel development Training..... $110,200

4120-0187 For the purposes of a federally funded grant entitled, Supported Employment Program..... $516,463

4120-0191 For the purposes of a federally funded grant entitled, Informed Members Planning and Assessing Choices Together (IMPACT)..... $165,637

4120-0511 For the purposes of a federally funded grant entitled, Vocational Rehabilitation - Determination of Disability..... $40,032,148

4120-0603 For the purposes of a federally funded grant entitled, Innovation Strategies for Transition Youth with Disabilities..... $350,000

4120-0608 For the purposes of a federally funded grant entitled, TBI Implementation Grant..... $120,000

4120-0760 For the purposes of a federally funded grant entitled, Independent Living..... $1,750,000

4120-0768 For the purposes of a federally funded grant entitled, Assistive Technology Act..... $500,938

**Department of Transitional Assistance.**

4400-3066 For the purposes of a federally funded grant entitled, Training for Food Stamp ABAWDs..... $1,600,000

4400-3067 For the purposes of a federally funded grant entitled, Food Stamp Employment and Training..... $2,100,000

4400-3069 For the purposes of a federally funded grant entitled, Full Employment Food Stamp Cash-Out..... $25,000

**Department of Public Health.**

4500-1000 For the purposes of a federally funded grant entitled, Preventive Health Services Block Grant. $3,205,114

4500-1050 For the purposes of a federally funded grant entitled, Rape Prevention and Education..... $879,343

4500-1060 For the purposes of a federally funded grant entitled, the Rape Prevention Program Planning and Evaluation Capacity Building..... $80,500

4500-1065 For the purposes of a federally funded grant entitled, State Partnership to Improve Minority Health..... $113,523

4500-2000 For the purposes of a federally funded grant entitled, Maternal and Child Health Services Block Grant..... $11,863,729

4502-1012 For the purposes of a federally funded grant entitled, Cooperative Health Statistics System..... $426,970

4510-0109 For the purposes of a federally funded grant entitled, State Loan Repayment Project..... $250,000

4510-0113 For the purposes of a federally funded grant entitled, Office of Rural Health..... $147,480

4510-0118 For the purposes of a federally funded grant entitled, Primary Care Cooperative Agreement..... $108,983

4510-0119 For the purposes of a federally funded grant entitled, Rural Hospital Flexibility Program..... $297,900

4510-0219 For the purposes of a federally funded grant entitled, Small Rural Hospital Improvement Program.. $89,340

4510-0221 For the purposes of a federally funded grant entitled, Targeted Oral Health Services..... $160,000

4510-0400 For the purposes of a federally funded grant entitled, Medicare and Medicaid Survey and Certification..... $7,703,529

4510-0404 For the purposes of a federally funded grant entitled, Bioterrorism Hospital Preparedness..... $9,454,744

4510-0500 For the purposes of a federally funded grant entitled, Clinical Laboratory Improvement..... $291,613

4510-0609 For the purposes of a federally funded grant entitled, NRC Security Inspections..... $5,000

4510-0619 For the purposes of a federally funded grant entitled, FDA Inspection of Food Establishments.... $317,508

4510-0626 For the purposes of a federally funded grant entitled, Statewide Surveillance of Health Concerns & Toxic Algae Blooms..... $149,339

4510-0627 For the purposes of a federally funded grant entitled, Enhancement of Infrastructure Reporting and Interstate Exchange..... $46,332

4510-0628 For the purposes of a federally funded grant entitled, Enhancement of Infrastructure Collaborative Data Sharing..... $66,667

4510-0630 For the purposes of a federally funded grant entitled, Enabling Electronic Prescribing and Enhancement..... $467,981

4510-0636 For the purposes of a federally funded grant entitled, Childhood Lead Paint Poisoning Prevention$1,149,690

4510-0638 For the purposes of a federally funded grant entitled, Edward Byrne Memorial State and Local Law Enforcement Assistance..... $200,000

4510-0639 For the purposes of a federally funded grant entitled, Food Protection Rapid Response Team..... $497,519

4510-0640 For the purposes of a federally funded grant entitled, Mass Food Protection Task Force Conference..... $5,000

4510-9014 For the purposes of a federally funded grant entitled, Mammography Quality Standards Act Inspections..... $163,405

4510-9040 For the purposes of a federally funded grant entitled, Diabetes Control Program..... $1,070,134

4510-9043 For the purposes of a federally funded grant entitled, Demonstration Program to Conduct Toxic Waste Site Health Impact Assessments..... $412,000

4510-9048 For the purposes of a federally funded grant entitled, Indoor Radon Development Program..... $159,243

4510-9053 For the purposes of a federally funded grant entitled, Beaches Environmental Assessment..... $314,988

4510-9056 For the purposes of a federally funded grant entitled, National Environmental Public Health Tracking..... $901,502

4512-0102 For the purposes of a federally funded grant entitled, Sexually Transmitted Disease Control... $1,534,840

4512-0179 For the purposes of a federally funded grant entitled, Vaccination Assistance Project..... $5,928,069

4512-0180 For the purposes of a federally funded grant entitled, Epidemiology and Lab Surveillance..... $978,028

4512-9064 For the purposes of a federally funded grant entitled, Adolescent Treatment..... $50,950

4512-9065 For the purposes of a federally funded grant entitled, State Outcomes Measurement and Management System..... $150,000

4512-9067 For the purposes of a federally funded grant entitled, Screening and Brief Intervention..... $2,800,000

4512-9068 For the purposes of a federally funded grant entitled, Collaborative for Action, Leadership, and Learning..... $2,093,000

4512-9069 For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment Block Grant..... $37,576,554

4512-9070 For the purposes of a federally funded grant entitled, Promoting Safe and Stable Families..... $500,000

4512-9426 For the purposes of a federally funded grant entitled, Uniform Alcohol and Drug Abuse Data Collection..... $82,226

4513-0111 For the purposes of a federally funded grant entitled, Housing Opportunities-People with AIDS... $246,507

4513-1123 For the purposes of a federally funded grant entitled, Adult Viral Hepatitis Prevention Coordinator..... $107,351

4513-9007 For the purposes of a federally funded grant entitled, Nutritional Status of Women, Infants, and Children (WIC)..... $91,536,061

4513-9018 For the purposes of a federally funded grant entitled, Augmentation and Evaluation of Established Health Education - Risk Reduction... $11,092,885

4513-9020 For the purposes of a federally funded grant entitled, Expanded and Integrated HIV Testing..... $677,946

4513-9021 For the purposes of a federally funded grant entitled, Program for Infants and Toddlers with Handicaps..... $7,346,249

4513-9022 For the purposes of a federally funded grant entitled, Prevention Disability State Based Project $275,000

4513-9023 For the purposes of a federally funded grant entitled, Mass HIV/AIDS National Behavioral Surveillance..... $402,797

4513-9027 For the purposes of a federally funded grant entitled, MassCare - Community AIDS Resource Enhancement..... $879,806

4513-9030 For the purposes of a federally funded grant entitled, Planning a Comprehensive Primary Care System for All Mass Children and Youth..... $99,750

4513-9035 For the purposes of a federally funded grant entitled, AIDS Surveillance and Seroprevalence Project..... $976,614

4513-9037 For the purposes of a federally funded grant entitled, Ryan White Comprehensive AIDS Resources$24,458,758

4513-9038 For the purposes of a federally funded grant entitled, Shelter Plus Care – Worcester..... $312,684

4513-9046 For the purposes of a federally funded grant entitled, Congenital Anomalies Center of Excellence $1,004,400

4513-9051 For the purposes of a federally funded grant entitled, Rural Domestic Violence and Children Victimization Project ..... $449,779

4513-9060 For the purposes of a federally funded grant entitled, Residential Fire Injury Prevention — Mass Injury Intervention and Surveillance ..... $145,000

4513-9066 For the purposes of a federally funded grant entitled, Universal Newborn Hearing Screening-Enhancement Project ..... $175,000

4513-9071 For the purposes of a federally funded grant entitled, Early Hearing Detection and Intervention (EHDI) Tracking and Research ..... $194,579

4513-9077 For the purposes of a federally funded grant entitled, Emergency Medical Services for Children Partnership II ..... $115,000

4513-9078 For the purposes of a federally funded grant entitled, Asthma Planning Collaborative ..... $335,000

4513-9082 For the purpose of a federally funded grant entitled, CAPTA Requirement to Identify and Serve Substance Exposed Newborns ..... $250,000

4513-9083 For the purposes of a federally funded grant entitled, Massachusetts Youth Suicide Prevention Program ..... $254,039

4513-9085 For the purposes of a federally funded grant entitled, Massachusetts Pregnancy Risk..... $175,864

4513-9086 For the purposes of a federally funded grant entitled, Oral Health Workforce Activities Support Grant..... $97,098

4513-9087 For the purposes of a federally funded grant entitled, Grants to support Oral Health Workforce Activities..... $144,331

4513-9088 For the purposes of a federally funded grant entitled, Helping Hands for Infants and their families..... $475,000

4513-9089 For the purposes of a federally funded grant entitled, First Time Motherhood- New Parents Initiative..... $335,000

4514-1006 For the purposes of a federally funded grant entitled, Getting to the Heard of the Matter..... $87,103

4515-0115 For the purposes of a federally funded grant entitled, Tuberculosis Control Project..... $1,572,316

4515-0121 For the purposes of a federally funded grant entitled, Tuberculosis Epidemiological Studies and Consortium..... $308,061

4515-0200 For the purposes of a federally funded grant entitled, STD/HIV Prevention Training Centers..... $433,774

4515-0204 For the purposes of a federally funded grant entitled, Strengthening Surveillance for Infectious Disease..... $175,000

4515-0205 For the purposes of a federally funded grant entitled, HIV Training through Prevention Training Centers ..... $99,999

4516-1021 For the purposes of a federally funded grant entitled, Public Health Preparedness and Response for Bioterrorism ..... $15,109,316

4516-1025 For the purposes of a federally funded grant entitled, Morbidity and Risk Behavior Surveillance. $255,363

4516-1027 For the purposes of a federally funded grant entitled, Massachusetts Electronic Lab Data Exchange Project Supports ..... $561,254

4518-0505 For the purposes of a federally funded grant entitled, Tech Data & Mass Birth/Infant Death File Linkage/Analysis Assistive Reproductive ..... $82,721

4518-0514 For the purposes of a federally funded grant entitled, National Violent Death Reporting System.. $257,839

4518-0534 For the purposes of a federally funded grant entitled, Public Health Injury Surveillance and Prevention ..... $752,732

4518-1000 For the purposes of a federally funded grant entitled, Procurement of Information for the National Death Index ..... $20,327

4518-1002 For the purposes of a federally funded grant entitled, Massachusetts Death File - Social Security Administration ..... $33,000

4518-1003 For the purposes of a federally funded grant entitled, Massachusetts Birth Records — Social Security Administration..... $168,000

4518-1004 For the purposes of a federally funded grant entitled, Promoting Integration of State Health Information Systems..... $41,555

4518-9023 For the purposes of a federally funded grant entitled, Census of Fatal Occupational Injuries..... $44,200

4518-9030 For the purpose of a federally funded grant entitled, Public Health Injury Surveillance and Prevention Program..... $116,760

4570-1509 For the purposes of a federally funded grant entitled, Massachusetts Cardiovascular Disease Prevention..... $1,144,034

4570-1512 For the purposes of a federally funded grant entitled, National Cancer Prevention Control..... $3,440,786

4570-1514 For the purposes of a federally funded grant entitled, Wise Woman..... $900,000

4570-1515 For the purposes of a federally funded grant entitled, Chronic Diseases Prevention and Health Promotion..... $2,357,900

4570-1516 For the purposes of a federally funded grant entitled, Paul Coverdell Acute Stroke Registry..... $600,000

4570-1517 For the purposes of a federally funded grant entitled, Nutrition Obesity..... $1,075,152

4570-1520 For the purposes of a federally funded grant entitled, Mass Integrated Chronic Disease..... $2,035,805

**Department of Children and Families.**

4800-0005 For the purposes of a federally funded grant entitled, Children's Justice Act..... $339,302

4800-0007 For the purposes of a federally funded grant entitled, The Family Violence Prevention and Support Services Act..... $1,748,029

4800-0009 For the purposes of a federally funded grant entitled, Title IV-E Independent Living..... $2,984,866

4800-0013 For the purposes of a federally funded grant entitled, Family Preservation and Support Services$4,739,535

4800-0085 For the purposes of a federally funded grant entitled, Educational & Training Voucher Program. $1,005,443

4899-0001 For the purposes of a federally funded grant entitled, Title IV-B Child Welfare Services..... $4,221,839

4899-0022 For the purposes of a federally funded grant entitled, Child Abuse and Neglect Prevention and Treatment..... $508,911

**Department of Mental Health.**

5012-9121 For the purposes of a federally funded grant entitled, Project for Assistance in Transition from Homelessness..... $1,851,990

5012-9159 For the purposes of a federally funded grant entitled, State Mental Health Data Infrastructure.. $106,650

5012-9160 For the purposes of a federally funded grant entitled, Jail Diversion and Trauma Recovery..... $410,665

5046-9102 For the purposes of a federally funded grant entitled, Shelter Plus Care Program..... $201,120

5047-9102 For the purposes of a federally funded grant entitled, Comprehensive Mental Health Services for Children and their Families..... $2,277,824

**Department of Developmental Services.**

5947-0010 For the purposes of a federally funded grant entitled, Family Support 360-Project of National Significance..... $55,000

5947-0011 For the purposes of a federally funded grant entitled, Real Choice Systems Change Grant..... $206,100

**EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.**

7002-1625 For the purposes of a federally funded grant entitled, Veterans Workforce Investment Program FY10..... $757,412

7002-4203 For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration Statistical Survey..... $112,300

7002-4204 For the purposes of a federally funded grant entitled, Adult Blood Lead Levels Surveillance..... $20,486

7002-4212 For the purposes of a federally funded grant entitled, Asbestos Licensing and Monitoring..... $108,000

7002-4213 For the purposes of a federally funded grant entitled, Lead Licensing and Monitoring..... $275,000

7002-4215 For the purposes of a federally funded grant entitled, Occupational Illness and Injury..... $86,848

7002-4216 For the purposes of a federally funded grant entitled, Lead Enforcement Cooperative Agreement.... $75,000

7002-6624 For the purposes of a federally funded grant entitled, Unemployment Insurance Administration. $71,920,638

7002-6626 For the purposes of a federally funded grant entitled, Employment Service Programs Administration..... $22,522,897

7002-6627 For the purposes of a federally funded grant entitled, Occupational Substance and Health Administration On-site Consultation Program..... $1,358,000

7002-6628 For the purposes of a federally funded grant entitled, Disabled Veterans Outreach..... $1,427,581

7002-6629 For the purposes of a federally funded grant entitled, Local Veterans Employment Representative$1,534,205

7002-6646 For the purposes of a federally funded grant entitled, WIA Recovery Act Employer Services..... $8,063,456

7002-9701 For the purposes of a federally funded grant entitled, Federal Bureau of Labor Statistics Grant$2,451,894

7003-1010 For the purposes of a federally funded grant entitled, Trade Expansion Act Program..... $9,764,737

7003-1630 For the purposes of a federally funded grant entitled, Adult Activities – Workforce Investment Act Title I - Adult Activities..... $21,968,500

7003-1631 For the purposes of a federally funded grant entitled, Youth Formula Grants - Workforce Investment Act Title I - Youth Formula Grants... $24,436,362

7003-1632 For the purposes of a federally funded grant entitled, Dislocated Workers – Workforce Investment Act Title I –Dislocated Workers..... $40,024,132

7003-1633 For the purposes of a federally funded grant entitled, Work Incentive Grant Access to Employment for All..... $1,868,802

7003-1635 For the purposes of a federally funded grant entitled, Partnership for Youth in Employment..... $45,000

7003-1640 For the purposes of a federally funded grant entitled, WIA Recovery Act Adult Workers..... $10,073,668

7003-1642 For the purposes of a federally funded grant entitled, WIA Recovery Act Dislocated Workers... $21,223,446

7003-1651 For the purposes of a federally funded grant entitled, WIA Recovery Act Youth Workers..... $24,838,038

7003-2013 For the purposes of a federally funded grant entitled, Mine Safety and Health Training..... $63,395

**Department of Elementary and Secondary Education.**

7010-9706 For the purposes of a federally funded grant entitled, Common Core Data Project..... $191,631

7032-0217 For the purposes of a federally funded grant entitled, Robert C. Byrd Honors Scholarship Program — Distribution..... $784,500

7035-0166 For the purposes of a federally funded grant entitled, Even Start Family Literacy — Distribution $1,062,754

7035-0210 For the purposes of a federally funded grant entitled, Advanced Placement Fee Program..... $201,446

## EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

### Department of Housing and Community Development.

7004-0304 For the purposes of a federally funded grant entitled, Lead-Based Paint Control Program..... $53,656

7004-2030 For the purposes of a federally funded grant entitled, Weatherization Assistance for Low Income Persons; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies..... $10,132,330

7004-2033 For the purposes of a federally funded grant entitled, Low Income Home Energy Assistance Program; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development shall provide monthly payments in advance to participating agencies..... $214,196,440

7004-2034 For the purposes of a federally funded grant entitled, Community Services Block Grant; provided, that, consistent with applicable federal regulations and the state plan, the department of

12380 housing and community development may provide
12381 monthly payments in advance to participating
12382 agencies..... $16,207,825
12383 7004-2036 For the purposes of a federally funded grant
12384 entitled, Community Development Block
12385 Grant/Neighborhood Stabilization Program..... $20,000,000
12386 7004-2361 For the purposes of a federally funded grant
12387 entitled, Section 8 Substantial Rehabilitation
12388 Administrative Fee..... $341,136
12389 7004-2363 For the purposes of a federally funded grant
12390 entitled, Section 8 Administrative Fee Housing
12391 Voucher..... $1,725,856
12392 7004-2364 For the purposes of a federally funded grant
12393 entitled, Section 8 Administrative Fee Moderate
12394 Rehabilitation..... $266,770
12395 7004-2365 For the purposes of a federally funded grant
12396 entitled, Section 8 Administrative Fee New
12397 Construction..... $515,507
12398 7004-3037 For the purposes of a federally funded grant
12399 entitled, Small Cities Community Development Block
12400 Grant Program; provided, that, consistent with
12401 applicable federal regulations and the state plan,
12402 the department of housing and community development
12403 may provide monthly payments in advance to
12404 participating agencies..... $53,241,984

7004-9009 For the purposes of a federally funded grant entitled, Section 8 Substantial Rehabilitation Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.... $9,213,000

7004-9014 For the purposes of a federally funded grant entitled, Section 8 Federal Housing Voucher Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies.. $221,450,000

7004-9019 For the purposes of a federally funded grant entitled, Section 8 Moderate Rehabilitation; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies..... $8,500,000

7004-9020 For the purposes of a federally funded grant entitled, Section 8 New Construction Program; provided, that the department of housing and community development may provide monthly payments in advance to participating agencies..... $6,730,014

7004-9028 For the purposes of a federally funded grant entitled, Home Investment Partnerships; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide

monthly payments in advance to participating agencies..... $14,988,064

7004-9051 For the purposes of a federally funded grant entitled, Shelter Plus Care-Lowell; provided, that, consistent with applicable federal regulations and the state plan, the department of housing and community development may provide monthly payments in advance to participating agencies..... $25,000

4400-0705 For the purposes of a federally funded grant entitled, Emergency Shelter Grants..... $2,900,000

4400-0707 For the purposes of a federally funded grant entitled, Continuum of Care..... $6,000,000

4400-9404 For the purposes of a federally funded grant entitled, McKinney Shelter Plus Care..... $3,400,000

## EXECUTIVE OFFICE OF EDUCATION.

### Department of Elementary and Secondary Education.

7038-0107 For the purposes of a federally funded grant entitled, Adult Basic Education - Distribution... $9,620,845

7038-9004 For the purposes of a federally funded grant entitled, School Based Programs Distribution..... $350,527

7043-1001 For the purposes of a federally funded grant entitled, Title I Grants to Local Educational Agencies..... $233,353,571

7043-1002 For the purposes of a federally funded grant entitled, Title I Reading First State Grants..... $1,482,454

7043-1004 For the purposes of a federally funded grant entitled, Migrant Education..... $1,594,566

7043-1005 For the purposes of a federally funded grant entitled, Title I Neglected and Delinquent Children$1,896,925

7043-1006 For the purposes of a federally funded grant entitled, School Improvement Grant..... $8,286,895

7043-2001 For the purposes of a federally funded grant entitled, Teacher and Principal Training and Recruiting..... $50,637,588

7043-2002 For the purposes of a federally funded grant entitled, Enhancing Education through Technology. $4,219,983

7043-2003 For the purposes of a federally funded grant entitled, Title I Math and Science Partnerships.. $2,475,335

7043-3001 For the purposes of a federally funded grant entitled, English Language Acquisition..... $11,835,260

7043-4001 For the purposes of a federally funded grant entitled, Safe and Drug Free Schools and Communities..... $4,328,084

7043-4002 For the purposes of a federally funded grant entitled, After School Learning Centers..... $17,004,984

7043-6001 For the purposes of a federally funded grant entitled, Grants for State Assessments and Related Activities..... $7,737,805

7043-6002 For the purposes of a federally funded grant entitled, Rural And Low-Income Schools..... $48,500

7043-6501 For the purposes of a federally funded grant entitled, Education for Homeless Children/Youth.. $1,062,175

7043-7001 For the purposes of a federally funded grant entitled, Special Education Grants..... $282,156,276

7043-7002 For the purposes of a federally funded grant entitled, Preschool Grants..... $10,263,466

7043-8001 For the purposes of a federally funded grant entitled, Vocational Education Basic Grants..... $18,589,408

7043-8002 For the purposes of a federally funded grant entitled, Technical Preparation Education..... $1,575,242

7043-9002 For the purpose of a federally funded grant entitled, Transition to Teaching..... $172,817

7044-0020 For the purposes of a federally funded grant entitled, Project Focus Academy..... $542,538

7044-0210 For the purposes of a federally funded grant entitled, Advanced Placement Fee Program..... $250,000

7047-9008 For the purposes of a federally funded grant entitled, Learn and Serve America Competitive..... $469,839

7048-0228 For the purposes of a federally funded grant entitled, IMP Health and Education Outcomes- Young People..... $344,093

7048-9123 For the purposes of a federally funded grant entitled, Education Research, Development and Dissemination..... $500,000

7048-9200 For the purposes of a federally funded grant entitled, Statewide Longitudinal Data Systems Grant$2,269,286

7053-2008 For the purposes of a federally funded grant entitled, Fresh Fruit & Veggie..... $1,400,000

7053-2112 For the purposes of a federally funded grant entitled, Special Assistance Funds..... $169,322,798

7053-2117 For the purposes of a federally funded grant entitled, Child Care Program..... $52,916,697

7053-2126 For the purposes of a federally funded grant entitled, Temporary Emergency Food Assistance.... $1,309,867

7053-2202 For the purposes of a federally funded grant entitled, Special Summer Food Service Program for Children..... $6,683,712

7062-0008 For the purposes of a federally funded grant entitled, Office of School Lunch Programs — Child Care Program Administration..... $3,272,713

7062-0017 For the purposes of a federally funded grant entitled, Charter Schools Assistance Distribution $3,150,000

7062-0019 For the purposes of a federally funded grant entitled, Career Resource Network State Grant..... $70,000

**Department of Higher Education.**

7066-1574 For the purposes of a federally funded grant entitled, Improving Teacher Quality Grants..... $1,600,000

7066-6033 For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs..... $3,500,000

7070-0017 For the purposes of a federally funded grant entitled, Leveraging Educational Assistance Program— Department of Higher Education..... $966,753

7110-6019 For the purposes of a federally funded grant entitled, Upward Bound Payroll and Benefits— Fitchburg State College..... $242,000

7110-6030 For the purposes of a federally funded grant entitled, Expanding Horizons Student Support Services — Fitchburg State College..... $220,000

7110-6048 For the purposes of a federally funded grant entitled, Special Education Personnel Preparation— Fitchburg State College..... $78,000

7410-3093 For the purposes of a federally funded grant entitled, Polymer Building Construction — University of Massachusetts Amherst ..... $2,711,376

7503-6557 For the purposes of a federally funded grant entitled, Trio Talent Search - Bristol Community College ..... $165,124

7503-9711 For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Bristol Community College..... $340,641

7503-9714 For the purposes of a federally funded grant entitled, Upward Bound Program — Bristol Community College..... $124,315

7509-1490 For the purposes of a federally funded grant entitled, Educational Opportunities Centers Payroll — Mount Wachusett Community College..... $222,000

7509-9714 For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — Mount Wachusett Community College..... $235,000

7509-9717 For the purposes of a federally funded grant entitled, Upward Bound Math and Science Program - Mount Wachusett Community College ..... $98,000

7509-9718 For the purposes of a federally funded grant entitled, Talent Search — Mount Wachusett Community College..... $240,000

7509-9720 For the purposes of a federally funded grant entitled, Gaining Early Awareness and Readiness for Undergraduate Programs 2011— Mount Wachusett Community College..... $520,000

7511-9711 For the purposes of a federally funded grant entitled, Special Services for Disadvantaged Students — North Shore Community College..... $450,000

7511-9740 For the purposes of a federally funded grant entitled, Upward Bound — North Shore Community College..... $350,000

7511-9750 For the purposes of a federally funded grant entitled, Talent Search— North Shore Community College..... $225,000

7518-6127 For the purposes of a federally funded grant entitled, College Work Study Program— Bunker Hill Community College ..... $295,000

## EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

### Office of the Secretary.

8000-4602 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act — Planning ..... $150,000

8000-4603 For the purposes of a federally funded grant entitled, Juvenile Justice Delinquency and Prevention Act ..... $1,200,000

8000-4608 For the purposes of a federally funded grant entitled, Drug-Free Schools and Communities Act of 1986 ..... $1,200,000

8000-4609 For the purposes of a federally funded grant entitled, Narcotics Control Assistance ..... $866,000

8000-4610 For the purposes of a federally funded grant entitled, Statistical Analysis Center ..... $60,000

8000-4611 For the purposes of a federally funded grant entitled, Byrne Justice Assistance ..... $4,000,000

8000-4613 For the purposes of a federally funded grant entitled, Project Safe Neighborhood Anti-Gang Initiative ..... $500,000

8000-4614 For the purposes of a federally funded grant entitled, Encourage Arrests Violence to Women .... $1,000,000

8000-4619 For the purposes of a federally funded grant entitled, Title V..... $75,000

8000-4620 For the purposes of a federally funded grant entitled, Stop Violence Against Women Formula Grants Program..... $2,000,000

8000-4623 For the purposes of a federally funded grant entitled, Criminal History Improvement..... $50,000

8000-4624 For the purposes of a federally funded grant entitled, Prisoner Substance Abuse Treatment..... $100,000

8000-4692 For the purposes of a federally funded grant entitled, State Homeland Security Program..... $45,000,000

8000-4693 For the purposes of a federally funded grant entitled, Project Safe Neighborhood..... $700,000

8000-4695 For the purposes of a federally funded grant entitled, Homeland Security Buffer Zone Protection$2,000,000

8000-4696 For the purposes of a federally funded grant entitled, Transportation Security Grant..... $12,000,000

8000-4697 For the purposes of a federally funded grant entitled, Homeland Security Interoperable Communication..... $8,000,000

8000-4698 For the purposes of a federally funded grant entitled, Highway Safety Initiatives..... $3,000,000

8000-4804 For the purposes of a federally funded grant entitled, State Agency Programs..... $12,000,000

8000-4839 For the purposes of a federally funded grant entitled, Enforcing Underage Drinking Law IV..... $125,000

8000-4840 For the purposes of a federally funded grant entitled, 2006 Enforcing Underage Drinking Laws.... $350,000

8000-4841 For the purposes of a federally funded grant entitled, Fatality Analysis Reporting..... $150,000

8000-6612 For the purposes of a federally funded grant entitled, Special Event Trust..... $150,000

8000-6613 For the purposes of a federally funded grant entitled, Juvenile Accountability II..... $600,000

8000-6615 For the purposes of a federally funded grant entitled, Community Security Expendable Trust..... $150,000

**Department of State Police.**

8100-0200 For the purposes of a federally funded grant entitled, Motor Vehicle Data Quality..... $405,196

8100-0209 For the purposes of a federally funded grant entitled, Region 1 Training Academy Motor Carrier Safety Assistance..... $150,500

8100-0210 For the purposes of a federally funded grant entitled, MCSAP-CVE New Entrant Audit..... $630,213

8100-0217 For the purposes of a federally funded grant entitled, Federal Motor Carrier Safety Assistance $2,466,476

8100-0218 For the purposes of a federally funded grant entitled, Federal Motor Carrier Safety FY09..... $1,758,595

8100-2058 For the purposes of a federally funded grant entitled, New England State Police Administrator's Conference — Regional Investigation..... $703,335

8100-2638 For the purposes of a federally funded grant entitled, Internet Crimes Against Children..... $250,000

8100-9706 For the purposes of a federally funded grant entitled, Cannabis Eradication Controlled Substance Prosecution DEA Cooperative Agreement..... $39,680

8100-9730 For the purposes of a federally funded grant entitled, Forensic Casework DNA Backlog FFY05..... $127,332

8100-9733 For the purposes of a federally funded grant entitled, Forensic Casework DNA Backlog..... $267,342

8100-9735 For the purposes of a federally funded grant entitled, Paul Coverdell National Forensic Science Improvement Act FY09..... $55,200

8100-9736 For the purposes of a federally funded grant entitled, Forensic Casework DNA Backlog..... $140,000

8100-9738 For the purposes of a federally funded grant entitled, Operation Clean Sweep Byrne FY09..... $440,481

8100-9739 For the purposes of a federally funded grant entitled, Statewide Firearms Intelligence Byrne.... $220,630

**Department of Fire Services.**

8324-1505 For the purposes of a federally funded grant entitled, USFA/NFA State Fire Training Program..... $28,000

8324-9707 For the purposes of a federally funded grant entitled, Underground Storage Tank Registry Program $236,329

**Military Division.**

8700-0006 For the purposes of a federally funded grant entitled, Military Construction Costs in Methuen $21,301,000

8700-0143 For the purposes of an expendable trust entitled, Friends of Massachusetts National Guard and Reserve Families ..... $585,586

8700-0302 For the purposes of a federally funded grant entitled, Military Construction Costs in Reading ... $831,499

**Massachusetts Emergency Management Agency.**

8800-0042 For the purposes of a federally funded grant entitled, Hazardous Materials Transportation Act ... $214,283

8800-0048 For the purposes of a federally funded grant entitled, Flood Mitigation Assistance Program ..... $987,679

8800-0064 For the purposes of a federally funded grant entitled, Hazard Mitigation 1364 ..... $470,105

8800-0080 For the purposes of a federally funded grant entitled, Local Emergency Plan Assistance ..... $22,656

8800-0086 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation/Disaster Resistant University ..... $220,375

8800-0087 For the purposes of a federally funded grant entitled, Pre-Disaster Mitigation Competitive Grant $4,386,097

8800-1512 For the purposes of a federally funded grant entitled, Hazard Mitigation Program, HMPG for FEMA-DR1512 ..... $180,667

**Department of Correction.**

8903-9709 For the purposes of a federally funded grant entitled, Grants to States for Workplace and

Community Transition Training for Incarcerated Youth Offenders ..... $128,799

## EXECUTIVE OFFICE OF ELDER AFFAIRS.

**Office of the Secretary.**

9110-1074 For the purposes of a federally funded grant entitled, Older Americans Assistance, Title III and Title VII ..... $9,467,410

9110-1077 For the purposes of a federally funded grant entitled, Older Americans Act, Title III-E, National Family Caregiver Support Program ..... $3,544,442

9110-1095 For the purposes of a federally funded grant entitled, Health Information Counseling and Assistance ..... $710,010

9110-1150 For the purposes of a federally funded grant entitled, Empowering Older People ..... $70,743

9110-1173 For the purposes of a federally funded grant entitled, Older Americans Act, Title III Nutritional Program ..... $14,289,338

9110-1174 For the purposes of a federally funded grant entitled, Nutrition Services Incentive Program ... $3,155,164

9110-1178 For the purposes of a federally funded grant entitled, Community Service Employment Program ... $1,931,361

9110-1179 For the purposes of a federally funded grant entitled, Performance Outcome Measures Project ..... $28,100

9110-2760 For the purposes of a federally funded grant entitled, New England Massachusetts Aging and Disability Resource Center..... $187,782

9110-3000 For the purposes of a federally funded grant entitled, Senior Medicare Patrol Integration..... $100,898

9110-3100 For the purposes of a federally funded grant entitled, Nursing Home Diversion..... $885,165

9110-3200 For the purposes of a federally funded grant entitled, Alzheimer's Disease..... $234,627

9110-3300 For the purposes of a federally funded grant entitled, Performance Outcome Measure Project..... $59,975

## EXECUTIVE OFFICE OF TRANSPORTATION.

**Office of the Secretary.**

6000-0018 For the purposes of a federally funded grant entitled, Rural Public Transportation Assistance. $4,399,436

6000-0020 For the purposes of a federally funded grant entitled, Jobs Access Reverse Commute ..... $3,187,885

6000-0023 For the purposes of a federally funded grant entitled, Rural Public Transportation Planning Grant..... $3,935,000

6000-0049 For the purposes of a federally funded grant entitled, Elderly and Handicapped Transportation Capital Grant..... $5,459,022

**Board of Library Commissioners.**

7000-9700 For the purposes of a federally funded grant entitled, Federal Reserve - Title I..... $169,280

7000-9702 For the purposes of a federally funded grant entitled, Library Service Technology Act..... $3,446,669

SECTION 3. Notwithstanding any general or special law to the contrary, for the fiscal year ending June 30, 2010 the distribution to cities and towns of the balance of the State Lottery Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws, and additional funds from the General Fund shall be $936,376,140 and shall be apportioned to the cities and towns in accordance with this section.

Notwithstanding section 2 of chapter 70 of the General Laws or any other general or special law to the contrary, except for section 12B of chapter 76 and section 89 of chapter 71 of the General Laws, for fiscal year 2010 the total amounts to be distributed and paid to each city and town from item 7061-0008 of section 2 shall be as set forth in the following lists. The specified amounts to be distributed from said item 7061-0008 of said section 2 shall be in full satisfaction of the amounts due under chapter 70 of the General Laws.

Notwithstanding any general or special law to the contrary, the governor may allocate, at his full discretion, funds from the State Fiscal Stabilization Fund established by Title XIV of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (ARRA); provided further, that said potential allocation is reflected in the following chart in the column entitled “Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund”; provided further, that the funds set forth in said column are an estimated apportionment and shall not appear on the cherry sheet produced by the department of revenue.

For fiscal year 2010, when calculating the foundation budget for each district, the fiscal year 2009 Chapter 70 aid shall be valued at 98% of fiscal year 2009 aid as outlined in section 3 of chapter 182 of the acts of 2008. The foundation budget categories for each district shall be calculated in the same manner as in fiscal year 2009. For fiscal year 2010, the foundation inflation index shall equal the prior year's

foundation inflation index multiplied by the ratio of the value of the implicit price deflator for state and local government purchases in the second quarter of the prior fiscal year to its value in the second quarter of the year 2 years before. The target local share shall be calculated using the same methodology used in fiscal year 2009. Preliminary local contribution shall be the municipality's fiscal year 2009 minimum required local contribution, increased or decreased by the municipal revenue growth factor. The minimum required local contribution for fiscal year 2010 shall be, for any municipality with a fiscal year 2010 preliminary contribution less than its fiscal year 2010 target contribution, the greater of: (a) the fiscal year 2009 minimum required contribution increased by municipal revenue growth factors; but if a municipality's preliminary contribution as a percentage of its foundation budget is more than 5 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 1 percentage point; and if a municipality's preliminary contribution as a percentage of its foundation budget is more than 10 percentage points lower than the target local share, the preliminary contribution shall be recalculated using the municipality's revenue growth factor plus 2 percentage points; or (b) the lesser of 95 per cent of the municipality's fiscal year 2008 actual contribution or the municipality's fiscal year 2010 target contribution. Minimum required local contribution for fiscal year 2010 shall be, for any municipality with a fiscal year 2010 preliminary contribution greater than its fiscal year 2010 target contribution, the preliminary local contribution reduced by 15 per cent of the gap between the preliminary local contribution and the target local contribution. Required local contribution shall be allocated among the districts to which a municipality belongs in direct proportion to the foundation budgets for the municipality's pupils at each of those districts.

Chapter 70 aid for fiscal year 2010 shall be as distributed in fiscal year 2009. If there is a conflict between the language of this section and the distribution listed below, the distribution below shall control.

12818 The department of elementary and secondary education shall not consider health care costs for
12819 retired teachers to be part of net school spending for any district in which such costs were not considered
12820 part of net school spending in fiscal year 1994.

12821 No payments to cities, towns or counties maintaining an agricultural school pursuant to this section
12822 shall be made after November 30 of the fiscal year until the commissioner of revenue certifies acceptance
12823 of the prior fiscal year's annual financial reports submitted pursuant to section 43 of chapter 44 of the
12824 General Laws. Advance payments shall be made for some or all of periodic local reimbursement or
12825 assistance programs to any city, town, regional school district or independent agricultural and technical
12826 school that demonstrates an emergency cash shortfall, as certified by the commissioner of revenue and
12827 approved by the secretary of the executive office for administration and finance, pursuant to guidelines
12828 established by the secretary.

12829

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| ABINGTON | 7,652,405 | 1,733,200 | 0 | 9,385,605 |
| ACTON | 5,123,578 | 1,232,453 | 357,131 | 6,713,162 |
| ACUSHNET | 6,380,293 | 1,335,880 | 0 | 7,716,173 |
| ADAMS | 8,958 | 2,062,686 | 39 | 2,071,683 |
| AGAWAM | 16,156,816 | 3,245,836 | 1,382,649 | 20,785,301 |
| ALFORD | 0 | 12,364 | 0 | 12,364 |
| AMESBURY | 8,897,607 | 1,714,037 | 0 | 10,611,644 |
| AMHERST | 6,141,373 | 7,417,544 | 0 | 13,558,917 |
| ANDOVER | 7,318,616 | 1,574,331 | 0 | 8,892,947 |
| AQUINNAH | 0 | 2,058 | 0 | 2,058 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| ARLINGTON | 6,104,708 | 6,684,280 | 938,832 | 13,727,820 |
| ASHBURNHAM | 0 | 700,522 | 0 | 700,522 |
| ASHBY | 0 | 385,788 | 0 | 385,788 |
| ASHFIELD | 97,305 | 163,569 | 0 | 260,874 |
| ASHLAND | 4,502,102 | 1,191,467 | 279,333 | 5,972,902 |
| ATHOL | 0 | 2,332,579 | 0 | 2,332,579 |
| ATTLEBORO | 29,646,276 | 5,026,357 | 739,405 | 35,412,038 |
| AUBURN | 5,691,647 | 1,508,896 | 560,100 | 7,760,643 |
| AVON | 862,748 | 610,660 | 0 | 1,473,408 |
| AYER | 4,168,122 | 666,985 | 0 | 4,835,107 |
| BARNSTABLE | 7,589,756 | 1,853,262 | 0 | 9,443,018 |
| BARRE | 17,501 | 792,398 | 21,991 | 831,890 |
| BECKET | 79,753 | 80,012 | 0 | 159,765 |
| BEDFORD | 2,964,642 | 1,011,392 | 0 | 3,976,034 |
| BELCHERTOWN | 12,900,818 | 1,499,115 | 886,159 | 15,286,092 |
| BELLINGHAM | 8,389,773 | 1,495,008 | 91,110 | 9,975,891 |
| BELMONT | 4,511,739 | 1,989,365 | 1,373,659 | 7,874,763 |
| BERKLEY | 5,426,422 | 536,079 | 0 | 5,962,501 |
| BERLIN | 528,296 | 177,633 | 0 | 705,929 |
| BERNARDSTON | 0 | 256,255 | 11,779 | 268,034 |
| BEVERLY | 7,109,675 | 5,145,188 | 0 | 12,254,863 |
| BILLERICA | 17,116,639 | 5,130,485 | 1,238,459 | 23,485,583 |
| BLACKSTONE | 124,797 | 1,205,953 | 0 | 1,330,750 |
| BLANDFORD | 44,506 | 111,873 | 0 | 156,379 |

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| BOLTON | 5,654 | 173,954 | 0 | 179,608 |
| BOSTON | 216,994,382 | 166,924,272 | 0 | 383,918,654 |
| BOURNE | 4,948,115 | 1,291,562 | 0 | 6,239,677 |
| BOXBOROUGH | 1,366,966 | 222,247 | 0 | 1,589,213 |
| BOXFORD | 1,620,806 | 428,303 | 0 | 2,049,109 |
| BOYLSTON | 451,690 | 301,792 | 3,125 | 756,607 |
| BRAINTREE | 9,326,942 | 5,041,694 | 2,851,092 | 17,219,728 |
| BREWSTER | 937,937 | 347,881 | 0 | 1,285,818 |
| BRIDGEWATER | 84,053 | 3,208,997 | 0 | 3,293,050 |
| BRIMFIELD | 1,167,152 | 343,508 | 0 | 1,510,660 |
| BROCKTON | 126,330,840 | 18,447,819 | 6,594,518 | 151,373,177 |
| BROOKFIELD | 1,342,588 | 435,019 | 0 | 1,777,607 |
| BROOKLINE | 7,323,679 | 5,593,780 | 0 | 12,917,459 |
| BUCKLAND | 0 | 269,777 | 6,094 | 275,871 |
| BURLINGTON | 5,413,900 | 2,307,358 | 0 | 7,721,258 |
| CAMBRIDGE | 9,130,367 | 18,927,802 | 0 | 28,058,169 |
| CANTON | 3,685,031 | 1,889,388 | 64,101 | 5,638,520 |
| CARLISLE | 834,776 | 193,277 | 0 | 1,028,053 |
| CARVER | 10,112,726 | 1,287,097 | 0 | 11,399,823 |
| CHARLEMONT | 140,550 | 154,007 | 0 | 294,557 |
| CHARLTON | 0 | 1,276,459 | 7,572 | 1,284,031 |
| CHATHAM | 685,125 | 132,598 | 0 | 817,723 |
| CHELMSFORD | 9,243,365 | 4,471,873 | 1,194,506 | 14,909,744 |
| CHELSEA | 49,781,388 | 7,236,122 | 1,771,356 | 58,788,866 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| CHESHIRE | 310,513 | 541,244 | 0 | 851,757 |
| CHESTER | 130,782 | 158,623 | 0 | 289,405 |
| CHESTERFIELD | 126,627 | 121,644 | 0 | 248,271 |
| CHICOPEE | 47,119,437 | 10,145,648 | 2,868,082 | 60,133,167 |
| CHILMARK | 0 | 3,304 | 0 | 3,304 |
| CLARKSBURG | 1,688,903 | 320,512 | 159,576 | 2,168,991 |
| CLINTON | 10,988,464 | 2,074,041 | 65,712 | 13,128,217 |
| COHASSET | 1,753,039 | 453,294 | 0 | 2,206,333 |
| COLRAIN | 0 | 254,283 | 0 | 254,283 |
| CONCORD | 2,111,688 | 1,022,124 | 0 | 3,133,812 |
| CONWAY | 625,958 | 157,462 | 0 | 783,420 |
| CUMMINGTON | 69,156 | 73,500 | 0 | 142,656 |
| DALTON | 214,226 | 1,002,426 | 0 | 1,216,652 |
| DANVERS | 4,509,672 | 2,509,394 | 0 | 7,019,066 |
| DARTMOUTH | 9,490,011 | 2,221,020 | 0 | 11,711,031 |
| DEDHAM | 3,857,099 | 2,881,188 | 0 | 6,738,287 |
| DEERFIELD | 1,084,466 | 423,174 | 0 | 1,507,640 |
| DENNIS | 0 | 479,831 | 0 | 479,831 |
| DEVENS | 321,440 | 0 | 0 | 321,440 |
| DIGHTON | 0 | 681,269 | 0 | 681,269 |
| DOUGLAS | 7,904,901 | 642,969 | 800,217 | 9,348,087 |
| DOVER | 635,447 | 169,484 | 0 | 804,931 |
| DRACUT | 17,062,255 | 3,086,981 | 1,650,418 | 21,799,654 |
| DUDLEY | 0 | 1,574,194 | 0 | 1,574,194 |

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| DUNSTABLE | 0 | 216,702 | 4,183 | 220,885 |
| DUXBURY | 4,254,657 | 780,978 | 380,594 | 5,416,229 |
| EAST BRIDGEWATER | 10,678,301 | 1,318,811 | 0 | 11,997,112 |
| EAST BROOKFIELD | 93,637 | 255,524 | 0 | 349,161 |
| EAST LONGMEADOW | 8,157,639 | 1,275,317 | 873,519 | 10,306,475 |
| EASTHAM | 333,725 | 131,264 | 0 | 464,989 |
| EASTHAMPTON | 7,995,345 | 2,476,469 | 0 | 10,471,814 |
| EASTON | 9,598,361 | 1,929,409 | 112,390 | 11,640,160 |
| EDGARTOWN | 446,517 | 58,689 | 0 | 505,206 |
| EGREMONT | 0 | 55,591 | 0 | 55,591 |
| ERVING | 404,830 | 59,218 | 26,852 | 490,900 |
| ESSEX | 0 | 215,716 | 0 | 215,716 |
| EVERETT | 33,241,384 | 6,086,937 | 3,720,012 | 43,048,333 |
| FAIRHAVEN | 7,504,255 | 1,986,773 | 0 | 9,491,028 |
| FALL RIVER | 91,768,280 | 20,996,063 | 327,857 | 113,092,200 |
| FALMOUTH | 5,119,922 | 1,221,483 | 0 | 6,341,405 |
| FITCHBURG | 40,327,289 | 7,518,871 | 951,974 | 48,798,134 |
| FLORIDA | 506,498 | 43,854 | 48,881 | 599,233 |
| FOXBOROUGH | 8,293,540 | 1,312,346 | 525,816 | 10,131,702 |
| FRAMINGHAM | 16,793,161 | 8,765,666 | 2,509,034 | 28,067,861 |
| FRANKLIN | 28,152,172 | 2,177,055 | 219,523 | 30,548,750 |
| FREETOWN | 1,515,957 | 836,625 | 0 | 2,352,582 |
| GARDNER | 18,753,226 | 3,733,532 | 127,603 | 22,614,361 |
| GEORGETOWN | 4,356,024 | 631,160 | 1,026,220 | 6,013,404 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| GILL | 0 | 214,306 | 0 | 214,306 |
| GLOUCESTER | 6,080,047 | 3,518,850 | 0 | 9,598,897 |
| GOSHEN | 100,116 | 70,485 | 0 | 170,601 |
| GOSNOLD | 17,098 | 1,848 | 0 | 18,946 |
| GRAFTON | 8,017,198 | 1,377,602 | 1,024,982 | 10,419,782 |
| GRANBY | 4,637,824 | 777,937 | 68,922 | 5,484,683 |
| GRANVILLE | 1,317,791 | 141,258 | 0 | 1,459,049 |
| GREAT BARRINGTON | 0 | 668,654 | 0 | 668,654 |
| GREENFIELD | 9,540,033 | 2,797,191 | 302,506 | 12,639,730 |
| GROTON | 0 | 682,494 | 0 | 682,494 |
| GROVELAND | 0 | 641,340 | 0 | 641,340 |
| HADLEY | 774,541 | 399,872 | 0 | 1,174,413 |
| HALIFAX | 2,590,266 | 799,790 | 203,886 | 3,593,942 |
| HAMILTON | 0 | 591,950 | 0 | 591,950 |
| HAMPDEN | 0 | 606,171 | 0 | 606,171 |
| HANCOCK | 201,197 | 49,744 | 0 | 250,941 |
| HANOVER | 5,884,555 | 1,866,403 | 419,371 | 8,170,329 |
| HANSON | 11,705 | 1,128,264 | 12,914 | 1,152,883 |
| HARDWICK | 0 | 410,173 | 0 | 410,173 |
| HARVARD | 1,752,199 | 1,304,791 | 63,312 | 3,120,302 |
| HARWICH | 1,833,840 | 379,514 | 0 | 2,213,354 |
| HATFIELD | 795,778 | 274,914 | 0 | 1,070,692 |
| HAVERHILL | 35,356,458 | 8,659,369 | 1,050,318 | 45,066,145 |
| HAWLEY | 11,435 | 38,130 | 8,613 | 58,178 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| HEATH | 0 | 73,717 | 0 | 73,717 |
| HINGHAM | 4,753,585 | 1,390,494 | 965,488 | 7,109,567 |
| HINSDALE | 109,045 | 196,174 | 0 | 305,219 |
| HOLBROOK | 4,856,980 | 1,300,008 | 0 | 6,156,988 |
| HOLDEN | 0 | 1,684,514 | 0 | 1,684,514 |
| HOLLAND | 871,689 | 177,832 | 68,635 | 1,118,156 |
| HOLLISTON | 6,742,333 | 1,364,400 | 173,420 | 8,280,153 |
| HOLYOKE | 66,423,722 | 8,948,084 | 1,936,968 | 77,308,774 |
| HOPEDALE | 6,143,124 | 574,519 | 0 | 6,717,643 |
| HOPKINTON | 5,672,879 | 692,119 | 107,634 | 6,472,632 |
| HUBBARDSTON | 8,415 | 396,881 | 0 | 405,296 |
| HUDSON | 8,247,011 | 1,756,926 | 1,119,328 | 11,123,265 |
| HULL | 3,814,006 | 1,867,191 | 0 | 5,681,197 |
| HUNTINGTON | 214,502 | 303,650 | 0 | 518,152 |
| IPSWICH | 2,499,977 | 1,414,298 | 203,812 | 4,118,087 |
| KINGSTON | 3,812,342 | 845,678 | 187,157 | 4,845,177 |
| LAKEVILLE | 2,389,045 | 720,901 | 0 | 3,109,946 |
| LANCASTER | 0 | 842,194 | 0 | 842,194 |
| LANESBOROUGH | 844,664 | 303,923 | 0 | 1,148,587 |
| LAWRENCE | 133,334,130 | 17,299,359 | 7,646,376 | 158,279,865 |
| LEE | 2,026,303 | 548,705 | 0 | 2,575,008 |
| LEICESTER | 9,713,210 | 1,529,786 | 0 | 11,242,996 |
| LENOX | 1,194,985 | 469,623 | 0 | 1,664,608 |
| LEOMINSTER | 39,667,839 | 5,042,529 | 2,198,081 | 46,908,449 |

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| LEVERETT | 282,057 | 157,266 | 0 | 439,323 |
| LEXINGTON | 7,449,035 | 1,350,288 | 0 | 8,799,323 |
| LEYDEN | 0 | 72,543 | 0 | 72,543 |
| LINCOLN | 759,016 | 599,811 | 0 | 1,358,827 |
| LITTLETON | 2,957,052 | 626,288 | 744,086 | 4,327,426 |
| LONGMEADOW | 4,340,920 | 1,230,949 | 0 | 5,571,869 |
| LOWELL | 117,484,100 | 22,192,157 | 3,695,048 | 143,371,305 |
| LUDLOW | 12,434,935 | 2,691,527 | 1,088,629 | 16,215,091 |
| LUNENBURG | 4,528,374 | 931,718 | 249,123 | 5,709,215 |
| LYNN | 115,255,564 | 19,726,507 | 1,906,731 | 136,888,802 |
| LYNNFIELD | 4,013,888 | 916,325 | 0 | 4,930,213 |
| MALDEN | 40,412,820 | 11,053,793 | 1,502,272 | 52,968,885 |
| MANCHESTER | 0 | 195,936 | 0 | 195,936 |
| MANSFIELD | 16,918,143 | 1,965,294 | 1,855,841 | 20,739,278 |
| MARBLEHEAD | 4,805,402 | 1,003,303 | 0 | 5,808,705 |
| MARION | 456,004 | 198,801 | 0 | 654,805 |
| MARLBOROUGH | 11,393,518 | 4,796,158 | 1,661,188 | 17,850,864 |
| MARSHFIELD | 14,331,875 | 1,908,668 | 0 | 16,240,543 |
| MASHPEE | 4,437,308 | 324,158 | 0 | 4,761,466 |
| MATTAPOISETT | 556,663 | 357,094 | 0 | 913,757 |
| MAYNARD | 3,197,900 | 1,384,183 | 463,067 | 5,045,150 |
| MEDFIELD | 5,937,045 | 1,277,175 | 0 | 7,214,220 |
| MEDFORD | 11,447,701 | 10,687,177 | 0 | 22,134,878 |
| MEDWAY | 9,045,828 | 1,074,910 | 1,410,689 | 11,531,427 |

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| MELROSE | 7,390,904 | 4,518,499 | 40,626 | 11,950,029 |
| MENDON | 27,110 | 360,053 | 110 | 387,273 |
| MERRIMAC | 0 | 741,313 | 0 | 741,313 |
| METHUEN | 36,622,588 | 4,790,482 | 4,389,868 | 45,802,938 |
| MIDDLEBOROUGH | 16,841,680 | 2,172,248 | 599,477 | 19,613,405 |
| MIDDLEFIELD | 17,297 | 46,839 | 0 | 64,136 |
| MIDDLETON | 1,566,978 | 482,077 | 0 | 2,049,055 |
| MILFORD | 13,960,569 | 2,691,116 | 1,918,362 | 18,570,047 |
| MILLBURY | 6,817,527 | 1,560,179 | 119,625 | 8,497,331 |
| MILLIS | 3,493,858 | 922,449 | 718,540 | 5,134,847 |
| MILLVILLE | 42,330 | 358,883 | 0 | 401,213 |
| MILTON | 4,691,135 | 2,831,002 | 1,123,447 | 8,645,584 |
| MONROE | 87,773 | 16,200 | 0 | 103,973 |
| MONSON | 7,554,467 | 1,150,120 | 114,647 | 8,819,234 |
| MONTAGUE | 6,377 | 1,262,696 | 0 | 1,269,073 |
| MONTEREY | 0 | 40,736 | 0 | 40,736 |
| MONTGOMERY | 19,057 | 76,463 | 2,862 | 98,382 |
| MOUNT WASHINGTON | 34,142 | 26,411 | 0 | 60,553 |
| NAHANT | 465,587 | 332,902 | 0 | 798,489 |
| NANTUCKET | 1,409,385 | 69,809 | 0 | 1,479,194 |
| NATICK | 5,727,110 | 3,357,406 | 1,733,013 | 10,817,529 |
| NEEDHAM | 5,996,469 | 1,538,073 | 1,003,421 | 8,537,963 |
| NEW ASHFORD | 162,695 | 17,896 | 0 | 180,591 |
| NEW BEDFORD | 108,736,420 | 20,267,970 | 3,971,612 | 132,976,002 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| NEW BRAINTREE | 0 | 116,309 | 0 | 116,309 |
| NEW MARLBOROUGH | 0 | 51,599 | 0 | 51,599 |
| NEW SALEM | 0 | 91,415 | 0 | 91,415 |
| NEWBURY | 0 | 456,295 | 0 | 456,295 |
| NEWBURYPORT | 3,320,352 | 2,247,087 | 0 | 5,567,439 |
| NEWTON | 14,171,395 | 5,177,738 | 0 | 19,349,133 |
| NORFOLK | 3,417,236 | 844,929 | 0 | 4,262,165 |
| NORTH ADAMS | 14,175,431 | 3,908,849 | 0 | 18,084,280 |
| NORTH ANDOVER | 5,440,937 | 1,805,628 | 1,029,075 | 8,275,640 |
| NORTH ATTLEBOROUGH | 20,629,686 | 2,534,823 | 0 | 23,164,509 |
| NORTH BROOKFIELD | 4,362,572 | 702,057 | 0 | 5,064,629 |
| NORTH READING | 6,047,449 | 1,564,395 | 775,942 | 8,387,786 |
| NORTHAMPTON | 7,228,831 | 3,872,525 | 0 | 11,101,356 |
| NORTHBOROUGH | 3,280,525 | 982,781 | 217,312 | 4,480,618 |
| NORTHBRIDGE | 13,971,740 | 1,859,798 | 299,359 | 16,130,897 |
| NORTHFIELD | 0 | 278,906 | 0 | 278,906 |
| NORTON | 12,832,725 | 1,831,209 | 0 | 14,663,934 |
| NORWELL | 2,723,254 | 944,497 | 454,740 | 4,122,491 |
| NORWOOD | 5,079,889 | 4,098,202 | 0 | 9,178,091 |
| OAK BLUFFS | 648,233 | 64,077 | 0 | 712,310 |
| OAKHAM | 78,807 | 169,039 | 38,652 | 286,498 |
| ORANGE | 5,406,413 | 1,423,887 | 0 | 6,830,300 |
| ORLEANS | 251,039 | 151,342 | 0 | 402,381 |
| OTIS | 0 | 32,047 | 0 | 32,047 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| OXFORD | 9,228,194 | 1,811,699 | 390,414 | 11,430,307 |
| PALMER | 11,001,315 | 1,766,962 | 110,932 | 12,879,209 |
| PAXTON | 0 | 476,772 | 0 | 476,772 |
| PEABODY | 19,715,730 | 6,360,014 | 0 | 26,075,744 |
| PELHAM | 228,505 | 140,247 | 0 | 368,752 |
| PEMBROKE | 12,200,192 | 1,481,057 | 1,316,097 | 14,997,346 |
| PEPPERELL | 8,699 | 1,315,005 | 0 | 1,323,704 |
| PERU | 89,697 | 100,623 | 0 | 190,320 |
| PETERSHAM | 442,349 | 101,008 | 0 | 543,357 |
| PHILLIPSTON | 0 | 162,522 | 0 | 162,522 |
| PITTSFIELD | 35,041,213 | 7,607,092 | 2,314,160 | 44,962,465 |
| PLAINFIELD | 53,150 | 44,202 | 0 | 97,352 |
| PLAINVILLE | 2,633,937 | 668,424 | 27,252 | 3,329,613 |
| PLYMOUTH | 20,948,547 | 3,452,391 | 1,910,642 | 26,311,580 |
| PLYMPTON | 582,449 | 209,025 | 0 | 791,474 |
| PRINCETON | 0 | 260,866 | 2,302 | 263,168 |
| PROVINCETOWN | 272,588 | 121,870 | 0 | 394,458 |
| QUINCY | 15,804,134 | 16,823,747 | 4,321,003 | 36,948,884 |
| RANDOLPH | 11,941,876 | 4,579,658 | 0 | 16,521,534 |
| RAYNHAM | 0 | 1,001,882 | 0 | 1,001,882 |
| READING | 9,078,931 | 2,856,335 | 944,132 | 12,879,398 |
| REHOBOTH | 0 | 918,432 | 0 | 918,432 |
| REVERE | 32,918,917 | 9,063,334 | 5,518,835 | 47,501,086 |
| RICHMOND | 349,151 | 95,322 | 0 | 444,473 |

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| ROCHESTER | 1,601,504 | 374,209 | 200,465 | 2,176,178 |
| ROCKLAND | 10,152,293 | 2,329,177 | 389,085 | 12,870,555 |
| ROCKPORT | 1,343,494 | 385,530 | 0 | 1,729,024 |
| ROWE | 71,465 | 3,471 | 0 | 74,936 |
| ROWLEY | 0 | 475,805 | 0 | 475,805 |
| ROYALSTON | 0 | 158,399 | 0 | 158,399 |
| RUSSELL | 175,484 | 217,604 | 0 | 393,088 |
| RUTLAND | 9,993 | 815,043 | 0 | 825,036 |
| SALEM | 14,083,762 | 6,077,873 | 3,024,804 | 23,186,439 |
| SALISBURY | 0 | 556,700 | 0 | 556,700 |
| SANDISFIELD | 0 | 30,531 | 0 | 30,531 |
| SANDWICH | 6,735,852 | 993,063 | 0 | 7,728,915 |
| SAUGUS | 4,107,595 | 3,232,413 | 0 | 7,340,008 |
| SAVOY | 516,731 | 102,086 | 10,440 | 629,257 |
| SCITUATE | 5,104,541 | 1,772,437 | 0 | 6,876,978 |
| SEEKONK | 4,512,952 | 1,084,202 | 0 | 5,597,154 |
| SHARON | 6,824,996 | 1,233,375 | 6,809 | 8,065,180 |
| SHEFFIELD | 14,465 | 214,648 | 0 | 229,113 |
| SHELBURNE | 0 | 230,412 | 0 | 230,412 |
| SHERBORN | 528,026 | 190,846 | 0 | 718,872 |
| SHIRLEY | 4,394,883 | 1,155,974 | 0 | 5,550,857 |
| SHREWSBURY | 18,489,475 | 2,454,350 | 1,065,713 | 22,009,538 |
| SHUTESBURY | 604,124 | 149,413 | 0 | 753,537 |
| SOMERSET | 5,264,877 | 1,351,356 | 7,737 | 6,623,970 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| SOMERVILLE | 20,185,320 | 22,199,513 | 0 | 42,384,833 |
| SOUTH HADLEY | 7,511,991 | 2,301,106 | 460,058 | 10,273,155 |
| SOUTHAMPTON | 2,561,807 | 561,406 | 0 | 3,123,213 |
| SOUTHBOROUGH | 2,804,288 | 385,362 | 0 | 3,189,650 |
| SOUTHBRIDGE | 15,956,972 | 3,099,657 | 0 | 19,056,629 |
| SOUTHWICK | 0 | 1,111,391 | 0 | 1,111,391 |
| SPENCER | 0 | 1,992,823 | 0 | 1,992,823 |
| SPRINGFIELD | 257,480,215 | 33,354,581 | 14,916,250 | 305,751,046 |
| STERLING | 0 | 610,830 | 0 | 610,830 |
| STOCKBRIDGE | 0 | 87,826 | 0 | 87,826 |
| STONEHAM | 3,461,523 | 3,274,505 | 53,970 | 6,789,998 |
| STOUGHTON | 12,504,587 | 2,821,431 | 418,552 | 15,744,570 |
| STOW | 0 | 370,906 | 0 | 370,906 |
| STURBRIDGE | 2,020,381 | 682,609 | 342,781 | 3,045,771 |
| SUDBURY | 4,280,621 | 1,233,349 | 163,484 | 5,677,454 |
| SUNDERLAND | 873,519 | 445,329 | 0 | 1,318,848 |
| SUTTON | 5,386,366 | 687,780 | 3,754 | 6,077,900 |
| SWAMPSCOTT | 2,647,887 | 1,140,460 | 61,143 | 3,849,490 |
| SWANSEA | 4,640,675 | 1,654,825 | 341,173 | 6,636,673 |
| TAUNTON | 44,243,664 | 7,410,543 | 2,320,896 | 53,975,103 |
| TEMPLETON | 0 | 1,228,627 | 0 | 1,228,627 |
| TEWKSBURY | 12,877,110 | 2,452,240 | 134,769 | 15,464,119 |
| TISBURY | 402,050 | 86,395 | 0 | 488,445 |
| TOLLAND | 0 | 16,284 | 0 | 16,284 |

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| TOPSFIELD | 1,083,775 | 540,420 | 0 | 1,624,195 |
| TOWNSEND | 8,530 | 1,157,942 | 0 | 1,166,472 |
| TRURO | 259,303 | 26,506 | 0 | 285,809 |
| TYNGSBOROUGH | 7,352,623 | 851,475 | 0 | 8,204,098 |
| TYRINGHAM | 37,209 | 11,186 | 0 | 48,395 |
| UPTON | 24,044 | 469,089 | 0 | 493,133 |
| UXBRIDGE | 9,453,474 | 1,212,326 | 0 | 10,665,800 |
| WAKEFIELD | 4,770,785 | 2,968,230 | 294,405 | 8,033,420 |
| WALES | 684,608 | 208,107 | 0 | 892,715 |
| WALPOLE | 7,354,336 | 2,245,510 | 153,158 | 9,753,004 |
| WALTHAM | 7,466,622 | 8,460,794 | 0 | 15,927,416 |
| WARE | 8,003,012 | 1,521,125 | 0 | 9,524,137 |
| WAREHAM | 12,242,029 | 1,743,225 | 672,299 | 14,657,553 |
| WARREN | 70,228 | 797,143 | 0 | 867,371 |
| WARWICK | 0 | 112,054 | 0 | 112,054 |
| WASHINGTON | 11,705 | 83,219 | 0 | 94,924 |
| WATERTOWN | 3,416,570 | 5,876,962 | 0 | 9,293,532 |
| WAYLAND | 3,322,155 | 796,429 | 0 | 4,118,584 |
| WEBSTER | 9,015,364 | 2,181,494 | 1,031,001 | 12,227,859 |
| WELLESLEY | 6,387,858 | 1,141,372 | 1,220,173 | 8,749,403 |
| WELLFLEET | 154,572 | 51,499 | 0 | 206,071 |
| WENDELL | 0 | 153,551 | 0 | 153,551 |
| WENHAM | 0 | 377,404 | 0 | 377,404 |
| WEST BOYLSTON | 2,962,652 | 702,001 | 0 | 3,664,653 |

| Municipality | 7061-0008<br>Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| WEST BRIDGEWATER | 2,181,778 | 576,156 | 177,741 | 2,935,675 |
| WEST BROOKFIELD | 209,737 | 418,419 | 0 | 628,156 |
| WEST NEWBURY | 0 | 261,065 | 0 | 261,065 |
| WEST SPRINGFIELD | 17,369,506 | 3,157,733 | 1,570,702 | 22,097,941 |
| WEST STOCKBRIDGE | 0 | 85,667 | 0 | 85,667 |
| WEST TISBURY | 0 | 161,061 | 0 | 161,061 |
| WESTBOROUGH | 4,344,030 | 1,021,005 | 99,127 | 5,464,162 |
| WESTFIELD | 33,362,165 | 5,546,600 | 1,019,283 | 39,928,048 |
| WESTFORD | 15,317,915 | 1,872,441 | 1,437,648 | 18,628,004 |
| WESTHAMPTON | 412,014 | 127,674 | 55,347 | 595,035 |
| WESTMINSTER | 0 | 567,847 | 0 | 567,847 |
| WESTON | 2,556,275 | 329,574 | 0 | 2,885,849 |
| WESTPORT | 4,388,806 | 1,071,932 | 0 | 5,460,738 |
| WESTWOOD | 3,476,983 | 642,792 | 513,030 | 4,632,805 |
| WEYMOUTH | 23,839,936 | 7,682,608 | 0 | 31,522,544 |
| WHATELY | 241,457 | 118,242 | 8,606 | 368,305 |
| WHITMAN | 117,046 | 2,133,498 | 0 | 2,250,544 |
| WILBRAHAM | 0 | 1,289,488 | 0 | 1,289,488 |
| WILLIAMSBURG | 423,768 | 266,748 | 6,836 | 697,352 |
| WILLIAMSTOWN | 945,841 | 841,200 | 0 | 1,787,041 |
| WILMINGTON | 9,758,342 | 2,190,871 | 512,889 | 12,462,102 |
| WINCHENDON | 10,643,896 | 1,482,275 | 1,097,986 | 13,224,157 |
| WINCHESTER | 5,105,397 | 1,303,615 | 821,710 | 7,230,722 |
| WINDSOR | 49,334 | 91,497 | 0 | 140,831 |

| Municipality | 7061-0008 Chapter 70 | Unrestricted General Government Aid | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|---|
| WINTHROP | 5,080,860 | 3,714,357 | 0 | 8,795,217 |
| WOBURN | 6,573,988 | 5,274,775 | 0 | 11,848,763 |
| WORCESTER | 176,884,068 | 36,614,610 | 15,900,327 | 229,399,005 |
| WORTHINGTON | 71,276 | 110,672 | 0 | 181,948 |
| WRENTHAM | 3,738,425 | 821,444 | 0 | 4,559,869 |
| YARMOUTH | 2,555 | 1,112,429 | 2,210 | 1,117,194 |
| **Municipal Totals** | **3,242,320,608** | **936,376,140** | **155,032,690** | **4,333,729,438** |

| Regional School District | 7061-0008 Chapter 70 | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|
| ACTON BOXBOROUGH | 6,715,773 | 646,234 | 7,362,007 |
| ADAMS CHESHIRE | 10,254,928 | 0 | 10,254,928 |
| AMHERST PELHAM | 9,685,959 | 0 | 9,685,959 |
| ASHBURNHAM WESTMINSTER | 10,126,994 | 368,821 | 10,495,815 |
| ASSABET VALLEY | 2,934,442 | 0 | 2,934,442 |
| ATHOL ROYALSTON | 17,928,042 | 0 | 17,928,042 |
| BERKSHIRE HILLS | 2,807,290 | 0 | 2,807,290 |
| BERLIN BOYLSTON | 921,023 | 0 | 921,023 |
| BLACKSTONE MILLVILLE | 11,104,016 | 0 | 11,104,016 |
| BLACKSTONE VALLEY | 7,077,833 | 549,278 | 7,627,111 |
| BLUE HILLS | 4,035,092 | 0 | 4,035,092 |

| Regional School District | 7061-0008<br>Chapter 70 | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|
| BRIDGEWATER RAYNHAM | 21,180,680 | 0 | 21,180,680 |
| BRISTOL COUNTY | 3,016,539 | 71,415 | 3,087,954 |
| BRISTOL PLYMOUTH | 9,139,878 | 794,959 | 9,934,837 |
| CAPE COD | 2,134,684 | 0 | 2,134,684 |
| CENTRAL BERKSHIRE | 8,751,713 | 21,742 | 8,773,455 |
| CHESTERFIELD GOSHEN | 757,346 | 0 | 757,346 |
| CONCORD CARLISLE | 1,886,888 | 0 | 1,886,888 |
| DENNIS YARMOUTH | 6,764,640 | 0 | 6,764,640 |
| DIGHTON REHOBOTH | 12,880,094 | 0 | 12,880,094 |
| DOVER SHERBORN | 1,436,198 | 0 | 1,436,198 |
| DUDLEY CHARLTON | 23,924,337 | 886,768 | 24,811,105 |
| ESSEX COUNTY | 4,228,553 | 0 | 4,228,553 |
| FARMINGTON RIVER | 405,970 | 0 | 405,970 |
| FRANKLIN COUNTY | 3,453,126 | 0 | 3,453,126 |
| FREETOWN LAKEVILLE | 7,413,773 | 0 | 7,413,773 |
| FRONTIER | 2,857,269 | 0 | 2,857,269 |
| GATEWAY | 5,866,604 | 0 | 5,866,604 |
| GILL MONTAGUE | 6,304,363 | 0 | 6,304,363 |
| GREATER FALL RIVER | 14,264,378 | 0 | 14,264,378 |
| GREATER LAWRENCE | 20,988,571 | 0 | 20,988,571 |
| GREATER LOWELL | 20,611,676 | 552,397 | 21,164,073 |
| GREATER NEW BEDFORD | 21,747,161 | 920,866 | 22,668,027 |
| GROTON DUNSTABLE | 10,858,434 | 0 | 10,858,434 |
| HAMILTON WENHAM | 3,436,056 | 0 | 3,436,056 |
| HAMPDEN WILBRAHAM | 11,514,847 | 217,025 | 11,731,872 |

| Regional School District | 7061-0008<br>Chapter 70 | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|
| HAMPSHIRE | 3,004,851 | 251,894 | 3,256,745 |
| HAWLEMONT | 637,772 | 0 | 637,772 |
| KING PHILIP | 7,421,505 | 0 | 7,421,505 |
| LINCOLN SUDBURY | 2,471,805 | 183,765 | 2,655,570 |
| MANCHESTER ESSEX | 1,684,043 | 0 | 1,684,043 |
| MARTHAS VINEYARD | 2,843,504 | 0 | 2,843,504 |
| MASCONOMET | 4,951,222 | 0 | 4,951,222 |
| MENDON UPTON | 12,295,995 | 229,442 | 12,525,437 |
| MINUTEMAN | 2,249,201 | 0 | 2,249,201 |
| MOHAWK TRAIL | 6,136,890 | 0 | 6,136,890 |
| MONTACHUSETT | 12,054,378 | 697,829 | 12,752,207 |
| MOUNT GREYLOCK | 1,741,351 | 0 | 1,741,351 |
| NARRAGANSETT | 10,148,997 | 0 | 10,148,997 |
| NASHOBA | 6,473,631 | 0 | 6,473,631 |
| NASHOBA VALLEY | 2,844,999 | 423,773 | 3,268,772 |
| NAUSET | 3,384,747 | 0 | 3,384,747 |
| NEW SALEM WENDELL | 656,374 | 0 | 656,374 |
| NORFOLK COUNTY | 1,003,912 | 25,132 | 1,029,044 |
| NORTH MIDDLESEX | 20,604,743 | 0 | 20,604,743 |
| NORTH SHORE | 1,616,769 | 0 | 1,616,769 |
| NORTHAMPTON SMITH | 935,567 | 0 | 935,567 |
| NORTHBORO SOUTHBORO | 2,862,169 | 12,445 | 2,874,614 |
| NORTHEAST METROPOLITAN | 7,611,122 | 653,275 | 8,264,397 |
| NORTHERN BERKSHIRE | 4,305,980 | 126,307 | 4,432,287 |
| OLD COLONY | 3,316,268 | 21,659 | 3,337,927 |

| Regional School District | 7061-0008<br>Chapter 70 | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|
| OLD ROCHESTER | 2,070,404 | 0 | 2,070,404 |
| PATHFINDER | 5,011,306 | 0 | 5,011,306 |
| PENTUCKET | 13,226,986 | 0 | 13,226,986 |
| PIONEER | 4,195,800 | 0 | 4,195,800 |
| QUABBIN | 16,979,189 | 0 | 16,979,189 |
| QUABOAG | 8,335,277 | 0 | 8,335,277 |
| RALPH C MAHAR | 5,551,073 | 0 | 5,551,073 |
| SHAWSHEEN VALLEY | 5,375,355 | 429,386 | 5,804,741 |
| SILVER LAKE | 6,815,899 | 139,570 | 6,955,469 |
| SOUTH MIDDLESEX | 2,548,930 | 0 | 2,548,930 |
| SOUTH SHORE | 3,660,126 | 72,960 | 3,733,086 |
| SOUTHEASTERN | 11,804,129 | 948,483 | 12,752,612 |
| SOUTHERN BERKSHIRE | 1,900,305 | 0 | 1,900,305 |
| SOUTHERN WORCESTER | 9,053,691 | 450,977 | 9,504,668 |
| SOUTHWICK TOLLAND | 8,213,061 | 432,265 | 8,645,326 |
| SPENCER EAST BROOKFIELD | 13,983,163 | 0 | 13,983,163 |
| TANTASQUA | 7,904,757 | 0 | 7,904,757 |
| TRI COUNTY | 5,319,115 | 0 | 5,319,115 |
| TRITON | 8,568,933 | 0 | 8,568,933 |
| UPISLAND | 825,674 | 0 | 825,674 |
| UPPER CAPE COD | 3,008,736 | 0 | 3,008,736 |
| WACHUSETT | 21,490,211 | 1,053,746 | 22,543,957 |
| WHITMAN HANSON | 23,500,164 | 466,278 | 23,966,442 |
| WHITTIER | 5,511,728 | 967,966 | 6,479,694 |

| Regional School District | 7061-0008 Chapter 70 | Potential Allocation of Federal Funds from the ARRA State Fiscal Stabilization Fund | Potential Total Section 3 Local Aid (Contingent Upon Allocation of Federal Funds) |
|---|---|---|---|
| **Regional Totals** | **627,526,977** | **12,616,657** | **640,143,634** |

SECTION 4. Section 68 of chapter 3 of the General Laws, inserted by section 3 of chapter 451 of the acts of 2008, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) There shall be a permanent commission on the status of citizens of Asian descent to consist of 21 persons as follows: 3 persons to be appointed by the governor; 3 persons to be appointed by the speaker of the house of representatives; 3 persons to be appointed by the president of the senate; 3 persons to be appointed by the state treasurer; 3 persons to be appointed by the state secretary; 3 persons to be appointed by the attorney general; and 3 persons appointed by the state auditor. Members of the commission shall be citizens of the commonwealth who have demonstrated a commitment to the Asian-American community. Members shall be subject to chapter 268A as they apply to special state employees.

SECTION 5. Chapter 6 of the General Laws is hereby amended by inserting after section 172J the following section:--

Section 172K. Notwithstanding section 172 or any other general or special law to the contrary, any children’s camp or school that plans to employ or accept as a volunteer for a climbing wall or challenge course program, a person who is or has previously been the subject of a record check pursuant to sections 172G, 172H, 172I or section 38R of chapter 71, shall not be required to conduct a second record check by reason of such person's employment or volunteering for a climbing wall or challenge course program, within 12 months of the previous record check. Such camp or school may either

simultaneously submit to the criminal history systems board applications for a record check under sections 172G, 172H, 172I or section 38R of chapter 71 and this section, or use the information obtained within the prior 12 months under sections 172G, 172H, 172I or section 38R of chapter 71 for the purpose of the climbing wall or challenge course program. If the camp or school submits simultaneous applications, the criminal history systems board shall conduct the most comprehensive record check required by either application, and the results of such record check shall satisfy the camp or school's obligations to request record information with respect to both job functions. The camp or school may also disseminate information obtained under this section to the department of public safety. The criminal history systems board shall only assess the camp or school 1 fee for simultaneous requests filed pursuant to this section.

Information obtained pursuant to this section shall not be disseminated for any purpose other than to further the protection of children.

SECTION 6. Paragraph (a) of section 4A of chapter 7 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following sentence:- The operational services division may charge and collect from statewide contractors a statewide contract administrative fee, to be established by the executive office for administration and finance; provided, however, that such fee shall not exceed 1 per cent of the total value of a contract awarded to a statewide contractor.

SECTION 7. Section 53 of chapter 7 of the General Laws, as so appearing, is hereby amended by striking out, in line 17, the figure “$200,000” and inserting in place thereof the following figure:- $500,000.

SECTION 8. Subsection (a) of section 24A of chapter 10 of the General Laws, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- The commission is hereby authorized to enter into agreements with one or more states or other

jurisdictions, hereinafter referred to as a group, for the purpose of creating and maintaining multi-jurisdictional lottery games; provided, however, that a group agreement shall not include the state lottery games created pursuant to section 24; provided further, that nothing in this section and nothing in a group agreement shall authorize the commission to make expenditures that are not consistent with restrictions on expenditures by the commission provided in any other general or special law.

SECTION 9. Said chapter 10 is hereby further amended by inserting after section 35KK, inserted by section 2 of chapter 422 of the acts of 2008, the following 2 sections:-

Section 35LL. (a) There shall be established and set up on the books of the commonwealth a separate fund to be know as the Nantasket Beach Reservation Trust Fund to be used, without further appropriation, for the preservation, maintenance and safety of Nantasket Beach in the town of Hull. Any balance in the fund at the end of the fiscal year shall not revert to the General Fund, but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

(b) Notwithstanding any general or special law to the contrary, the department of conservation and recreation shall impose a surcharge of $4 for non-seniors and $2 for seniors upon each fee charged and collected from admission into parking in the Nantasket Beach Reservation. The additional monies collected from the surcharge shall be deposited into the Nantasket Beach Preservation Trust Fund. Expenditures by the trust for public safety shall first be made available to the town of Hull's police, fire, ambulance and emergency personnel. No later than November 30 of each year, a representative from the department of conservation and recreation shall meet with the Hull board of selectmen to discuss the maintenance and safety plan for the next calendar year as well as the balance and expenditures from the Nantasket Beach Reservation Trust Fund.

Section 35MM. There shall be established and placed within the executive office of transportation or any successor agency or authority a separate fund to be known as the Massachusetts Transportation

Trust Fund which shall be used for financing transportation-related purposes of the executive office of transportation or any successor agency or authority. The secretary shall be authorized to enter into agreements with the Massachusetts Bay Transportation Authority, the Massachusetts Port Authority, the regional transit authorities and, for so long as it shall continue to exist, the Massachusetts Turnpike Authority to commit any funds generated from fares, fees, tolls or any other revenue sources including, but not limited to, from federal sources of these authorities to the fund. There shall be credited to the fund all turnpike revenues and other toll and non-toll revenue collected by the department after assumption of the assets, obligations and liabilities of the Massachusetts Turnpike Authority, all tolls collected by the department after transfer of the Maurice J. Tobin Memorial Bridge by the Massachusetts Port Authority to the department, all refunds and rebates made on account of expenditures on ways by the department, any revenues from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, any gifts, grants, private contributions, investment income earned on the fund's assets, all monies received by the department for the sale or lease of property, all monies received by the department in satisfaction of claims by the department for damage to highway and bridge safety signs, signals, guardrails, curbing and other highway and bridge related facilities, and other receipts of the department. Money remaining in the fund at the end of the year shall not revert to the General Fund.

(b) In addition to those revenues credited to the fund pursuant to subsection (a), beginning in fiscal year 2011, there shall be credited to the Massachusetts Transportation Trust Fund all monies received by the commonwealth equal to .385 percent of the receipts from sales, as defined by chapter 64H of the General Laws, and .385 per cent of the sales price of purchases, as defined by chapter 64I of the General Laws, from that portion of the taxes imposed under said chapters 64H and 64I as excises upon the sale and use at retail of tangible property or of services, and upon the storage, use or other consumption of tangible property, or of services, including interest thereon or penalties, but not including any portion of the taxes that constitute special receipts within the meaning of subsection (b ½) of section 10 of chapter 152 of the acts of 1997 or within the meaning of said subsection (b ½). If in a fiscal year the amount

credited to the Massachusetts Transportation Trust Fund under this paragraph is less than $275,000,000, then the comptroller shall transfer an amount from the General Fund to make up the difference between the amount credited to said fund and $275,000,000, not later than September 1 of the following fiscal year; provided that the comptroller shall make said transfer according to a schedule developed annually by the comptroller in consultation with the secretary of administration and finance and the state treasurer to minimize adverse impact on the commonwealth's cash flow.

The comptroller shall only make transfers from the Massachusetts Transportation Trust Fund to any surface transportation-related authority or to any other fund used by the commonwealth or any such authority for toll and fare mitigation and other transportation-related purposes, as provided in this section.

(c) (i) Annually, beginning in fiscal year 2011, the secretary of the Massachusetts Department of Transportation and the secretary of administration and finance shall issue a written schedule for transfers from the fund to the comptroller and the chairs of the house and senate committees on ways and means at least 30 days in advance of the first proposed scheduled transfer. The secretary of the Massachusetts Department of Transportation and the secretary of administration and finance may amend the schedule upon 30 days advance notice to the comptroller and the chairs of the senate and house committees on ways and means. The schedule issued under this section shall ensure that $100,000,000 shall be transferred to the Massachusetts Turnpike Authority or its successor in interest in each fiscal year and, to provide for and secure this payment obligation, the secretary of administration and finance, on behalf of the commonwealth, shall, with the concurrence of the secretary of transportation and public works, enter into a contract with the authority before July 1, 2009 providing for the payment of that amount to said authority in each fiscal year for the purpose of defraying costs, including debt service on bonds heretofore or hereafter issued by the

authority or its successor in interest to finance or refinance improvements to the metropolitan highway system. The term of this contract shall extend until the last fiscal year in which any such bonds issued before the date of the contract are scheduled to mature. These payments may be treated as revenues of the authority or of its successor in interest within the meaning of section 6 of chapter 81A and the authority or its successor in interest may pledge such contract and the rights of the authority or its successor in interest to receive amounts thereunder as security for the payment of the bonds issued before the date of the contract or of any bonds or notes issued by the authority or its successor in interest to refinance those bonds. This contract shall constitute a general obligation of the commonwealth for which the faith and credit of the commonwealth shall be pledged for the benefit of the authority or its successor in interest and of the holders of any bonds or notes secured by a pledge of such contract or of amounts to be received by the authority or its successor in interest under the contract. The payment obligation and contract securing it provided for in this section shall be in addition to the payment obligation provided for under section 12 of chapter 81A and the contract securing it under said section 12.

(ii) The remaining amount transferred under this section shall be distributed to the Massachusetts Bay Transportation Authority and regional transit authorities according the following parameters:

(a) $160,000,000 shall be transferred to the Massachusetts Bay Transportation Authority or any fund controlled by the authority in each fiscal year; and

(b) $15,000,000 shall be transferred to regional transit authorities organized under chapter 161B or predecessor statutes in each fiscal year.

(iii) The comptroller shall only make transfers from the Massachusetts Transportation Trust Fund to any surface transportation-related authority or to any other fund used by the commonwealth or any such

authority for toll and fare mitigation and other transportation-related purposes, as provided in this section. The final transfer to any transportation-related authority in a fiscal year shall be not later than two weeks before the end of that fiscal year.

(d) The remaining balance of the fund after compliance with subsection (c) shall be under the control of the executive office of transportation or any successor agency or authority, not subject to appropriation and shall be used as follows:-

(i) For expenditures to meet any debt obligations of the department following the dissolution of the Massachusetts Turnpike Authority and assumption of assets, obligations and liabilities by the department;

(ii) For expenditure by the department for maintaining, repairing, improving and constructing municipal ways and bridges, sidewalks adjacent to such ways and bridges, bikeways and other projects eligible for funding as a transportation enhancement project as described in the Intermodal Surface Transportation Efficiency Act of 1991, P.L. 102-240, salt storage sheds, bikeways and public use off-street parking facilities related to mass transportation, for engineering services and expenses related to highway transportation enhancement and mass transportation purposes, for care, repair, storage, replacement, purchase and long-term leasing of road building machinery, equipment and tools, for the erection and maintenance of direction signs and warning signs and for necessary or beneficial improvements to unpaved municipal ways together with any money which any municipality may appropriate for such purposes to be used on the same ways, sheds, bikeways, bridges, machinery, equipment, tools and facilities. Such engineering services, including surveying services, shall only be performed by architectural, engineering or surveying firms prequalified by the department; provided, however, that a municipality may seek a waiver of this requirement from the department if the municipality demonstrates to the satisfaction of the department that it is cost prohibitive to use a prequalified firm. Such ways, sheds, bikeways, bridges, machinery, equipment, tools and facilities shall remain municipal ways, sheds, bikeways, bridges, machinery, equipment, tools and facilities. The

department shall withhold or withdraw the unexpended balance of any funds assigned by it under this clause if the municipality fails to comply with the official standards for traffic control established by the department or with any provision of a traffic control agreement negotiated between the department and the municipality, as required by the United States Secretary of Commerce under section 109 of Title 23 of the United States Code;

(iii) For expenditure by the department for maintaining, repairing and improving state highways and bridges in the state highway system designated parkways and for the turnpike and the metropolitan highway system managed by the Massachusetts Turnpike Authority until its dissolution ;

(iv) For expenditure by the department, in addition to federal aid payments received under section 30 of chapter 81, for construction of state highways;

(v) For expenditure by the department for engineering services and expenses, for care, repair, storage, replacement and purchase of road building machinery and tools, for snow removal, for the erection and maintenance of direction signs and warning signs, for the care of shrubs and trees on state highways and for expenses incidental to the foregoing or incidental to the purposes specified in clause (b), (c) or (d);

(vi) For expenditure for the operations of the department and any divisions thereof;

(vii) For expenditure by the department for infrastructure improvements to transportation facilities throughout the commonwealth;

(viii) For regional expenditure by the department for highway division projects in the 5 geographic regions of the commonwealth consistent with the boundaries of the 5 highway division districts as existing on July 1, 2009;

(ix) For expenditure for highway field services and transportation support programs including, but not limited to, state police highway patrols and accident teams; and

13031 (x) For any other expense of the department necessary to carry out its purposes.

13032 SECTION 10. Section 59 of said chapter 10, as appearing in the 2006 Official Edition, is hereby
13033 amended by inserting after the figure “90”, in line 4, the following words:- , sections 8 and 34 of chapter
13034 90B.

13035 SECTION 11. Section 3 of chapter 12 of the General Laws, as so appearing, is hereby amended by
13036 adding the following paragraph:-

13037 The Massachusetts Turnpike Authority, or any successor in interest, shall enter into a memorandum
13038 of understanding with the attorney general through which the authority shall provide payment to the
13039 attorney general of all direct and indirect costs of the attorney general’s representation of the authority,
13040 and the attorney general may retain and expend such funds without further appropriation for the purpose
13041 of defraying such costs.

13042 SECTION 12. Chapter 23 of the General Laws is hereby amended by striking out section 11W, as
13043 so appearing, and inserting in place thereof the following section:-

13044 Section 11W. The deputy director shall require each apprentice entering
13045 into a written agreement pursuant to this chapter to submit an application to
13046 the division for an apprentice identification card. Such application shall be
13047 accompanied by a $35 fee paid by the apprentice or the program sponsor,
13048 together with photographic prints as required by the deputy director. The
13049 apprentice identification card shall expire 1 year from the date of
13050 issue. Application for renewal of such card shall be submitted to the
13051 division and shall be accompanied by a fee of $35 paid by the apprentice or
13052 the program sponsor. The funds shall be received by the state treasurer on
13053 behalf of the commonwealth and deposited in a special trust account for the
13054 division and may be expended, without further appropriation, under the
13055 direction of the deputy director. An apprentice identification card shall

contain the photograph of the apprentice; the apprentice registration number or such other number as the deputy director requires; the date on which the apprentice identification card expires; the name and business address of the appropriate apprenticeship committee or single employer sponsor; the steps of progression and related dates applicable to the apprentice and the projected date on which the apprentice is projected to complete the apprenticeship. As a condition of apprenticeship, the apprentice shall keep the apprentice identification card on his person during all hours of employment during the apprenticeship

SECTION 13. The first paragraph of section 30 of chapter 23B of the General Laws, as appearing in section 37 of chapter 4 of the acts of 2009, is hereby amended by inserting after the second sentence the following sentence:- The department shall administer the program throughout the commonwealth at locations that are geographically convenient to families who are homeless or at-risk of homelessness and shall administer the program in a fair, just and equitable manner.

SECTION 14. The second paragraph of paragraph (B) of said section 30 of said chapter 23B, as so appearing, is hereby further amended by striking out the first sentence and inserting in place thereof the following 2 sentences: Emergency housing assistance shall be denied to a family who, at any time within 1 year immediately prior to the filing of an application for emergency assistance, has depleted, assigned or transferred real or personal property that would have rendered such family ineligible for assistance if the depletion, transfer or assignment was not reasonable at the time or was not for good cause reasons. For purposes of the preceding sentence, good cause reasons shall include, but not be limited to, that the funds were expended for necessary or reasonable costs of living such as rent, utilities, food, health related needs, education related expenses or transportation.

SECTION 15. The first sentence of the second subparagraph of paragraph (C) of said section 30 of said chapter 23B, as so appearing, is hereby amended by striking out the words “any benefits” and inserting in place thereof the following words: - any non-shelter benefits.

SECTION 16. Paragraph (F) of said section 30 of said chapter 23B, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: -

A hearing held pursuant to this section shall be conducted by a hearing officer designated by the hearings manager and shall be conducted as an adjudicatory proceeding under chapter 30A. The department shall offer the person appealing the option to hold the hearing: (a) such that the hearing officer, person appealing and department representatives shall be in 1 location for the hearing and such location shall be convenient to the person appealing; (b) telephonically; or (c) through other available means such as videoconferencing. The person appealing shall have the right to choose among these options. No employee shall review, interfere with, change or attempt to influence any hearing decision by a hearing officer. The hearings manager shall be responsible for the fair and efficient operation of the division in conformity with state and federal laws and regulations and may review and discuss with the hearing officers such decisions solely in order to carry out this responsibility. The hearing manager shall be responsible for the training of hearing officers, scheduling of hearings and the compilation of decisions. The hearings manager may grant a request by the person appealing for a remand of the decision to the hearings officer who made the initial decision or another hearings officer for reconsideration of an initial decision. The final decision of the hearing officer shall be the decision of the department.

SECTION 17. Section 8 of chapter 23D of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- There shall be in the executive office of housing and economic development, but not subject to its jurisdiction, an economic stabilization trust which shall be

administered by the secretary of the executive office of housing and economic development.

SECTION 18. Section 9 of said chapter 23D, as so appearing, is hereby amended by striking out, in lines 2 to 4, inclusive, the words “director of economic development and director of labor and workforce development” and inserting in place thereof the following words:- secretary of the executive office of housing and economic development or his designee, the secretary of the executive office of labor and workforce development or his designee.

SECTION 19. Said chapter 23D is hereby further amended by striking out section 10, as so appearing, and inserting in place thereof the following section:-

Section 10. The offices of the trust shall be located within the executive office of housing and economic development. The secretary of the executive office of housing and economic development, in consultation with the trustees, shall appoint an executive director of the trust. The executive director shall serve as the chief executive, administrative and operational officer of the trust, shall attend meetings of the trust and shall direct the resources and staff of the program to achieve the purposes of sections 8 to 16, inclusive.

SECTION 20. Subsection (c) of section 11H of chapter 25A of the General Laws is hereby amended by striking out the second, third, and fourth sentences, as appearing in the 2008 Official Edition, and inserting in place thereof the following 2 sentences:- The assessment shall not exceed an amount equal to 3.75 per cent of the total annual mandatory charge collected by each utility company under section 19 of chapter 25 in the case of electric companies, or 3.75 per cent of the efficiency budgets as approved by the department of public utilities or otherwise required by law in the case of gas companies, as applicable. Assessments made under this section shall

be charged by the utility companies against the revenues so collected under section 19 of chapter 25 or as the revenues are approved by the department of public utilities or otherwise required by law, as applicable.

SECTION 21. Chapter 29 of the General Laws is hereby amended by inserting after section 2YYY the following 2 sections:-

Section 2ZZZ. (a)There shall be established and set up on the books of the commonwealth a separate fund to be known as the Commonwealth Transportation Fund which shall be used exclusively for financing transportation-related purposes. There shall be credited to the fund all fees received by the registrar of motor vehicles pursuant to section 34 of chapter 90, all receipts paid into the treasury of the commonwealth and directed to be credited to the Commonwealth Transportation Fund pursuant to chapters 64A, 64E, 64F and any other applicable general or special law and all amounts appropriated into the fund by the general court. The fund shall be subject to appropriation and shall be used for transportation related expenses of the executive office of transportation or any successor agency or authority, including to pay or reimburse the General Fund for payment of debt service on bonds issued by, or otherwise payable pursuant to a lease or other contract assistance agreement by, the commonwealth for transportation purposes.

(b) Notwithstanding subsection (a), the crediting of receipts from the tax imposed pursuant to chapter 64A to the fund shall not affect the obligations of the commonwealth relating to notes issued pursuant to sections 9 to 10D, inclusive, of chapter 11 of the acts of 1997 and the pledge of receipts from the portion of the tax per gallon imposed pursuant to said chapter 64A equal to 10 cents per gallon, to secure the payment of such bonds under the circumstances described in the trust agreements relating to such notes is hereby ratified and confirmed in all respects and shall remain in full force and effect as long as any such notes issued as of July 1, 2009 remain outstanding in accordance with their terms and secured by funds in the fund.

SECTION 22. Chapter 29 of the General Laws is hereby amended by inserting after section 5F the following section:-

Section 5G. Notwithstanding any general or special law to the contrary, the department of revenue shall report by September 30 to the state comptroller, the executive office for administration and finance and the house and senate committees on ways and means the amount collected from capital gains revenue in the previous fiscal year; provided, however, that beginning October 31 and quarterly thereafter the department of revenue shall, within 15 days, certify to the state comptroller the amount collected in capital gains revenues for the previous quarter. The department of revenue shall certify by October 31, beginning in fiscal year 2010, the amount of actual receipts of capital gains for the previous fiscal year and the comptroller shall transfer 50 per cent of the growth in capital gains revenue that exceeds the amount collected during the previous fiscal year to the Commonwealth Stabilization Fund established by section 2H; provided, however, that said transfer shall be made prior to the certification of the consolidated net surplus for the previous fiscal year as provided in section 5C; provided further, that 2 percent of any amount transferred to the Commonwealth Stabilization Fund under this section shall then be transferred from the Commonwealth Stabilization Fund to the State Retiree Benefits Trust Fund.

SECTION 23. Subdivision (1) of section 22C of chapter 32 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

Notwithstanding any general or special law to the contrary, appropriations or transfers made to the Commonwealth's Pension Liability Fund in fiscal years 2009 to 2011, inclusive, shall be made in

13185 accordance with the following funding schedule: $1,314,396,000 in fiscal year 2009, $1,376,619,000 in
13186 fiscal year 2010 and $1,441,811,000 in fiscal year 2011.

13187 SECTION 24. Section 5K of chapter 59 of the General Laws, as so appearing, is hereby amended
13188 by striking out, in line 13, the figure "$750" and inserting in place thereof the following figure:- $1,000

13189 SECTION 25. Clause Fifth of section 18 of said chapter 59, as so appearing, is hereby amended by
13190 adding the following 2 sentences:- Poles, underground conduits, wires and pipes of telecommunications
13191 companies laid in or erected upon public or private ways and property shall be assessed to their owners in
13192 the cities or towns where they are laid or erected. For purposes of this clause, telecommunications
13193 companies shall include cable television, internet service, telephone service, data service and any other
13194 telecommunications service providers.

13195 SECTION 26. Section 1 of chapter 62 of the General Laws, as so appearing, is hereby amended by
13196 inserting after the figure "72", in line 8, the following figure:- , 139C.

13197 SECTION 27. Paragraph (1) of subsection (d) of section 2 of said chapter
13198 62, as so appearing, is hereby amended by adding the following paragraph:-
13199 (P) The deduction described in section 163(e)(5) of the Code to the
13200 extent increased by amendments to section 163(e)(5)(F) and section 163(i)(1)
13201 inserted by section 1232 of the American Recovery and Reinvestment Act of
13202 2009.
13203 SECTION 28. Subsection (l) of section 6 of chapter 62 of the General
13204 Laws, as so appearing amended by sections 1 to 4, inclusive, of chapter 63 of
13205 the acts of 2007, is hereby further amended by adding the following
13206 paragraph:-
13207 (8) Notwithstanding any other provision of this section, aggregate
13208 salary and compensation amounts including all per diems, housing and other
13209 allowances, paid to, or for the services of, an individual shall not qualify

13210 for the credit under this subsection or for the credit under section 38X of
13211 chapter 63 to the extent that such amounts exceed $2,000,000.
13212 SECTION 29. The first sentence of paragraph (4) of subsection (o) of
13213 said section 6 of said chapter 62, as appearing in section 3 of chapter 310
13214 of the acts of 2008, is hereby amended by striking out the figure "90" and
13215 inserting in place thereof the following figure:- 100
13216 SECTION 30. Section 6L of said chapter 62 is hereby amended by striking out subsections (a) and
13217 (b), as amended by section 4 of said chapter 310, and inserting in place thereof the following 2
13218 subsections:-

13219 (a) This section shall apply to credits earned under subsection (l) of
13220 section 6.
13221 (b) At the written election of a taxpayer entitled to a credit under
13222 subsection (l) of section 6, the commissioner shall apply the credit against
13223 the liability of the taxpayer as determined on its return, as first reduced
13224 by any other available credits, and shall then refund to the taxpayer 90 per
13225 cent of the balance of the credits.
13226 SECTION 31. Chapter 62C of the General Laws is hereby amended by
13227 striking out section 1, as appearing in the 2006 Official Edition, and
13228 inserting in place thereof the following section:-
13229 Section 1. As used in the chapter, the following words shall, unless the context requires otherwise,
13230 have the following meanings:-

13231 "Administering agency head", the agency head responsible for administering the applicable state
13232 tax credit program.

13233 "Average salary", the total Massachusetts gross salary of a group of Massachusetts employees
13234 divided by the number of Massachusetts employees in the group.

13235 “Building contractor”, any general contractor, subcontractor or repairman who is engaged in the
13236 business of constructing or improving real property.

13237 “Code”, the Internal Revenue Code of the United States in effect on July 1, 1983.

13238 “Commissioner”, the commissioner of revenue.

13239 “Full-time employee”, a person who is employed for consideration for at least 35 hours per week
13240 and whose salary is subject to withholding as provided in chapter 62B.

13241 “Materialman”, a person primarily engaged in the retail sale of building material, tools and
13242 equipment to building contractors for the improvement of real property and authorized by law to file a
13243 mechanics lien upon real property for improvements related to the property. For the purposes of this
13244 definition, “primarily engaged” shall mean sales of 50 per cent or more of total sales to building
13245 contractors.

13246 “Part-time employee”, a person who is employed for consideration for less than 35 hours a week
13247 and whose salary is subject to withholding as provided in chapter 62B.

13248 “Promoter”, a person who, either directly or indirectly, rents, leases or grants a license to use space
13249 to any person for the display for sale or for the sale of tangible personal property subject to tax under
13250 chapter 64H, at more than 3 shows during the calendar year, or who operates more than 3 shows during
13251 the calendar year. For purposes of determining whether 3 shows have been held, the conduct of an
13252 activity described in the definition of “Show” on 1 day alone or on a series of up to 7 consecutive days
13253 shall be deemed to constitute a single show.

13254 “Show”, a flea market, craft show, antique show, coin show, stamp show, comic book show fair
13255 and any similar show, whether held regularly or of a temporary nature at which more than 1 vendor
13256 displays for sale or sells tangible personal property subject to tax.

13257 “Tax”, any tax, excise, interest, penalty, or addition to tax imposed by this chapter or the statutes
13258 referred to in section 2.

13259 “Tax credit program”, one of the following credits against the state income tax to stimulate
13260 economic development and other policy goals: the brownfields tax credit established by subsection (j) of
13261 section 6 of chapter 62 and section 38Q of chapter 63; the dairy farmer tax credit established by
13262 subsection (o) of section 6 of chapter 62 and section 38Z of chapter 63; the FDA user fees credit
13263 established by subsection (n) of section 6 of chapter 62 and section 31M of chapter 63; the film tax credit
13264 established by subsection (l) of section 6 of chapter 62 and subsection (b) of section 38X of chapter 63;
13265 the historic rehabilitation tax credit established by section 6J of chapter 62 and section 38R of chapter 63;
13266 the life sciences investment tax credit established by subsection (m) of section 6 of chapter 62 and section
13267 38U of chapter 63; the low-income housing tax credit established by section 6I of chapter 62 and section
13268 31H of chapter 63; the medical device tax credit established by section 6½ of chapter 62 and section 31L
13269 of chapter 63; and the refundable research credit established by subsection (j) of section 38M of chapter
13270 63.

13271 SECTION 32. Section 16 of said chapter 62C, as so appearing, is hereby amended by striking out,
13272 in line 62 the words “sixty-four H or sixty-four I” and inserting in place thereof the following words:-
13273 64H, 64I or 64L.

13274 SECTION 33. Said section 16 of said chapter 62C, as amended by section
13275 20 of chapter 182 of the acts of 2008, is hereby amended by adding the
13276 following subsection:–

13277 (l) Every direct broadcast satellite service provider subject to taxation under section 2 of chapter
13278 64M shall, on or before the twentieth day of each calendar month, file a return with the commissioner
13279 stating the gross revenues derived by the direct broadcast satellite service provider during such month
13280 from the provision of direct broadcast satellite service and such other information as the commissioner
13281 may deem necessary.

SECTION 34. Subsection (b) of section 21 of said chapter 62C, as most recently amended by section 8 of chapter 205 of the acts of 2008, is hereby further amended by adding the following 2 clauses:-

(24) the disclosure of information necessary to comply with the reporting requirements of section 88,

(25) the disclosure of information necessary for administration of the local option tax imposed pursuant to section 3A of chapter 64G and chapter 64L.

SECTION 35. Section 25 of said chapter 62C, as appearing in the 2006 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:– A distributor, unclassified importer, unclassified exporter or purchaser referred to in section 1 of chapter 64A, a stamper appointed under section 30 of chapter 64C, a user-seller or supplier of special fuels, as defined in section 1 of chapter 64E, a motor carrier required to be licensed under chapter 64F, an operator required to register under chapter 64G, a vendor required to register under chapter 64H or 64I, a user-seller or supplier of aircraft fuel, as defined in section 1 of chapter 64J, a direct broadcast satellite service provider as defined in section 1 of chapter 64M and a licensee referred to in section 21 of chapter 138 shall keep and preserve suitable records of taxable charges and such other books, papers, records and data as the commissioner may require to determine the amount of the tax due under the those respective chapters.

SECTION 36. Section 31A of said chapter 62C, as so appearing, is hereby amended by striking out, in line 5, the words “or section 17 of chapter 64I” and inserting in place thereof the following words:- section 17 of chapter 64I or section 6 of chapter 64L.

SECTION 37. Section 37 of said chapter 62C, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:–

If such person is an operator as defined in section 1 of chapter 64G, a vendor as defined in section 1 of chapter 64H or section 1 of chapter 64I or a direct broadcast satellite service provider as defined in section 1 of chapter 64M who has collected such tax, no actual refund of money shall be made to such person until he establishes to the satisfaction of the commissioner, under such regulations as the commissioner may prescribe, that he has repaid to the purchaser the amount for which the application for refund is made.

SECTION 38. Section 66 of said chapter 62C, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:–

The commissioner may require a person required to be licensed or registered under chapters 64A to 64C, inclusive, chapters 64E to 64J, inclusive, or chapter 64M or subject to taxation under section 21 of chapter 138, to file with him a bond, satisfactory to the commissioner, in such amount as the commissioner may determine, with a surety company authorized to transact business in the commonwealth as surety, to secure the payment of any tax, including any interest and penalties thereon, due or which may become due from such person under said chapters; provided, however, that the amount of such bond required from a vendor under chapter 64H or 64I shall not exceed the amount which the commissioner shall determine to be such vendor's average tax liability for a 6-month period.

SECTION 39. Section 67 of said chapter 62C, as most recently amended by section 31 of chapter 182 of the acts of 2008, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:–

Each vendor as defined in chapter 64H or 64I and each operator as defined in chapter 64G who desires to obtain a certificate of registration as required by said chapters 64G, 64H or 64I and each person who desires to

obtain a license as a distributor, unclassified importer or unclassified exporter as defined in chapter 64A, as a manufacturer, wholesaler, vending machine operator, unclassified acquirer, transportation company, retailer, cigar distributor or cigar retailer as defined in chapter 64C, as a user-seller, supplier or user of special fuels as defined in chapter 64E, as a motor carrier as defined in chapter 64F, as a user-seller or supplier of aircraft fuel as defined in chapter 64J or as a direct broadcast satellite service provider as defined in chapter 64M shall file with the commissioner an application in such form as the commissioner prescribes, giving such information as the commissioner requires; provided, however, if the application is for a wholesaler's license as defined in said chapter 64C, the commissioner shall require, in addition to such other information as may be deemed necessary, the filing of affidavits from 3 licensed manufacturers as defined in said chapter 64C, stating that the manufacturer will supply the wholesaler if the applicant is granted a license.

SECTION 40. Said chapter 62C is hereby further amended by adding the following section:-

Section 88. (a) (1) Each administering agency head shall annually submit a report, no later than March 1, to the commissioner on each tax credit program authorized for the previous calendar year, hereinafter known as the report, which shall be a public record made available on a government internet website for public disclosure.

(2) The report shall contain the following information:

(i) the number of taxpayers authorized by the administering agency head to receive a tax credit;

(ii) the type and amount of the tax credit awarded to each industry;

(iii) the date that the tax credit was awarded; and

13358 (iv) an aggregate summary of the employment data, by industry, provided by each taxpayer pursuant to
13359 subsection b.

13360 (3) The report shall include, for the previous calendar year, an analysis of the benefits received by
13361 the commonwealth relevant to the specific goals of the tax credit program, the impact of the tax credit
13362 program on preserving, promoting and growing employment in the relevant industry in the
13363 commonwealth and any other benefits received as a result of the tax credit program.

13364 (4) The report shall include the following information relevant to the
13365 specific tax credit programs:
13366 (i) for the brownfields tax credit, an analysis of the impact of the
13367 brownfields tax credit program on the cleanup and development of contaminated
13368 properties;
13369 (ii) for the dairy farmer tax credit, an analysis of the impact of the
13370 dairy farmer tax credit on preserving dairy farms and dairy farm employment
13371 including, but not limited to, an analysis of the dairy product output and
13372 the number and size in acreage of dairy farms receiving a dairy farm credit;
13373 (iii) for the U.S.F.D.A. user fees credit, life sciences investment tax
13374 credit and the refundable research credit, an analysis of the impact of the
13375 program on preserving and increasing economic development and infrastructure
13376 for the calendar year;
13377 (iv) for the film tax credit, an analysis of the impact of the film tax
13378 credit program on preserving or increasing film industry jobs and other
13379 benefits of the program;
13380 (v) for the historic rehabilitation tax credit, an analysis of the
13381 impact of the program on preserving historic structures and other benefits of
13382 the program including, but not limited to, the employment created for the
13383 calendar year;

(vi) for the low-income housing tax credit, an analysis of the impact of the program on preserving or increasing low-income housing and other benefits of the program including, but not limited to, the number of low-income housing units placed in service for the calendar year; and

(vii) for the medical device tax credit, an analysis of the impact of the medical device tax credit program on preserving or increasing medical device industry jobs and other benefits of the program.

(b) Each taxpayer receiving a tax credit from a tax credit program shall annually report, no later than February 15, a statement of jobs to the administering agency head which shall contain the following information:

(i) the number of full-time employees working for the taxpayer on the date the administering agency head authorized the tax credit, the number of full-time employees working for the taxpayer on December 31 of each calendar year that the tax credit is applied and the average salary of such employees;

(ii) the number of part-time employees working less than 35 hours but more than 20 hours per week for the taxpayer on the date the administering agency head authorized the tax credit, the number of such employees working for the taxpayer on December 31 of each calendar year that the tax credit is applied and the average salary of such employees;

(iii) the number of part-time employees working 20 hours per week or less for the taxpayer on the date the administering agency head authorized the tax credit, the number of such employees working for the taxpayer on December 31 of each calendar year that the tax credit is applied and the average salary of such employees; and

(iv) any other information required by the administering agency head to assist the agency head in assessing the economic and employment impact of the tax credit program on the commonwealth and in the relevant industry and otherwise in meeting the goals of the relevant tax credit program.

13408 SECTION 41. The definition of “Gross income” in section 1 of chapter 63
13409 of the General Laws, as appearing in the 2006 Official Edition, is hereby
13410 amended by adding the following sentence:- Gross income shall be determined
13411 without regard to section 108(i) of the Code.

13412 SECTION 42. The definition of “Net income” in said section 1 of said
13413 chapter 63, as so appearing, is hereby amended by striking out clauses (d)
13414 and (e) and inserting in place thereof, the following 3 clauses:-

13415 (d) the deduction allowed by section 168 (k) of the Code;

13416 (e) the deduction allowed by section 199 of the Code; or

13417 (f) the deduction described in section 163(e)(5) of the Code, to the extent increased by
13418 amendments to section 163(e)(5)(F) and section 163(i)(1) of the Code, inserted by section 1232 of the
13419 American Recovery and Reinvestment Act of 2009.

13420 SECTION 43. Paragraph 3 of section 30 of said chapter 63, as so
13421 appearing, is hereby amended by inserting after the first sentence the
13422 following sentence:- Gross income shall be determined without regard to
13423 section 108(i) of the Code.

13424 SECTION 44. Paragraph 4 of said section 30 of said chapter 63, as so
13425 appearing, is hereby amended by adding the following clause:-

13426 (vii) the deduction described in section 163(e)(5) of the Code to the
13427 extent increased by amendments to section 163(e)(5)(F) and section 163(i)(1)
13428 of the Code, inserted by section 1232 of the American Recovery and
13429 Reinvestment Act of 2009, Pub. L. 111-5.

13430 SECTION 45. Section 32E of said chapter 63, as amended by section 5 of chapter 310 of the acts
13431 of 2008, is hereby further amended by striking out subsections (a) and (b) and inserting in place thereof
13432 the following two subsections:-

13433 (a) This section shall apply to credits earned under section 38X.

(b) At the written election of a taxpayer entitled to a credit under section 38X, the commissioner shall apply the credit against the liability of the taxpayer as determined on its return, as first reduced by any other available credits, and shall then refund to the taxpayer 90 per cent of the balance of the credits.

SECTION 46. Section 38X of said chapter 63, inserted by section 82 of chapter 173 of the acts of 2008, is hereby amended by adding the following subsection:-

(g) Notwithstanding any other provision of this section, aggregate salary and compensation amounts including all per diems, housing and other allowances, paid to, or for the services of, an individual shall not qualify for the credit under this section or for the credit under subsection (l) of section 6 of chapter 62 to the extent that such amounts exceed $2,000,000.

SECTION 47. The first sentence of subsection (d) of section 38Z of said chapter 63, as appearing in section 6 of said chapter 310 of the acts of 2008, is hereby amended by striking out the figure “90” and inserting in place thereof the following figure:- 100.

SECTION 48. Section 52A of said chapter 63, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word “exclusion”, in lines 27 and 28, the following words:- and without regard to section 108(i) of the Code.

SECTION 49. Paragraph (b) of subsection (1) of said section 52A of said chapter 63, as so appearing, is hereby amended by striking out clauses (iv) and (v) and inserting in place thereof the following 3 clauses:-

(iv) the deduction allowed by section 168(k) of the Code,

(v) the deduction allowed by section 199 of the Code, and

(vi) the deduction described in section 163(e)(5) of the Code, to the extent increased by amendments to section 163(e)(5)(F) and section 163(i)(1)

of the Code, inserted by section 1232 of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5.

SECTION 50. The first paragraph of section 2 of chapter 64G of the General Laws, as so appearing, is hereby amended by striking out clause (b) and inserting in place thereof the following clause:- (b) lodging accommodations, including dormitories, at religious, charitable, educational and philanthropic institutions; provided, however, that this exemption shall not apply to accommodations provided by any such institution at a hotel or motel operated by the institution.

SECTION 51. Section 3A of said chapter 64G, as so appearing, is hereby amended by striking out, in line 5, the word “four” and inserting in place thereof the following figure:- 6

SECTION 52. Said section 3A of said chapter 64G, as so appearing, is hereby further amended by striking out, in line 10, the figure “4.5 ” and inserting in place thereof the following figure:- 6.5

SECTION 53. Section 2 of chapter 64H of the General Laws, as so appearing, is hereby amended by striking out, in line 3, the words “five percent” and inserting in place thereof the following words:- 6.25 per cent.

SECTION 54. Said chapter 64H is hereby further amended by striking out section 4, as so appearing, and inserting in place thereof the following section:-

Section 4. For the purpose of adding and collecting the tax imposed by this chapter to be paid to the commonwealth or to be reimbursed to the seller by the purchaser, the tax computation shall be carried to the third decimal place and it shall be rounded to a whole cent, rounding up to the next cent whenever the third decimal place is greater than 4. A seller may elect to compute the tax due on a transaction on an item or an invoice basis.

SECTION 55. Section 6 of said chapter 64H, as so appearing, is hereby amended by striking out, in lines 71 to 72, the words “sixty-four F and one hundred and thirty-eight” and inserting in place thereof the following words:- and 64F.

SECTION 56. Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the word “five” and inserting in place thereof, in each instance, the following figure:- 6.25.

SECTION 57. Section 2 of chapter 64I of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the words “five percent” and inserting in place thereof the following words:- 6.25 per cent.

SECTION 58. Said chapter 64I is hereby further amended by striking out section 5, as so appearing, and inserting in place thereof the following section:-

Section 5. For the purposes of adding and collecting the tax imposed by this chapter to be paid to the commonwealth or to be reimbursed to the seller by the purchaser, the tax computation shall be carried to the third decimal place and it shall be rounded to a whole cent, rounding up to the next cent whenever the third decimal place is greater than 4. A seller may elect to compute the tax due on a transaction on an item or an invoice basis.

SECTION 59. Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the word “five” and inserting in place thereof, in each instance, the following figure:- 6.25.

SECTION 60. The General Laws are hereby amended by inserting after chapter 64K the following chapter:-

CHAPTER 64L.

LOCAL OPTION MEALS EXCISE

Section 1. As used in this chapter, the following words shall have the meaning assigned to them in paragraph (h) of section 6 of chapter 64H: "honor snack tray'', "meals'' and "restaurant''.

"Commissioner", the commissioner of revenue.

"Sale", a sale of meals by a restaurant for any purpose other than resale in the regular course of business.

"Vendor", shall have the meaning assigned to it in section 1 of chapter 64H.

Section 2. (a) A city or town which accepts this section in the manner provided in section 4 of chapter 4 may impose a local sales tax upon the sale of restaurant meals originating within the city or town by a vendor at a rate of .75 per cent of the gross receipts of the vendor from the sale of restaurant meals. No excise shall be imposed if the sale is exempt under section 6 of chapter 64H. The vendor shall pay the local sales tax imposed under this section to the commissioner at the same time and in the same manner as the sales tax due to the commonwealth.

(b) All sums received by the commissioner under this section shall, at least quarterly, be distributed, credited and paid by the state treasurer upon certification of the commissioner to each city or town that has accepted this section in proportion to the amount of the sums received from the sales of restaurant meals in that city or town. Any city or town seeking to dispute the commissioner's calculation of its distribution under this subsection shall notify the commissioner, in writing, not later than 1 year from the date the tax was distributed by the commissioner to the city or town.

(c) This section shall take effect in a municipality on the first day of the calendar quarter following 30 days after its acceptance by the municipality or on the first day of a later calendar quarter that the city or town may designate.

(d) Notwithstanding any provisions in section 21 of chapter 62C to the contrary, the commissioner may make available to cities and towns any information necessary for administration of the excise imposed by this section including, but not limited to, a report of the amount of local option sales tax on restaurant meals collected in the aggregate by each city or town under this section in the preceding fiscal

year, and the identification of each individual vendor collecting local option sales tax on restaurant meals collected under this chapter.

Section 3. Except as provided herein, a sale of a meal by a restaurant is sourced to the business location of the vendor if (1) the meal is received by the purchaser at the business location of the vendor or (2) if the meal is delivered by the vendor to a customer, regardless of the location of the customer. A vendor with multiple business locations in the commonwealth must separately report sales sourced to each location in a manner prescribed by the commissioner. Restaurant meal delivery companies that purchase meals for resale must source their sales to the delivery location indicated by instructions for delivery to the purchaser and shall separately report sales by municipality in a manner prescribed by the commissioner. The commissioner may also adopt by rule or regulation destination sourcing and reporting rules for caterers or other vendors with a high volume of delivered meals, as the commissioner may determine, in order to mitigate any anti-competitive impact of the local meals tax.

Section 4. Reimbursement for the tax imposed by this chapter shall be paid by the purchaser to the vendor, and each vendor in the commonwealth shall add to the sales price and shall collect from the purchaser the full amount of the tax imposed by this chapter and such tax shall be a debt from the purchaser to the vendor, when so added to the sales price, and shall be recoverable at law in the same manner as other debts.

Section 5. Upon each sale of a meal by a restaurant taxable under this chapter, the amount of tax collected by the vendor from the purchaser shall be stated and charged separately from the sales price and shown separately on any record thereof at the time the sale is made or on any evidence of sale issued or used by the vendor, but in the instance of the sale of alcoholic

13565 beverages for on premises consumption, the tax collected need not be stated
13566 separately.

13567 Section 6. Every person who fails to pay to the commissioner any sums required by this chapter
13568 shall be personally and individually liable therefor to the commonwealth. The term "person", as used in
13569 this section, includes an officer or employee of a corporation, or a member or employee of a partnership
13570 or limited liability company, who as an officer, employee or member is under a duty to pay over the taxes
13571 imposed by this chapter.

13572 SECTION 61. The General Laws are hereby amended by inserting after
13573 chapter 64L the following chapter:–

13574 CHAPTER 64M

13575 TAXATION OF DIRECT BROADCAST SATELLITE SERVICE

13576 Section 1. As used in this chapter, the following words shall have the
13577 following meanings unless the context otherwise requires:

13578 "Commissioner", the commissioner of revenue.

13579 "Direct broadcast satellite service", the distribution or broadcasting by
13580 satellite of video programming or services directly to receiving equipment
13581 located at an end user subscriber's or an end user customer's premises,
13582 including, but not limited to, the provision of premium channels, the
13583 provision of music or other audio services or channels, and any other service
13584 received in connection with the provision of direct broadcast satellite
13585 service.

13586 "Direct broadcast satellite service provider", a person who transmits,
13587 broadcasts or otherwise provides direct broadcast satellite service to
13588 subscribers or customers in the commonwealth.

13589 "Gross revenues", all consideration of any kind or nature received by a
13590 direct broadcast satellite service provider, or an affiliate of such person,

in connection with the provision of direct broadcast satellite service to subscribers or customers, including recurring monthly charges for direct broadcast satellite service and pay-per-view, video-on-demand and other event-based charges for direct broadcast satellite service; provided, however, that gross revenues shall not include:

(1) charges for the rental of equipment related to the provision of direct broadcast satellite service;

(2) activation, installation, repair and maintenance charges or similar service charges related to the provision of direct broadcast satellite service;

(3) service order charges, service termination charges or any other administrative charges related to the provision of direct broadcast satellite service;

(4) revenue not actually received, regardless of whether it is billed, including, but not limited to, bad debts;

(5) revenue received by an affiliate or other person in exchange for supplying goods and services used by a direct broadcast satellite service provider;

(6) refunds, rebates or discounts made to subscribers or customers, to advertisers or to other persons;

(7) revenue from service other than direct broadcast satellite service, including:

(A) telecommunications service as defined in 47 U.S.C. section 153(46);

(B) information service as defined in 47 U.S.C. section 153(20); or

(C) any other service that is not a direct broadcast satellite service;

(8) revenue from any service that is subject to tax under chapter 64H or 64I;

(9) the tax imposed by this chapter or any other tax of general applicability imposed on a direct broadcast satellite service provider or a

purchaser of direct broadcast satellite service, by a federal, state or local governmental entity and required to be collected by a person and remitted to the taxing entity;

(10) any foregone revenue from providing free or reduced-cost direct broadcast satellite service to any person, including employees of the direct broadcast satellite service provider or any governmental entity as required or authorized by federal, state or local law, except revenue foregone in exchange for the goods or services through a trade or barter arrangement;

(11) revenue from the sale of capital assets or surplus equipment not used by the purchaser to receive direct broadcast satellite service from the direct broadcast satellite service provider;

(12) reimbursements made by programmers to the direct broadcast satellite service provider for marketing costs incurred by the direct broadcast satellite service provider for the introduction of new programming that exceed the actual costs incurred by the direct broadcast satellite service provider;

(13) late payment fees collected from subscribers or customers; or

(14) charges, other than those charges specifically described herein, that are aggregated or bundled with such specifically-described charges on a subscriber or customer's bill, if the direct broadcast satellite service provider can reasonably identify the charges in its books and records kept in the regular course of business.

"Person", an individual, partnership, trust or association, with or without transferable shares, joint-stock company, corporation, society, club, organization, institution, estate, receiver, trustee, assignee or referee and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals acting as a unit.

“Subscriber or customer”, a member of the general public who receives direct broadcast satellite service from a direct broadcast satellite service provider and does not further distribute such service in the ordinary course of business.

“Video programming”, programming provided by, or comparable to programming provided by, a television broadcast station including, but not limited to, video programming provided by local networks, national broadcast networks and all forms of pay-per-view video entertainment.

Section 2. An excise is hereby imposed upon the provision of direct broadcast satellite service to a subscriber or customer by any direct broadcast satellite service provider in an amount equal to 5 per cent of the direct broadcast satellite service provider’s gross revenues derived from or attributable to such customer or subscriber. A direct broadcast satellite service provider shall pay the excise to the commissioner at the time provided for filing the return required by section 16 of chapter 62C.

Section 3. Reimbursement for the excise imposed in this chapter shall be paid by the subscriber or customer to the direct broadcast satellite service provider and each direct broadcast satellite service provider providing direct broadcast satellite service to subscribers or customers shall collect from such subscriber or customer the full amount of the excise imposed with respect to gross revenues derived from or attributable to such customer or subscriber and such excise shall be a debt from the subscriber or customer to the direct broadcast satellite service provider when added to the subscriber or customer’s invoice for video programming service and shall be recoverable at law in the same manner as other debts.

Section 4. No person shall do business in this commonwealth as a direct broadcast satellite service provider unless a registration shall have been issued to him in accordance with section 67 of chapter 62C.

Section 5. A direct broadcast satellite service provider who fails to pay the commissioner any sums required to be paid by this chapter shall be personally and individually liable therefor to the commonwealth. The term "direct broadcast satellite service provider", as used in this section, includes an officer or employee of a corporation or other business entity or a member or employee of a partnership who, as such officer, employee or member, is under a duty to pay over the taxes imposed by this chapter.

Section 6. A person not a resident of the commonwealth who engages in the business of providing direct broadcast satellite service to subscribers or customers in the commonwealth shall, as a condition precedent to engaging in such business and by so engaging in such business, be deemed thereby to appoint the state secretary as his agent for the service of process in any judicial proceeding under this chapter. Such process shall be served by delivering a copy of the process in the hands of the state secretary or a deputy or in the office of the state secretary. Such service shall be sufficient service upon the person; provided, however, that such notice of such service and a copy of the process shall, at least 15 days before the return day of such process, be sent by registered mail to such person's last known address, and that the sender's registered mail receipt and the commissioner's affidavit of compliance with this section shall be appended to the process and filed in the action or proceeding on or before the return day of the process or within such further time as the court may allow. The court in which the action or proceeding is pending may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. Service of process in the foregoing manner shall have the same force and validity as if served upon the taxpayer personally within the commonwealth.

SECTION 62. Subsection (d) of section 6 of chapter 70B of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- Any city, town or regional school district which has received, in accordance with subsections (b) and (c), notice of approval and an estimate of the amount of a school facilities grant, may borrow from time to time to finance that portion of the cost of the approved school project not being paid by such grant, in such amount approved by the board of selectmen, mayor or city manager of the city or town, or the regional district school committee of the regional school district, and may issue bonds or notes therefor which shall bear on their face the words —(name of city, town or regional school district) School Project Loan, chapter 70B.

SECTION 63. Section 10 of said chapter 70B, as so appearing, is hereby amended by striking out, in line 3, the words “less than 40 per cent nor”.

SECTION 64. Subsection (a) of said section 10 of said chapter 70B, as so appearing, is hereby amended by striking out paragraph (C) and inserting in place thereof the following paragraph:-

(C) Incentive percentage points may be awarded by the authority. Incentive percentage points granted, if any, shall be in the sole discretion of the authority. The authority may issue regulations delineating the type and amounts of any such incentive percentage points; provided, however, that no individual category of incentive points shall exceed 6 additional points; and provided further, that no district shall receive more than 18 incentive percentage points. Such incentive points may be awarded for a district’s use of efficient construction delivery methods; regionalization with other districts; superior maintenance practices of a district; energy efficient and sustainable design and construction; major renovation rather than building new construction; the use of model schools as adopted by the authority; and

13731 other incentives as determined by the board of the authority in order to
13732 encourage the most cost-effective and quality construction.

13733 SECTION 65. Chapter 71 of the General Laws is hereby amended by adding the following
13734 section:-

13735 Section 91. (a) The term "Recovery High School" shall mean a public school or collaborative
13736 program for students diagnosed with substance use disorder or dependency, as defined by the Diagnostic
13737 and Statistical Manual of Mental Disorders IV-TR, that provides: (1) a comprehensive 4-year high school
13738 education, and (2) a structured plan of recovery.

13739 (b) A school district shall transfer the state average chapter 70 per pupil allotment to a Recovery
13740 High School for a student meeting the following criteria: (1) the student is currently enrolled in the
13741 district or currently resides in the municipality in which the district is located; (2) the student is
13742 considered by a clinician, as defined by 105 CMR 164.006, to be clinically appropriate, using the criteria
13743 for Substance Use Disorders as defined in the Diagnostic and Statistical Manual of Mental Disorders IV-
13744 TR; and (3) the student meets all matriculation criteria as outlined by the sending district and the
13745 department of elementary and secondary education, with determination of academic eligibility based on
13746 existing documentation provided by the district. The district and the Recovery High School shall arrange
13747 to confer a diploma when a student completes state and district-mandated graduation requirements.

13748 (c) A Recovery High School shall submit to the board of elementary and secondary education data
13749 considered necessary by the board to provide information regarding each student's academic
13750 performance. A Recovery High School shall also submit to the department of public health data
13751 regarding each student's recovery.

13752 (d) The board of elementary and secondary education, in consultation
13753 with the department of public health and the department of mental health,
13754 shall promulgate rules and regulations, as necessary to implement this
13755 section.

SECTION 66. Section 2 of chapter 90 of the General Laws, most recently amended by section 3 of chapter 407 of the acts of 2008, is hereby further amended by adding the following 2 paragraphs:-

The registrar shall furnish without charge to owners of private passenger motor vehicles who are veterans, as defined in said clause Forty-third of said section 7 of said chapter 4 who have been awarded the Iraqi Freedom Campaign Ribbon and upon presentation of evidence deemed satisfactory by the registrar, distinctive registration plates for one private passenger motor vehicle owned and principally used by such Iraqi Freedom Campaign Ribbon recipient or a distinctive emblem to be affixed to a “VETERAN” registration plate for a motorcycle owned and principally used by such recipient; provided, however, that the surviving spouse of a deceased survivor may elect to retain such distinctive registration plate or emblem for personal use upon payment of the established registration fee for private passenger motor vehicles or motorcycles and an additional annual $20 fee until such time as such spouse remarries or fails to renew or cancels such registration.

The registrar shall furnish without charge to owners of private passenger motor vehicles or motorcycles who have been issued “VETERAN” plates pursuant to this section, a distinctive emblem to be affixed to such plates which identifies service in Operation Enduring Freedom. The surviving spouse of a deceased recipient may elect to retain the distinctive emblem for personal use upon payment of the established registration fee and an additional $20 fee until such time as the spouse remarries or fails to renew or cancels the registration.

SECTION 67. Section 23 of said chapter 90, as appearing in the 2006 Official Edition, is hereby amended by inserting after the first paragraph the following paragraph:-

Notwithstanding the preceding paragraph or any other general or special law to the contrary, whoever has not been previously found responsible for or convicted of, or against whom a finding of delinquency or a finding of sufficient facts to support a conviction has not been rendered on, a complaint charging a violation of operating a motor vehicle after his license to operate has been suspended or revoked, or after notice of the suspension or revocation of his right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by his agent or employer, and prior to the restoration of such license or right to operate or to the issuance to him of a new license to operate shall be punished by a fine of not more than $500. This paragraph shall not apply to any person who is charged with operating a motor vehicle after his license to operate has been suspended or revoked pursuant to a violation of paragraph (a) of subdivision (1) of section 24, or section 24D, 24E, 24G, 24L or 24N of this chapter, subsection (a) of section 8 or section 8A or 8B of chapter 90B, section 8, 9 or 11 of chapter 90F or after notice of such suspension or revocation of his right to operate a motor vehicle without a license has been issued and received by such person or by his agent or employer, and prior to the restoration of such license or right to operate or the issuance to him of a new license or right to operate because of any such violation.

SECTION 68. Section 33 of said chapter 90, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words “, the fee for which is not otherwise provided for in any general or special law, the fee shall be $36”.

SECTION 69. Said section 33 of said chapter 90, as so appearing, is hereby further amended by striking out, in line 143, the words “, the fee shall be $40”.

SECTION 70. Section 34J of said chapter 90, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, whoever violates this section and has not been previously determined responsible for or convicted therefor, or against whom a finding of delinquency or a finding of sufficient facts to support a conviction has not previously been rendered, on a complaint charging a violation of this section shall be punished by fine of not more than $500.

SECTION 71. Paragraph (4) of subsection (a) of section 8 of chapter 90B of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

There shall be an assessment of $250 against a person who is convicted of, placed on probation for, or otherwise pleads guilty to or admits to a finding of sufficient facts of operating a vessel while under the influence of intoxicating liquor or marijuana, narcotic drugs, depressant or stimulant substances or the vapors of glue; provided, however, that $150 of the $250 collected under this assessment shall be deposited by the court with the state treasurer into the Head Injury Treatment Services Trust Fund, established by section 59 of chapter 10, and the remaining amount of the assessment shall be credited to the General Fund. The assessment shall not be subject to reduction or waiver by the court for any reason.

SECTION 72. Section 34 of said chapter 90B, as so appearing, is hereby amended by adding the following paragraph:-

There shall be an assessment of $250 against a person who is convicted of, placed on probation for, or granted a continuance without a finding for or otherwise pleads guilty to or admits to a finding of sufficient facts of operating a snow vehicle or recreation vehicle while under the influence of intoxicating liquor or narcotic drugs in violation of section 26; provided,

however, that $150 of the $250 collected under this assessment shall be deposited by the court with the state treasurer into the Head Injury Treatment Services Trust Fund, established by section 59 of chapter 10, and the remaining amount of the assessment shall be credited to the General Fund. The assessment shall not be subject to reduction or waiver by the court for any reason.

SECTION 73. The first paragraph of paragraph (4) of subsection (A) of section 3 of chapter 90C of the General Laws, as so appearing, is hereby amended by adding the following sentence:- If a violator requests a noncriminal hearing, he shall pay a fee of $25 to the court prior to the commencement of the hearing before the clerk magistrate.

SECTION 74. Said section 3 of said chapter 90C, as so appearing, is hereby further amended by striking out, in line 56, the words "$20 prior to the commencement" and inserting in place thereof the following words:- $50 prior to the scheduling.

SECTION 75. The definition of "Facility" in subsection (a) of section 51H of chapter 111 of the General Laws, as appearing in section 9 of chapter 305 of the acts of 2008, is hereby amended by striking out the figure "25" and inserting in place thereof the following figure:- 25B.

SECTION 76. Said section 51H of said chapter 111, as appearing in section 65 of chapter 451 of the acts of 2008, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) The department shall adopt regulations prohibiting a health care facility from charging or seeking reimbursement for services provided as a result of the occurrence of a health-care associated infection or serious reportable event. A health care facility shall not charge or seek reimbursement for a health-care associated infection or serious reportable event that the facility has determined, through a documented review process and under regulations adopted by the department, was: (i) preventable; (ii)

within its control; and (iii) unambiguously the result of a system failure based on the health care provider's policies and procedures.

SECTION 77. Section 6 of chapter 118G of the General Laws, as most recently amended by section 23 of chapter 305 of the acts of 2008, is hereby further amended by adding the following paragraph:-

Except as specifically provided otherwise by the division, insurer data collected by the division under this section shall not be a public record under clause Twenty-sixth of section 7 of chapter 4 or under chapter 66.

SECTION 78. Paragraph (2) of subsection (a) of section 39 of said chapter 118G, as appearing in section 15 of chapter 61 of the acts of 2007, is hereby amended by inserting after the first sentence the following 2 sentences:- The office may recover from a third party that is financially responsible for the costs attributable to services provided to an individual that were paid by the fund. A payment from the fund for such services shall be recoverable from the third party and the payment shall, after notice to the third party, operate as a lien under section 22 of chapter 118E.

SECTION 79. Subsection (b) of section 3 of chapter 121F of the General Laws, as appearing in section 6 of chapter 119 of the acts of 2008, is hereby amended by striking out clause (7) and inserting in place thereof the following clause:-

(7) notwithstanding the restrictions described in this chapter, for the purposes of the soft second mortgage program described in item 3322-8880 of section 2 of chapter 110 of the acts of 1993

SECTION 80. The first paragraph of section 11 of chapter 142A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the second and third sentences.

SECTION 81. [ / S 51A] Chapter 149 of the General Laws is hereby amended by inserting after section 44 the following section:-

Section 44 ½. Notwithstanding any general or special law to the contrary, a state or municipal government entity shall not terminate the employment of any veteran for at least 30 days following the return of the veteran from overseas duty.

SECTION 82. Section 46 of chapter 151A of the General Laws, amended by chapter 194 of the acts of 2007, is hereby further amended by adding the following subsection:-

(j)(1) The commissioner may provide the United States Census Bureau with information for use by the Census Bureau in the Longitudinal Household – Employer Dynamics System pursuant to a written agreement between the United States Census Bureau and the commissioner. The confidentiality of such information shall be protected by this section and Title XIII of the United States Code.

(2) The commissioner may provide the Bureau of Labor Statistics with information for the purpose of carrying out its responsibilities and duties under chapter 1 of Title XXIX of the United States Code pursuant to a written agreement between the Bureau of Labor Statistics and the commissioner. The confidentiality of such information shall be protected by this section and Title XXIX of the United States Code.

SECTION 83. The third paragraph of section 47C of chapter 175 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Reimbursement of costs for such services shall be part of a basic benefits package offered by the insurer or a third party.

SECTION 84. The third paragraph of section 8B of chapter 176A of the General Laws, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Reimbursement of costs for such services shall be part of a basic benefits package offered by the insurer or a third party.

13917 SECTION 85. The third paragraph of section 4C of chapter 176B of the
13918 General Laws, as so appearing, is hereby amended by striking out the last
13919 sentence and inserting in place thereof the following sentence:-
13920 Reimbursement of costs for such services shall be part of a basic benefits
13921 package offered by the insurer or a third party.
13922 SECTION 86. The second paragraph of section 4 of chapter 176G of the
13923 General Laws, as so appearing, is hereby amended by striking the last
13924 sentence and inserting in place thereof the following sentence:-
13925 Reimbursement of costs for such services shall be part of a basic benefits
13926 package offered by the insurer or a third party.
13927 SECTION 87. Section 17G of chapter 180 of the General Laws, as so
13928 appearing, is hereby amended by the inserting after word "employed", in line
13929 5, the following words:- or which may be specified by a collective
13930 bargaining agreement with the PCA quality home care workforce council.
13931 SECTION 88. Chapter 211D of the General Laws is hereby amended by striking out section 12, as
13932 so appearing, and inserting in place thereof the following section:-

13933 Section 12. The committee shall establish policies and procedures to
13934 provide fair compensation to private counsel, which shall include a remedy
13935 for an attorney aggrieved by the amount of payment. The committee shall also
13936 establish an audit and oversight department to monitor billing and private
13937 attorney compensation. All invoices shall be processed for payment within 30
13938 days of receipt by the chief counsel. Bills shall be submitted to the
13939 committee within 60 days of the conclusion of a case or, if the case is
13940 pending at the end of the fiscal year, within 30 days after the end of such
13941 fiscal year. The amount of payment for invoices received by the chief counsel
13942 more than 60 days but less than 90 days after the final disposition of the
13943 case or more than 30 days but less than 90 days after the end of the fiscal
13944 year shall be reduced by 10 per cent. Bills submitted after such date need

not be processed for payment within 30 days. For all bills not submitted to the committee within 90 days after the conclusion of a case or, if the case is pending at the end of the fiscal year, within 90 days after the end of the fiscal year, those bills so submitted after such date shall not be processed for payment; provided, however, that the chief counsel may authorize the payment of such bills either in whole or in part upon a determination that the delay was due to extraordinary circumstances beyond the control of the attorney. The committee may further prescribe such policies and procedures for payment as it deems appropriate; provided, however, that the committee may impose interest and penalties, where appropriate, upon overpayment of the private attorney bills recovered from private attorneys.

SECTION 89. Section 23D of chapter 217 of the General Laws, as so appearing , is hereby amended by striking out, in line 14, the figure “6” and inserting in place thereof the following figure:- 8

SECTION 90. Section 6E of chapter 221 of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the words “justices of the superior court” and inserting in place thereof the followings words:- clerk of courts for the county of Worcester.

SECTION 91. Section 6F of said chapter 221, as so appearing, is hereby amended by striking out, in line 1, the words “justices of the superior court” and inserting in place thereof the following words:- clerk of courts for the county of Worcester.

SECTION 92. Section 6K of said chapter 221, as so appearing, is hereby amended by striking out, in line 1, the words “justices of the superior court” and inserting in place thereof the following words:- clerk of courts for the county of Hampden.

SECTION 93. Section 6L of said chapter 221, as so appearing, is hereby amended by striking out, in line 1, the words “justices of the superior court”

and inserting in place thereof the following words:- clerk of courts for the county of Hampden.

SECTION 94. Section 86 of said chapter 221, as so appearing, is hereby amended by adding the following sentence:- Transcription costs shall be paid as provided in section 88.

SECTION 95. Section 88 of said chapter 221, as so appearing, is hereby amended by striking out, in line 11, the words “commonwealth upon voucher approved by him,” and inserting in place thereof the following words:- administrative office of the trial court upon a voucher approved by the presiding justice.

SECTION 96. Said section 88 of said chapter 221, as so appearing, is hereby further amended by adding the following sentence:- If the presiding justice orders that a statement given to the police be transcribed, all parties shall receive a copy, and payment therefor shall be at the same rate and made by the administrative office of the trial court upon a voucher approved by the presiding justice.

SECTION 97. Chapter 262 of the General Laws is hereby amended by striking out section 40, as so appearing, and inserting in place thereof the following section:-

Section 40. The fees of registers of the probate and family court department of the trial court shall be as follows:

for the entry of a complaint for divorce or for affirming or annulling marriage, except as provided hereinafter for an action in equity, $200;

for the entry of an action for separate support, $100;

for the issuance of a contempt summons, $5;

for the entry of a petition for the probate of a will, for administration of the estate of a person deceased intestate, for administration of goods not already administered, with the will annexed or

otherwise, of a petition under section 35 or 36 of chapter 209 by a husband or wife for authority to convey land as if sole, for change of name, for leave to carry on the business of the deceased and for the appointment of a special administrator, trustee, receiver of the estate of an absentee, or conservator except when the conservator petition is filed concurrently with a petition for removal, resignation, or termination of a conservator, $150;

for the entry of a petition to partition, $255;

for filing a representation of insolvency, $150;

for the entry of a petition: for leave to lease real estate; for specific performance; for leave to mortgage real estate; for release of dower or courtesy; for letters to a foreign guardian; for leave to compromise and for leave to pay debts, except when the petitioner or accountant certifies that the estate does not exceed $1,000 in value, $75;

for filing of a complaint in equity, except such as relates to separate support, adoption or the custody or support of minors, $240;

for filing of a complaint in equity related to separate support or the custody or support of minors, $100;

for the entry of a general petition except such as relates to adoption or custody or support of minors, $150;

for the entry of a petition for removal of a fiduciary, $100;

for the amendment of record except such as relates to separate support, adoption or the custody or support of minors, for discharge of surety, for care of burial lot and for erection of a monument, $60 each;

for new bond and for new inventory, $75 each;

for filing a statement of voluntary administration, $100;

for the petition or application for allowance of an account where the gross value accounted for in Schedule A of the account is $1,000 or less, no fee; where the gross value is more than $1,000 but not more than $10,000, $75 a year; provided, however, that the fees shall not exceed $170 regardless of the time covered by the account; where the gross value is $10,000 or more but not more than $100,000, $100 for each year or major fraction thereof covered by the account; where the gross value is more than $100,000 but not more than $500,000, $150 for each year or major fraction thereof covered by the account; where the gross value is more than $500,000 but not more than $1,000,000, $200 for each year or major fraction thereof covered by the account; where the gross value is more than $1,000,000, $400 for each year or major fraction thereof covered by the account;

for the petition or application for sale of real or personal estate where the gross value accounted for is $100,000 or less, $100; where the gross value is more than $100,000 but not more than $250,000, $250; where the gross value is more than $250,000 but not more than $500,000, $500; where the gross value is more than $500,000 but not more than $1,000,000, $750; where said gross value is over $1,000,000, $1000;

for filing a motion for change of name, $100;

for filing a motion for the framing of jury issues, $140;

for filing a will for safekeeping, $75; provided, however, that no additional fee shall be charged for filing a will in substitution for a will previously filed and withdrawn;

for filing a bond, $50;

for issuance of an injunction, $150;

for issuance of a temporary restraining order, $100;

for entry of an action for the modification of a judgment relative to all non-child related issues, $150;

for entry of an action for modification relative to child support, custody, and visitation, except for those actions filed by the IV-D agency for which there is no filing fee, $50;

for filing a complaint to modify a foreign custody or support decree pursuant to section 29 of chapter 208, except for those complaints filed by the IV-D agency for which there is no filing fee, $100;

for application of leave to deposit certain funds pursuant to section 27 of chapter 206, $200; and

for filing a complaint to establish paternity or for custody-support-visitation, except for those actions filed by the IV-D agency for which there is no filing fee, $100;

Notwithstanding this section, no fee shall be charged for the issuance of a temporary restraining order against a spouse related to a complaint for divorce or separate support.

SECTION 98. Chapter 272 is hereby amended by striking out section 53, as so appearing, and inserting in place thereof the following section:-.

Section 53. (a) Common night walkers, common street walkers, both male and female, persons who with offensive and disorderly acts or language accost or annoy persons of the opposite sex, lewd, wanton and lascivious persons in speech or behavior, keepers of noisy and disorderly houses, and persons guilty of indecent exposure shall be punished by imprisonment in a jail or house of correction for not more than 6 months, or by a fine of not more than $200, or by both such fine and imprisonment.

(b) Disorderly persons and disturbers of the peace, for the first offense, shall be punished by a fine of not more than $150. On a second or subsequent offense, such person shall be punished by imprisonment in a jail

14064 or house of correction for not more than 6 months, or by a fine of not more
14065 than $200, or by both such fine and imprisonment.
14066 SECTION 99. Section 87A of chapter 276 of the General Laws, as so
14067 appearing, is hereby amended by striking out, in line 16, the figure “$20” and
14068 inserting in place thereof the following figure:- $45.
14069 SECTION 100. Said section 87A of said chapter 276, as so appearing, is
14070 hereby further amended by striking out, in line 56, the figure “$1” and
14071 inserting in place thereof the following figure:- $5.
14072 SECTION 101. Chapter 27 of the acts of 1969 is hereby amended by striking out section 2, as
14073 amended by chapter 524 of the acts of 2008, and inserting in place thereof the following section:-

14074 Section 2. Section 8 of chapter 210 of the General Laws as amended by
14075 section 1 of this act shall be applicable only to grants, trust settlements,
14076 entails, devises or bequest executed after September 1, 1969.
14077 SECTION 102. Chapter 27 of the acts of 1969 is hereby further amended by
14078 striking out section 2, as amended by the preceding section, and inserting in
14079 place hereof the following:-
14080 Section 2. Section 8 of chapter 210 of the General Laws shall apply to all grants, trust settlements,
14081 entails, devises, or bequests executed at any time, but this section shall not affect distributions made
14082 before July 1, 2010 under testamentary instruments executed before September 1, 1969.

14083 SECTION 103. The second paragraph of section 1 of chapter 395 of the
14084 acts of 2002 is hereby amended by striking out the first sentence and
14085 inserting in place thereof the following sentence:- The purchase price
14086 payable to the Taunton Development Corporation for the parcel shall be the
14087 full and fair market value of the property less any environmental cleanup
14088 costs and demolition costs of existing uninhabitable buildings located upon
14089 the parcel as of the time of conveyance to the Taunton Development

Corporation, as determined by the commissioner of capital asset management and maintenance based on an independent appraisal.

SECTION 104. Section 5 of chapter 210 of the acts of 2004 is hereby repealed.

SECTION 105. Item 1100-8000 of Section 2B of chapter 123 of the acts of 2006 is hereby amended by adding at the end the following words:- provided further, that notwithstanding any general or special law to the contrary, in the procurement of design and construction services for such bio-processing facility pursuant to this item, the University of Massachusetts Building Authority may use an alternative mode of procurement of design and construction, including but not limited to, sequential construction management, turnkey, design/build procurement and the phasing of such procurement, including, but not limited to, approval of design and construction stages as separate for combined phases; provided further, that the University of Massachusetts Building Authority shall require the assurance of labor harmony during all phases of development, including construction, reconstruction and capital and routine maintenance and shall provide adequate remedies to address the failure to maintain labor harmony which shall include, but not be limited to, assessment of liquidated damages and contract termination; and provided further, that the payment of prevailing wages, in accordance with sections 26 to 27F, inclusive, of chapter 149 of the General Laws, shall be required for all phases of these projects.

SECTION 106. Section 3 of chapter 258 of the acts of 2006 is hereby amended by adding the following subsection:-

(g) The state auditor shall appoint, on or before August 1, 2009, 1 member for a term of 1 year, 1 member for a term of 2 years and 1 member for a term of 3 years.

SECTION 107. Section 56 of chapter 302 of the acts of 2008 is hereby amended by striking out the words:- "and 5 members to be appointed by the governor; 1 of whom shall be a representative from the bureau of substance abuse services; 1 of whom shall be a representative from the Massachusetts District Attorneys Association; 1 of whom shall be the chair of the department of psychiatry at the University of Massachusetts Medical School; 1 of whom shall be a representative from the trial court; and 1 of whom shall be a representative from the department of correction" and inserting in place thereof the following words:- and 8 members to be appointed by the governor; 1 of whom shall be a representative from the bureau of substance abuse services; 1 of whom shall be a representative from the Massachusetts District Attorneys Association; 1 of whom shall be the chair of the department of psychiatry at the University of Massachusetts Medical School; 1 of whom shall be a representative from the trial court; 1 of whom shall be a representative from the department of correction; 1 of whom shall be the executive director of the interagency council on substance abuse and prevention; 1 of whom shall be a representative from the office of community corrections; and 1 of whom shall be a representative from the department of mental health.

SECTION 108. Said section 56 of said chapter 302 is hereby further amended by striking out the words "January 1, 2009"and inserting in place thereof the following words: - October 1, 2009.

SECTION 109. Notwithstanding any general or special law to the contrary, except to the extent otherwise required by chapter 4 of the acts of 2009 or other provisions of law, and until such time as the department adopts regulations pursuant to and in conformity with section 30 of chapter 23B of the General Laws and other applicable laws, the department of housing and community development shall administer the emergency housing assistance program pursuant to 106 C.M.R. sections 204, 309, 701.310 to 701.330, inclusive,701.350 to 701.360, inclusive, and 701.380 to 701.390, inclusive, in effect on June 30, 2009.

SECTION 110. Notwithstanding any general or special law to the contrary, this section shall facilitate the orderly transfer of the employees, functions, proceedings, rules and regulations, property and legal obligations of the economic stabilization trust from the Commonwealth Corporation to the executive office of housing and economic development. The economic stabilization trust, transferred to the Commonwealth Corporation by section 64 of chapter 365 of the acts of 1996, is hereby transferred to the executive office of housing and economic development. The trust shall continue as a quasi-public instrumentality of the commonwealth, with all the legal powers, authority, responsibilities, duties, rights and obligations vested in the trust by sections 8 to 16, inclusive, of chapter 23D of the General Laws.

SECTION 111. Notwithstanding any general or special law to the contrary, the state comptroller shall, according to a schedule developed in consultation with the state treasurer and the secretary of the executive office for administration and finance, transfer $372,000,000 from the General Fund to the State Retiree Benefits Trust Fund established by section 24 of chapter 32A of the General Laws.

SECTION 112. Notwithstanding clause (xxiii) of the third paragraph of section 9 of chapter 211B of the General Laws or any other general or special law to the contrary, the chief justice for administration and management may, from the effective date of this act through April 30, 2010, transfer funds from any item of appropriation within the trial court, except items 0339-1001 and 0339-1003, to any other item of appropriation within the trial court, except items 0339-1001 and 0339-1003. These transfers shall be made in accordance with schedules submitted to the house and senate committees on ways and means. The schedule shall include the following: (1) the amount of money transferred from any item of appropriation to another; (2) the reason for the necessity of the transfer; and (3) the date on which the transfer is to be completed. A transfer under this section shall not occur until 10 days

after the revised funding schedules have been submitted in written form to the house and senate committees on ways and means.

SECTION 113. Notwithstanding any general or special law to the contrary, in hospital fiscal year 2010, the office of the inspector general may continue to expend funds from the Health Safety Net Trust Fund, established by section 36 of chapter 118G of the General Laws, for the costs associated with maintaining a pool audit unit within the office. The unit shall continue to oversee and examine the practices in all hospitals including, but not limited to, the care of the uninsured and the resulting free care charges. The inspector general shall submit a report to the house and senate committees on ways and means on the results of the audits and any other completed analyses not later than March 1, 2010. For the purposes of these audits, allowable free care services shall be defined pursuant to said chapter 118G and any regulations adopted thereunder.

SECTION 114. (a) Notwithstanding any general or special law to the contrary, upon the request of the board of selectmen in a town, the city council in a plan E city, or the mayor in any other city, the department of revenue may recalculate the minimum required local contribution, as defined in section 2 of chapter 70 of the General Laws, in the fiscal year ending June 30, 2010. Based on the criteria established in this section, the department shall recalculate the minimum required local contribution for a municipality's local and regional schools and shall certify the amounts calculated to the department of elementary and secondary education.

(b) A city or town that used qualifying revenue amounts in a fiscal year which will not be available for use in the next fiscal year or that will be required to use revenues for extraordinary non school-related expenses for which it did not have to use revenues in the preceding fiscal year, or that has an excessive certified municipal revenue growth factor which is also greater than or equal to 1.5 times the state average municipal revenue growth factor or whose fiscal year 2008 actual local contributions were lower than the amounts calculated in the one-time adjustment used pursuant to the fiscal year funding formula under

14202 chapter 70 of the General Laws, may appeal to the department of revenue not later than October 1, 2009,
14203 for an adjustment of its minimum required local contribution and net school spending.

14204 (c) If a claim is determined to be valid, the department of revenue may reduce proportionately the
14205 minimum required local contribution amount based on the amount of shortfall in revenue or based on the
14206 amount of increase in extraordinary expenditures in the current fiscal year, but no adjustment to the
14207 minimum required local contribution on account of an extraordinary expense in the budget for the fiscal
14208 year ending on June 30, 2010 shall affect the calculation of the minimum required local contribution in
14209 subsequent fiscal years. Qualifying revenue amounts shall include, but not be limited to, extraordinary
14210 amounts of free cash, overlay surplus and other available funds.

14211 (d) If, upon submission of adequate documentation, the department of revenue determines that the
14212 municipality's claim regarding an excessive municipal revenue growth factor is valid, the department
14213 shall recalculate the municipal revenue growth factor and the department of elementary and secondary
14214 education shall use the revised growth factor to calculate the preliminary local contribution, the minimum
14215 required local contribution and any other factor that directly or indirectly uses the municipal revenue
14216 growth factor. Any relief granted as a result of an excessive municipal revenue growth factor shall be a
14217 permanent reduction in the minimum required local contribution.

14218 (e) The board of selectmen in a town, the city council in a plan E city, the mayor in any other city,
14219 or a majority of the member municipalities of a regional school district, which used qualifying revenue
14220 amounts in a fiscal year that will not be available for use in the next fiscal year, may appeal to the
14221 department of revenue not later than October 1, 2009, for an adjustment to its net school spending
14222 requirement. If the claim is determined to be valid, the department of revenue shall reduce the net school
14223 spending requirement based on the amount of the shortfall in revenue and reduce the minimum required
14224 local contribution of member municipalities accordingly. Qualifying revenue amounts shall include, but
14225 not be limited to, extraordinary amounts of excess and deficiency, surplus and uncommitted reserves.

14226 (f) If the regional school budget has already been adopted by two-thirds of the member
14227 municipalities then, upon a majority vote of the member municipalities, the regional school committee
14228 shall adjust the assessments of the member municipalities in accordance with the reduction in minimum
14229 required local contributions approved by the department of revenue or the department of elementary and
14230 secondary education in accordance with this section.

14231 (g) Notwithstanding clause (14) of section 3 of chapter 214 of the General Laws or any other
14232 general or special law to the contrary, the amounts so determined pursuant to this section shall be the
14233 minimum required local contribution described in chapter 70 of the General Laws. The department of
14234 revenue and the department of elementary and secondary education shall notify the house and senate
14235 committees on ways and means and the joint committee on education of the amount of any reduction in
14236 the minimum required local contribution amount.

14237 (h) If a city or town has an approved budget that exceeds the recalculated minimum required local
14238 contribution and net school spending amounts for its local school system or its recalculated minimum
14239 required local contribution to its regional school districts as provided by this section, the local
14240 appropriating authority shall determine the extent to which the community shall avail itself of any relief
14241 authorized pursuant to this section.

14242 (i) The amount of financial assistance due from the commonwealth in fiscal year 2010 pursuant to
14243 chapter 70 of the General Laws or any other law shall not be changed on account of any redetermination
14244 of the minimum required local contribution pursuant to this section.

14245 (j) The department of revenue and the department of elementary and
14246 secondary education shall issue guidelines for their respective duties
14247 pursuant to this section.

14248 SECTION 115. Notwithstanding any general or special law to the contrary,
14249 the amounts transferred pursuant to subdivision (1) of section 22C of chapter
14250 32 of the General Laws shall be made available for the commonwealth's Pension

Liability Fund established by section 22 of said chapter 32. The amounts transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 shall meet the commonwealth's obligations pursuant to said section 22C of said chapter 32, including retirement benefits payable by the state employees' and the state teachers' retirement systems, for the costs associated with a 3 per cent cost-of-living adjustment pursuant to section 102 of said chapter 32, for the reimbursement of local retirement systems for previously authorized cost-of-living adjustments pursuant to said section 102 of said chapter 32 and for the costs of increased survivor benefits pursuant to chapter 389 of the acts of 1984. The state board of retirement and each city, town, county and district shall verify these costs, subject to the rules adopted by the state treasurer. The state treasurer may make payments upon a transfer of funds to reimburse certain cities and towns for pensions to retired teachers, including any other obligations which the commonwealth has assumed on behalf of any retirement system other than the state employees' or state teachers' retirement systems and also including the commonwealth's share of the amounts to be transferred pursuant to section 22B of said chapter 32 and the amounts to be transferred pursuant to clause (a) of the last paragraph of section 21 of chapter 138 of the General Laws. All payments for the purposes described in this section shall be made only pursuant to distribution of monies from the fund, and any distribution and the payments for which distributions are required shall be detailed in a written report filed quarterly by the secretary of the executive office for administration and finance with the house and senate committees on ways and means and the joint committee on public service in advance of this distribution. Distributions shall not be made in advance of the date on which a payment is actually to be made. The state board of retirement may expend an amount for the purposes of the board of higher education's optional retirement program

pursuant to section 40 of chapter 15A of the General Laws. To the extent that the amount transferred pursuant to said subdivision (1) of said section 22C of said chapter 32 exceeds the amount necessary to adequately fund the annual pension obligations, the excess amount shall be credited to the Pension Reserves Investment Trust Fund, established by subdivision (8) of section 22 of said chapter 32, for the purpose of reducing the unfunded pension liability of the commonwealth.

SECTION 116. Notwithstanding any general or special law to the contrary, the executive office of health and human services, in this section called the executive office, acting in its capacity as the single state agency under Title XIX of the Social Security Act and as the principal agency for all of the agencies within the executive office and other federally-assisted programs administered by the executive office, may enter into interdepartmental services agreements with the University of Massachusetts Medical School to perform activities that the secretary, in consultation with the comptroller, determines are appropriate and within the scope of the proper administration of Title XIX and other federal funding provisions to support the programs and activities of the executive office. These activities may include: (1) providing administrative services including, but not limited to, activities such as providing the medical expertise to support or administer utilization management activities, determining eligibility based on disability, supporting case management activities and similar initiatives; (2) providing consulting services related to quality assurance, program evaluation and development, integrity and soundness and project management; and (3) providing activities and services for the purpose of pursuing federal reimbursement or avoiding costs, third party liability and recouping payments to third parties. Federal reimbursement for any expenditures made by the University of Massachusetts Medical School relative to federally-reimbursable services the university provides under these interdepartmental service

agreements or other contracts with the executive office shall be distributed to the university and recorded distinctly in the state accounting system. The secretary may negotiate contingency fees for activities and services related to the purpose of pursuing federal reimbursement or avoiding costs and the comptroller shall certify these fees and pay them upon the receipt of this revenue, reimbursement or demonstration of costs avoided. Contracts for contingency fees shall not extend longer than 3 years and shall not be renewed without prior review and approval from the executive office for administration and finance. The secretary shall not pay contingency fees in excess of $40,000,000 for state fiscal year 2010; provided, however, that contingency fees paid to the University of Massachusetts Medical School under the terms of any interagency service agreement for recoveries related to the special disability workload projects shall be excluded from that $40,000,000 limit for fiscal year 2010. The secretary of the executive office shall submit to the secretary of the executive office for administration and finance and the senate and house committees on ways and means a quarterly report detailing the amounts of the agreements, the ongoing and new projects undertaken by the university, the amounts spent on personnel and the amount of federal reimbursement and recoupment payments that the university collected.

SECTION 117. Notwithstanding any general or special law to the contrary, the secretary of health and human services, may, consistent with federal law, pursue an alternative payment demonstration project with 1 or more hospitals or hospital systems in the commonwealth. For the purposes of this section, “alternative payment” shall mean a methodology that establishes an aggregate prospective payment to cover the total cost of a defined set of health care services provided by a hospital or hospital system, creating incentives for such providers to integrate services, manage costs and utilization and ensure

14336 high-quality care. In implementing any such alternative payment demonstration
14337 project, the secretary shall consider using information systems to monitor
14338 performance of the hospital or hospital system and apply measures of cost and
14339 quality. The secretary shall report to the house and senate committees on
14340 ways and means and the joint committee on health care financing 30 days prior
14341 to implementing said demonstration project: (1) the type of alternative
14342 payment system to be demonstrated; and (2) the projected costs associated
14343 with the implementation of said demonstration project.

14344 SECTION 118. Notwithstanding any general or special law to the contrary,
14345 the nursing home assessment established by subsection (b) of section 25 of
14346 chapter 118G of the General Laws shall be sufficient in the aggregate to
14347 generate $220,000,000 in fiscal year 2010.

14348 SECTION 119. (a) Notwithstanding any general or special law to the contrary, on or before
14349 October 1, 2009 and without further appropriation, the comptroller shall transfer from the General Fund
14350 to the Health Safety Net Trust Fund, established pursuant to section 36 of chapter 118G of the General
14351 Laws and in this subsection referred to as the fund, the greater of $45,000,000 or one-twelfth the total
14352 expenditures to hospitals and community health centers as required by subsection (b), for the purpose of
14353 making initial gross payments to qualifying acute care hospitals for the hospital fiscal year beginning
14354 October 1, 2009. These payments shall be made to hospitals before, and in anticipation of, the payment by
14355 hospitals of their gross liability to the fund. The comptroller shall transfer from the fund to the General
14356 Fund not later than June 30, 2010, the amount of the transfer authorized by this subsection and any
14357 allocation thereof as certified by the director of the health safety net office.

14358 (b) Notwithstanding any general or special law to the contrary, the comptroller shall, in
14359 consultation with the state treasurer, the secretary of administration and finance and the secretary of
14360 health and human services, develop a schedule for transferring funds among the General Fund, the
14361 Commonwealth Care Trust Fund established pursuant to section 2OOO of chapter 29 of the General

14362 Laws, and the Health Safety Net Trust Fund. Not less than $591,685,136 shall be transferred from the
14363 General Fund to the Commonwealth Care Trust Fund. The hospital fiscal year 2010 payment amount to
14364 each hospital shall be funded by the Health Safety Net Trust Fund. Payments may be made either as
14365 safety net care payments under the commonwealth's 1115 waiver, or as an adjustment to Title XIX
14366 service rate payments, or a combination thereof. The executive office of health and human services and
14367 the health safety net office may use other federally permissible funding mechanisms available for public
14368 service hospitals, as defined in 114.1 CMR 36.02, to reimburse up to $70,000,000 of uncompensated care
14369 at the hospitals using sources distinct from the funding made available to the Health Safety Net Trust
14370 Fund. The schedule shall provide for transfers in increments considered appropriate to meet the cash flow
14371 needs of these funds. The transfers shall not begin before July 1, 2009 and shall be completed on or
14372 before June 30, 2010. The secretary of administration and finance, in consultation with the secretary of
14373 health and human services and the executive director of the commonwealth health insurance connector,
14374 shall on a quarterly basis evaluate the revenue needs of the health safety net program funded by the
14375 Health Safety Net Trust Fund and the Commonwealth Care subsidized health insurance program funded
14376 from the Commonwealth Care Trust Fund, and if necessary, transfer monies between these funds for the
14377 purpose of ensuring that sufficient revenues are available to support projected program expenditures. The
14378 secretary of health and human services in consultation with the secretary of administration and finance
14379 and the executive director of the commonwealth health insurance connector, shall submit a quarterly
14380 report to the house and senate committees on ways and means and joint committee on healthcare
14381 financing which shall include, but not be limited to, the projected and actual expenditures and revenues
14382 for the Commonwealth Care Trust Fund and any transfers made between the Health Safety Net Trust
14383 Fund and the Commonwealth Care Trust Fund.

14384 (c) Notwithstanding any general or special law to the contrary, the
14385 comptroller shall, in consultation with the office of the state treasurer,
14386 the executive office of administration and finance and the executive office
14387 of health and human services, develop a schedule and make a series of

14388 transfers not to exceed $399,000,000 from the General Fund to the MassHealth
14389 provider payment account in the Medical Assistance Trust Fund, established
14390 pursuant to section 2QQQ of chapter 29 of the General Laws, if the
14391 comptroller has determined that General Fund revenues are sufficient to
14392 accommodate the schedule of transfers. These funds may be expended only for
14393 services provided during state or federal fiscal year 2010, and no amounts
14394 previously or subsequently transferred into the Medical Assistance Trust Fund
14395 may be expended on payments described in the 1115 demonstration waiver for
14396 services provided during state fiscal year 2010 or payments described in the
14397 state plan for services provided during federal fiscal year 2010. All
14398 payments from the Medical Assistance Trust Fund shall be subject to the
14399 availability of federal financial participation, shall be made only in
14400 accordance with federally-approved payment methods, shall be consistent with
14401 federal funding requirements and all federal payment limits as determined by
14402 the secretary of health and human services, and shall be subject to the terms
14403 and conditions of an agreement with the executive office of health and human
14404 services. Any increase in payment made from the trust fund totaling an amount
14405 greater than $251,000,000 in fiscal year 2010 shall be made only after the
14406 secretary of health and human services certifies that any increase in
14407 payments from the trust fund shall not exceed the negotiated limit for
14408 section 1115 waiver spending. The secretary of health and human services
14409 shall notify, in writing, the house and senate committees on ways and means
14410 and the house and the joint committee on healthcare financing for any
14411 increases in payments within 15 days. The secretary of the executive office
14412 of health and human services shall make a payment of up to $265,000,000 from
14413 the Medical Assistance Trust Fund to the Cambridge public health commission
14414 for dates of service in state and federal fiscal year 2010 only after the
14415 Cambridge public health commission transfers up to $106,000,000 of its funds
14416 to the Medical Assistance Trust Fund, using a federally permissible source of

14417 funds which shall fully satisfy the nonfederal share of such payment.
14418 Notwithstanding any provision to the contrary, for state and federal fiscal
14419 year 2010, such payment to the Cambridge public health commission from this
14420 fund may include an amount up to $20,000,000 for which no intergovernmental
14421 transfer is required, but for which federal financial participation is
14422 otherwise available.

14423 SECTION 120. Effective January 1, 2009, no amendment of 114.3 CMR 20.00
14424 shall take effect until the division of health care finance and policy has
14425 certified that it has conducted its mandated biennial review of all of the
14426 services and procedures, as provided in section 7 of chapter 118G of the
14427 General Laws, with data and testimony that: (1) explains and supports any
14428 rates that are not subject to adjustment; and (2) establishes the statutory
14429 basis that explains and supports any rates that are adjusted.

14430 SECTION 121. Notwithstanding any general or special law to the contrary,
14431 an eligible individual pursuant to section 3 of chapter 118H of the General
14432 Laws shall not include persons who cannot receive federally-funded benefits
14433 under sections 401, 402 and 403 of the Personal Responsibility and Work
14434 Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, as amended, for
14435 fiscal year 2010. The Commonwealth Health Insurance Connector Authority
14436 shall provide notice at least 30 days prior to termination of benefits for
14437 any member pursuant to this section.

14438 SECTION 122. Notwithstanding any general or special law to the contrary,
14439 and in order to maintain the fiscal viability of the subsidized catastrophic
14440 prescription drug insurance program, hereinafter referred to as the
14441 prescription advantage program, authorized by section 39 of chapter 19A of
14442 the General Laws, cost-sharing required of enrollees in the form of co-
14443 payments, premiums and deductibles, or any combination thereof, may be
14444 adjusted by the executive office of elder affairs to reflect price trends for
14445 outpatient prescription drugs, as determined by the secretary of elder

14446 affairs. In addition to the eligibility requirements set forth in said
14447 section 39 of said chapter 19A, to be considered eligible for the
14448 prescription advantage program, individuals who receive Medicare and are
14449 applying for, or are then enrolled in, the prescription advantage program
14450 shall also be enrolled in a Medicare prescription drug plan, a Medicare
14451 Advantage prescription drug plan or in a plan which provides creditable
14452 prescription drug coverage as defined in section 104 of the Medicare
14453 Prescription Drug, Improvement and Modernization Act of 2003, Pub. L. No.
14454 108-173, hereinafter referred to as “MMA,” and which provides coverage of the
14455 cost of prescription drugs actuarially equal to or better than that provided
14456 by Medicare Part D, hereinafter referred to as a “creditable coverage” plan.
14457 In addition to the eligibility requirements set forth in said section 39 of
14458 said chapter 19A, to be considered eligible for the prescription advantage
14459 program, individuals who receive Medicare and are applying for or are
14460 enrolled in the prescription advantage program shall apply for the low-income
14461 subsidy provided under MMA Subpart P: Premium and Cost-Sharing Subsidies for
14462 Low-income Individuals, if such individuals qualify for such subsidy. To the
14463 extent permitted by MMA, regulations promulgated thereunder, and all other
14464 applicable federal law, the prescription advantage program may apply on
14465 behalf of a member for enrollment into a Medicare prescription drug plan or
14466 for the low-income subsidy provided under MMA, and may receive information
14467 about the member's eligibility and enrollment status necessary for the
14468 operation of the prescription advantage program. For enrollees who qualify
14469 for enrollment in a Medicare Part D plan, the prescription advantage program
14470 shall provide a supplemental source of financial assistance for prescription
14471 drug costs, hereinafter referred to as “supplemental assistance,” in lieu of
14472 the catastrophic prescription drug coverage provided pursuant to said section
14473 39 of said chapter 19A. The prescription advantage program shall provide

14474 supplemental assistance to eligible individuals enrolled in a Medicare
14475 prescription drug plan, Medicare Advantage prescription drug plan, or a plan
14476 offering creditable coverage, and may do so to assist with premiums,
14477 deductibles, payments or co-payments that are required by such plans. The
14478 executive office shall establish the amount of the supplemental assistance to
14479 be provided to enrollees based on a sliding income scale and the coverage
14480 provided by the enrollees' Medicare prescription drug plan, Medicare
14481 Advantage prescription drug plan or creditable coverage plan. In addition to
14482 the eligibility requirements set forth in said section 39 of said chapter
14483 19A, to be considered eligible for the prescription advantage program, an
14484 individual shall have a household income of less than 500 per cent of the
14485 poverty guidelines updated periodically in the Federal Register by the United
14486 States Department of Health and Human Services pursuant to 42 U.S.C. 9902(2).
14487 Residents of the commonwealth who are not eligible for Medicare shall
14488 continue to be eligible for the prescription advantage program pursuant to
14489 said section 39 of said chapter 19A.

14490 SECTION 123. Notwithstanding any general or special law to the contrary,
14491 the formula for application of funds provided in section 35J of chapter 10 of
14492 the General Laws shall not apply in fiscal year 2010.

14493 SECTION 124. Notwithstanding any general or special law to the contrary,
14494 the comptroller shall, not later than June 30, 2010, transfer $199,000,000 to
14495 the General Fund from the Commonwealth Stabilization Fund, established by
14496 section 2H of chapter 29 of the General Laws, but the comptroller shall
14497 instead transfer a lesser amount if the secretary of the executive office for
14498 administration and finance so requests in writing.

14499 SECTION 125. Notwithstanding any general or special law to the contrary,
14500 the state comptroller shall, not later than June 30, 2010, transfer the
14501 interest earned from the Commonwealth Stabilization Fund during fiscal year
14502 2010 to the General Fund.

SECTION 126. Notwithstanding any general or special law to the contrary, during fiscal year 2010 the comptroller shall not transfer 0.5 per cent of the total revenue from taxes in the preceding fiscal year to the Commonwealth Stabilization Fund, established by section 2H of chapter 29 of the General Laws, as otherwise required pursuant to clause (a) of section 5C of said chapter 29.

SECTION 127. No section 127.

SECTION 128. (a) Notwithstanding any general or special law to the contrary, any successor agreement to the current collective bargaining agreement for employees of the state police executed by the commonwealth, acting by and through the secretary of administration and finance, and the State Police Association of Massachusetts shall not include benefits pursuant to the career incentive pay program established pursuant to section 108L of chapter 41 of the General Laws. Nothing in this section shall preclude regular full-time members of the state police otherwise eligible for participation in the career incentive pay program established pursuant to said section 108L of said chapter 41 from participating in the program subject to appropriation.

(b) Notwithstanding any general or special law to the contrary, any current regular full-time member of the state police who has not started accumulating points pursuant to said section 108L of said chapter 41, as of September 1, 2009, shall not be eligible to participate in the career incentive pay program established pursuant to said section 108L of said chapter 41; provided, however, that any current regular full-time member of the department of state police who has begun to accumulate points pursuant to said section 108L of said chapter 41 of the General Laws as of September 1, 2009 shall be allowed to accumulate the maximum number of points permissible pursuant to said section 108L of said chapter 41.

14531 (c) Notwithstanding any general or special law to the contrary, regular
14532 full-time members of the state police hired on or after July 1, 2009 shall
14533 not be eligible to participate in the career incentive pay program
14534 established pursuant to said section 108L of said chapter 41 of the General
14535 Laws.

14536 SECTION 129. The following agencies or authorities which, as a result of
14537 the governor's actions to reduce allotments under section 9C of chapter 29 of
14538 the General Laws in fiscal year 2009, assumed or were assigned the
14539 responsibility for programs or other services which were otherwise funded in
14540 the fiscal year 2009 general appropriation act or a supplementary
14541 appropriation act prior to the governor's actions to reduce allotments under
14542 said section 9C of said chapter 29, shall continue their contribution for
14543 said programs or services in fiscal year 2010:

14544 (a) the Massachusetts Housing Finance Authority, the Massachusetts rental voucher program and
14545 subsidies for interest payments on affordable housing bonds;

14546 (b) the Massachusetts Development Finance Authority, the chapter 43D Expedited Permitting
14547 Grants and Small Business Technical Assistance Grants;

14548 (c) the Massachusetts Educational Finance Authority, the McNair Scholarship Program;

14549 (d) the Massachusetts Housing Partnership, the Soft Second Mortgage Program and the 40B
14550 Technical Assistance Program;

14551 (e) the Massachusetts Convention Center Authority, the Massachusetts Office of Travel and
14552 Tourism Marketing program;

14553 (f) the Massachusetts Health Insurance Connector Authority, the MassHealth Outreach Enrollment
14554 Grants;

(g) the Commonwealth health and educational facilities authority, the MassHealth Outreach Enrollment Grants; and

(h) the Massachusetts Technology Collaborative, the Massachusetts International Trade Council Funding.

SECTION 130. Notwithstanding any general or special law to the contrary, the comptroller shall transfer the following amounts to the General Fund after notice from the secretary of the executive office for administration and finance that sufficient funds are available:

(a) $10,000,000 from the Massachusetts Alternative and Clean Energy Investment Trust Fund, established in section 35FF of chapter 10 of the General Laws;

(b) $5,000,000 from the Workforce Competitiveness Trust Fund, established in section 2WWW of chapter 29 of the General Laws;

(c) $7,000,000 from the Smart Growth Housing Trust Fund established in section 35AA of chapter 10 of the General Laws;

(e) $3,000,000 from the County Registers Technological Fund, established in section 2KKK of chapter 29 of the General Laws;

(f) $3,000,000 from the Massachusetts Science, Technology Engineering, and Mathematics Grant Fund established in section 2MMM of chapter 29; and

(g) $3,000,000 from the Commonwealth Covenant Fund established in section 35EE of chapter 10 of the General Laws.

Transfers under this section shall be made not later than June 30, 2010.

SECTION 131. Notwithstanding any general or special law to the contrary, the department of environmental protection shall transfer $4,000,000 of funds previously appropriated or loans repaid as a result of item 1231-1020 of section 2 of chapter 151 of the acts of 1996 to the lead paint abatement program established by section 197E of chapter 111 of the General Laws.

14582 SECTION 132. Notwithstanding any general or special law to the contrary,
14583 not less than 10 days after the effective date of this act, the comptroller
14584 shall transfer $2,000,000 from the General Fund to the District Local
14585 Technical Assistance Fund, established by section 2XXX of chapter 29 of the
14586 General Laws.

14587 SECTION 133. (a) Notwithstanding any general or special law to the
14588 contrary, after complying with clause (a) of section 5C of chapter 29 of the
14589 General Laws, the comptroller shall dispose of the consolidated net surplus
14590 in the budgetary funds for fiscal year 2009 as follows: (i) the comptroller
14591 shall transfer $10,000,000 from the General Fund to the Massachusetts Life
14592 Sciences Investment Fund established by section 6 of chapter 23I of the
14593 General Laws; and (ii) the remaining balance shall be transferred from the
14594 General Fund to the Stabilization Fund.

14595 (b) Notwithstanding any general or special law to the contrary, the
14596 total administrative and operational expenses of the Massachusetts Life
14597 Sciences Center established in section 3 of said chapter 23I shall not exceed
14598 $3,000,000 for fiscal year 2010; provided, however, that said center shall
14599 report on the center's annual operating expenses including, but not limited
14600 to: payroll costs, contracted personnel costs, consultant costs, travel
14601 costs, pension and insurance costs, office related expenses, lease costs,
14602 facility operating expenses, energy costs and costs of equipment leases and
14603 maintenance. Said center shall file a report with the clerks of the house of
14604 representatives and the senate, who shall forward the same to the house and
14605 senate committees on ways and means and the joint committee on economic
14606 development and emerging technologies on or before February 28, 2010.

14607 (c) All transfers specified in this section shall be made from the
14608 undesignated fund balances in the budgetary funds proportionally from the
14609 undesignated fund balances, provided that no such transfer shall cause a
14610 deficit in any of the funds.

SECTION 134. Notwithstanding federal income tax treatment to the contrary, for purposes of chapters 62 and 63 of the General Laws, the rules of section 382 of the Internal Revenue Code shall be applied without regard to the treatment of a change in ownership of a bank or other corporation provided in Internal Revenue Service Notice 2008-83 or in any federal statutory or administrative codification, supplement or implementation of such Notice. For purposes of said chapters 62 and 63, Internal Revenue Service Notice 2008-83 and any such codification, supplement or implementation shall have no force or effect in any taxable year.

SECTION 135. Notwithstanding federal income tax treatment to the contrary, for purposes of chapters 62 and 63 of the General Laws, section 382(n) of the Internal Revenue Code, inserted by the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, shall have no force or effect in any taxable year.

SECTION 136. Notwithstanding any general or special law to the contrary, the operational services division, which, under section 22N of chapter 7 of the General Laws, is responsible for determining prices for programs under chapter 71B of the General Laws, shall set those prices in fiscal year 2010 at the same level calculated for fiscal year 2009, except the prices for those programs for extraordinary relief and reconstruction, as defined in the division's regulations; provided, however, that programs for which prices in fiscal year 2009 were lower than the full amount permitted by the division may charge in fiscal year 2010 the full price calculated for fiscal year 2009; provided further, that the operational services division shall authorize a minimum price for the program to charge out-of-state purchasers; and provided further that, upon request of a program, the division shall determine the minimum price for out-of-state purchasers by identifying the most recent price calculated for the program and applying the estimated rates of inflation which are established by December 1 of each year pursuant to

said section 22N of said chapter 7 in a compounded manner for each fiscal year following the most recent calculated price.

SECTION 137. Notwithstanding any general or special law to the contrary, the commonwealth hereby designates the Massachusetts School Building Authority, established in section 1A of chapter 70B of the General Laws, to allocate to governmental issuers of bonds within the commonwealth, pursuant to section 54F(d)(1) of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, including to said authority, the limitation amount allocated to the commonwealth by the United States Department of the Treasury, but not including the amount allocated to large local educational agencies pursuant to section 54F(d)(2) of said act except to the extent that any such large local educational agency reallocates amounts to the commonwealth pursuant to said section 54F(d)(2), in which case such reallocated amounts shall also be allocated by said authority. Notwithstanding section 89 of chapter 71 of the General Laws, or any other general or special law to the contrary, the Massachusetts School Building Authority may, in its discretion, distribute to charter schools proceeds from bonds authorized under section 54F(d)(1) of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, or make a portion of the allocation available to other issuers on behalf of charter schools.

SECTION 138. (a) Notwithstanding any general or special law to the contrary, upon the effective date of this act, the comptroller shall make a transfer from the General Fund to the Commonwealth Transportation Fund, established pursuant to section 2ZZZ of chapter 29, totaling $275,000,000,. The secretary of administration and finance, in concurrence with the secretary of transportation and public works, shall ensure that $100,000,000 shall be transferred to the Massachusetts Turnpike Authority or its successor in interest in fiscal year 2010 and, to provide for and secure this payment obligation, the secretary of administration and finance, on behalf of the commonwealth, shall, with the concurrence of the secretary of transportation and public works, enter into a contract with the authority before July 1, 2009 providing for the payment of that amount to said authority or its

successor in interest in each fiscal year for the purpose of defraying costs, including debt service on bonds heretofore or hereafter issued by the authority or its successor in interest to finance or refinance improvements to the metropolitan highway system. The term of this contract shall extend until the last fiscal year in which any such bonds issued before the date of the contract are scheduled to mature. These payments may be treated as revenues of the authority or of its successor in interest within the meaning of section 6 of chapter 81A of the General Laws and the authority or its successor in interest may pledge such contract and the rights of the authority or its successor in interest to receive amounts thereunder as security for the payment of the bonds issued before the date of the contract or of any bonds or notes issued by the authority or its successor in interest to refinance those bonds. This contract shall constitute a general obligation of the commonwealth for which the full faith and credit of the commonwealth shall be pledged for the benefit of the authority or its successor in interest and of the holders of any bonds or notes secured by a pledge of such contract or of amounts to be received by the authority or its successor in interest under the contract. The payment obligation and contract securing it provided for in this section shall be in addition to the payment obligation provided for under section 12 of said chapter 81A of the General Laws and the contract securing it under said section 12.

(b) The remaining amount transferred under this section shall be distributed to the Massachusetts Bay Transportation Authority and regional transit authorities according the following parameters:

(i) $160,000,000 shall be transferred to the Massachusetts Bay Transportation Authority or any fund controlled by the authority in each fiscal year; and

(ii) $15,000,000 shall be transferred to regional transit authorities organized under chapter 161B or predecessor statutes in each fiscal year.

(c) Notwithstanding any general or special law to the contrary, no contract shall be entered into providing for transferring and securing the additional payment obligation provided for in this section unless the board of the Massachusetts Turnpike Authority has first adopted a budget for fiscal year 2010 that provides for no new toll increase to take effect in fiscal year 2010 in the event that $100,000,000 is transferred to the authority and secured in accordance with this section.

SECTION 139. Notwithstanding section 2ZZZ of chapter 29 or any other general or special law to the contrary, during fiscal year 2010, the Commonwealth Transportation Fund may pay for operating expenses of the executive office of transportation, the highway department and the registry of motor vehicles appropriated in the General Appropriations Act until the Massachusetts department of transportation is able to exercise spending authority over those agencies, which shall be not later than November 1, 2009.

SECTION 140. Notwithstanding any general or special law to the contrary, the governor or secretary of administration and finance shall ensure that the allotments provided under section 9B of chapter 29 to an agency within the executive office of transportation shall not exceed, and an agency shall not expend in excess of, one quarter of the appropriation for fiscal year 2010 for the agency in each quarter.

SECTION 141. Notwithstanding any general or special law to the contrary, the comptroller shall, in consultation with the state treasurer, the secretary of administration and finance and the secretary of the Massachusetts Department of Transportation, develop a schedule for transferring remaining funds not obligated for debt service, contract assistance or otherwise expended from the Commonwealth Transportation Fund established pursuant to section 2ZZZ of chapter 29 of the General Laws, to the Massachusetts Transportation Trust Fund. The schedule shall provide for transfers in increments

14722 considered appropriate to meet the cash flow needs of these funds. The transfers shall not begin before
14723 November 1, 2009 and shall be completed on or before June 30, 2010.

14724 SECTION 142. Notwithstanding any general or special law to the contrary,
14725 applications for assistance from the emergency housing program established in
14726 section 30 of chapter 23B of the General Laws shall be taken and processed at
14727 offices of the department of transitional assistance until the department of
14728 housing and community development develops an operational plan ensuring that
14729 convenient access to emergency housing assistance will not be impaired by any
14730 alternative arrangement. The department of housing and community development
14731 shall provide the joint committee on children, families and persons with
14732 disabilities, the joint committee on housing and the house and senate
14733 committees on ways and means with 180 days advance notice of any proposal to
14734 stop making emergency housing assistance accessible in offices of the
14735 department of transitional assistance. The department of housing and
14736 community development shall provide said committees with a copy of the
14737 operational plan and, in cooperation with the department of transitional
14738 assistance, an analysis of the impact of such plan on the ability of homeless
14739 and at-risk families to conveniently access emergency housing assistance,
14740 food stamps and cash assistance. Nothing in this section shall prevent the
14741 department from making emergency housing assistance available at locations in
14742 addition to offices of the department of transitional assistance.

14743 SECTION 143. The department of conservation and recreation shall conduct
14744 an environmental study in the city of Worcester and in certain other towns
14745 within the county of Worcester to determine the long-term effects due to the
14746 eradication process for the permanent removal of the Asian longhorned
14747 beetle. The area of study shall include the city of Worcester and other towns
14748 within the county of Worcester including Boylston, Holden, Shrewsbury and
14749 West Boylston. The study shall determine the impact on the immediate

environment, and shall include the replacement of a natural barrier, the restoration of indigenous wildlife, the cost of such remediation and long-term planning and solutions. The department of conservation and recreation shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerks of the house of representatives and senate and the joint committee on environment, natural resources and agriculture by December 31, 2009.

SECTION 144. (a) As used in this section, the following words shall, unless the context clearly indicates otherwise, have the following meanings:-

"Commissioner", the commissioner of capital asset management and maintenance.

"Developer", a person, entity or governmental body that acquires an ownership or leasehold interest in the site or any portion thereof pursuant to this section.

"Division", the division of capital asset management and maintenance.

"MDC committee", the Monson Developmental Center Reuse Committee, which shall include 3 representatives of the town of Monson, 1 of whom shall be a member of the Monson board of selectmen or his designee who shall serve as chairperson, 1 of whom shall be a member of the Monson planning board or his designee, and 1 of whom shall be chosen by the Monson board of selectmen; 1 representative of the community preservation committee; 1 representative of the division of capital asset management and maintenance; and 1 representative of Parents and Friend. Such members shall be appointed annually by the local governing authority. The senator and representative who represent the town shall serve as ex-officio members.

“MDC site,” the area of state-owned land located in the town of Monson known as the Monson Developmental Center, together with the buildings and improvements thereon and the rights, easements and other interests appurtenant thereto.

"Plan", a reuse plan prepared by the MDC committee and TDC committee which shall be approved by the commissioner and filed in accordance with subsection (b); provided, however, that the plan may be enhanced, refined or amended from time to time as provided in this section and shall include uses that promote environmental preservation, open space and any other use found to be appropriate by the town and the committee.

"Selection committee", the proposal selection committee established to review proposals and make recommendations to the commissioner, which shall include 1 representative of the respective town chosen by the board of selectmen to be appointed annually; 1 representative of the division of capital asset management and maintenance; 1 representative from the MDC committee; and 1 representative from the TDC committee.

“TDC committee”, the Templeton Developmental Center Reuse Committee, which shall include 3 representatives of the town of Templeton, 1 of whom shall be a member of the Templeton board of selectmen or his designee who shall serve as chairperson, 1 of whom shall be a member of the Templeton planning board or his designee, and 1 of whom shall be chosen by the Templeton board of selectmen; 1 representative of the community preservation committee; 1 representative of the division of capital asset management and maintenance; and 1 representative of the legal guardians of the clients currently housed at Templeton Developmental Center. Such members shall be appointed annually by the local governing authority. The senator and representative who represent the town shall serve as ex-officio members.

"TDC site", the area of state-owned land located in the town of Templeton known as the Templeton Developmental Center, together with the buildings and improvements thereon and the rights, easements and other interests appurtenant thereto.

(b) The commissioner shall undertake planning, studies and preparation of plans and specifications necessary to carry out the provisions of this section consistent with the plan. The TDC committee and MDC committee shall file the plans with the commissioner within 180 days after the effective date of this section. The commissioner shall consult with the TDC committee and the MDC committee on any amendment to the plan and shall develop, issue and advertise requests for proposals consistent with the plan within 90 days of receipt of the plan. Upon receipt of proposals the commissioner shall convene the selection committees for the purpose of reviewing and making recommendations regarding selection to the commissioner. The respective town's governing authority shall be encouraged to submit proposals for uses consistent with the plan for some or all of the property. Should proposals from the municipalities be among those recommended to the commissioner, the commissioner shall reasonably accommodate the schedule required for town meeting votes, should said vote be required to complete or approve a proposal, prior to making any final decisions on the proposals. In regard to TDC, any re-use must be consistent with chapter 504 of the acts of 2002 which limits some uses on the TDC site. Further, any reuse shall be consistent with restrictions resulting from the TDC and MDC sites being listed on the National Historic Register.

(c) The commissioner may, subject to sections 40E to section 40J, inclusive, of chapter 7 of the General Laws, and in accordance with this section and the plan and subject to such terms and conditions as the commissioner may, from time to time, prescribe, solicit, evaluate and select development proposals, enter into land disposition agreements, enter into agricultural leases for up to 5 years, sell, lease for terms of up to 99 years including extensions or otherwise grant, convey or transfer to a developer, any interest in the site or portions thereof and any facilities, associated improvements or appurtenances thereon, on such terms and conditions as the commissioner deems appropriate provided the end use meets the guidelines developed by the MDC committee and the TDC committee. The amount of consideration for the sale, lease or other disposition of any interest in the sites or portion thereof shall be the full and fair market value or the highest and best value of the property determined by independent appraisal.

Additionally, the respective towns may to collect property taxes or payments in lieu of taxes if land is leased or sold for taxable uses. The inspector general shall review and comment on the appraisal and the review shall include an examination of the methodology used for the appraisal. The inspector general shall prepare a report of his review and file said report with the commissioner for submission to the house and senate committees on ways and means and the joint committee on state administration. No less than 2 public comment sessions shall take place. The developer shall be responsible for any costs of appraisals, surveys and other expenses relating to the transfer of the parcel or for any costs, liabilities and expenses of any nature and kind for the development, maintenance or operation of the parcel. In the event the parcel of land ceases to be used at any time for the purposes contained herein as deemed by the appropriate reuse committee, the parcel of land shall revert to the care and control of the division of capital asset management and maintenance and any further disposition of the parcel of land shall be subject to said sections 40E to 40J, inclusive, of said chapter 7. The town that contains the affected property shall retain the right to contend that the current use of the property is not appropriate through action of the local board of selectmen or town meeting vote. The commissioner shall, 30 days before the execution of any agreement or amendment thereto authorized by this section, submit the agreement or amendment and a report thereon to the inspector general for review and comment. No less than 2 public comment sessions shall take place. The inspector general shall issue his review and comment within 30 days after receipt of any agreement or amendment. The commissioner shall submit the agreement and any subsequent amendments thereof, the reports and the comments of the inspector general, if any, to the house and senate committees on ways and means and the joint committee on state administration at least 30 days before execution.

(d) The affected town's board of selectmen shall have the right of first refusal before any decision is made as to the reuse or sale of either the land or facilities in each town.

(e) Notwithstanding any general or special law to the contrary, the commissioner may, subject to appropriation, and subject to sections 40E to 40G, inclusive, 40I and 40J of chapter 7 of the General Laws

retain, accept or acquire by purchase, transfer, lease, eminent domain, pursuant to chapter 79 of the General Laws, or otherwise, grant by deed, transfer, lease, eminent domain, pursuant to said chapter 79, or otherwise, or grant by deed, transfer, lease or otherwise, any rights-of-way or easements, in, over and beneath the site or portions thereof or other property in the commonwealth contiguous to the site for drainage, access, egress, utilities and other purposes, as the commissioner deems necessary and appropriate to carry out the purposes of this section. The commissioner shall seek advice from the appropriate reuse committee prior to the implementation of any action.

(f) The department of developmental services, with the approval of the commissioner, may enter into contracts for the provision of building management services for buildings and facilities located on the site as deemed by the commissioner and the reuse committee.

(g) Notwithstanding any general or special law to the contrary, the commissioner may employ designers who prepare studies or programs or other design services for the construction, renovation, reconstruction, alteration, improvement, demolition, expansion or repair of buildings on the MDC site and the TDC site to prepare plans and specifications and provide any other design services deemed necessary by the commissioner for such projects. The commissioner shall obtain an independent comprehensive value engineering review of the completed study and program to identify proposed functions of the facility, evaluate the construction cost estimates, calculate estimated life-cycle costs and develop recommended design changes that will produce a more cost-effective facility by modifying or eliminating features that add cost but do not add to the quality, useful life, utility or appearance of the facility. The commissioner shall obtain an independent comprehensive value engineering review of the completed schematic design documents to identify proposed functions of the facility, evaluate the construction cost estimates, calculate estimated life-cycle costs and develop recommended design changes that will produce a more cost-effective facility by modifying or eliminating

features that add cost but do not add to the quality, useful life, utility or appearance of the facility before the acceptance by the commissioner. The commissioner shall document the reasons for accepting, modifying or rejecting all value engineering recommendations.

SECTION 145. (a) There shall be a special water infrastructure finance commission to develop a comprehensive, long-range water infrastructure finance plan for the commonwealth and municipalities.

(b) The commission shall consist of the commissioner of environmental protection or his designee; the state treasurer or his designee; 2 people to be appointed by the president of the senate, 1 of whom shall be a member of the senate and 1 of whom shall be a representative of a planning organization, environmental consumer organization or other public interest organization; 2 people to be appointed by the speaker of the house of representatives, 1 of whom shall be a member of the house of representatives and 1 of whom shall be a representative of a planning organization, environmental consumer organization or other public interest organization; 1 person to be appointed by the minority leader of the senate and 1 person to be appointed by the minority leader of the house of representatives, each of whom shall be from different geographic regions of the commonwealth and who shall be representatives of the business community; a representative of the Boston Water and Sewer Commission; and 9 persons to be appointed by the governor who shall not be employees of the executive branch and who shall reside in different geographic regions of the commonwealth, 1 of whom shall be a representative of the American Council of Engineering Companies of Massachusetts, 1 of whom shall be a representative of the Utility Contractors' Association of New England, 1 of whom shall be a representative of the Massachusetts Waterworks Association, 1 of whom shall be a representative of the Massachusetts Municipal Association, 1 of whom shall be a representative of Clean Water Action, 1 of whom shall be a representative of Associated Industries of Massachusetts, 1 of whom shall be a representative of the Environmental League of Massachusetts, 1 of whom shall be a representative of the Conservation Law Foundation and 1 of whom shall be a representative of the Massachusetts Water Pollution Control Association. Each of those organizations shall provide a list of at least 3 but not more than 5 candidates

for consideration by the governor. Each of the members shall be an expert or shall have experience in the field of law or public policy, water, wastewater or storm water planning, design and construction of water, wastewater or storm water projects, utility management, management consulting or organizational finance; provided, however, that at least 1 member shall have expertise in organizational finance. The governor shall designate a member to serve as the chairperson of the commission but the chairperson shall not be the commissioner of environmental protection, the state treasurer or their designees. The members of the commission shall be appointed not later 90 days after the effective date of this act and shall serve until the completion of the long-range infrastructure finance plan.

(c) In the course of its deliberations, the commission shall make it a priority to examine the technical and financial feasibility of sustaining, integrating and expanding public water systems, conservation and efficiency programs, wastewater systems and storm water systems of municipalities and the commonwealth, including regional or district systems. Further, the commission shall: (1) examine the water infrastructure needs of the commonwealth for the next 25 years as they relate to the funding gap between the water infrastructure needs of the commonwealth and the existing, available sources of funding; (2) develop mechanisms for additional funding for water infrastructure by increasing investment in critical water, wastewater, storm water and water conservation infrastructure; (3) provide mechanisms for improvements in the handling and management of water programs; (4) examine the potential threats to public health and public safety from the existing shortfalls in funding for water infrastructure; (5) examine and develop recommendations on ways in which the commonwealth and its municipalities may meet operation and maintenance and capital improvement and reconstruction needs for the next 25 years including, without limitation, recommendations regarding debt reduction, enhancing existing sources of revenues, developing new sources of revenues, establishing new incentives for public-private partnerships in the development of real property resources and funding resources; and (6) examine the expanded use of full accounting systems and enterprise funding, asset management systems and best management

practices, compliance with chapter 21G of the General Laws, the Massachusetts water policy and current federal and state funding programs.

(d) The commission shall examine the finances of the various municipalities and regional water districts, including state and federal aid levels, and make recommendations for improvements to financial policies and procedures. The commission shall identify areas where cost savings can be achieved across water agencies by consolidation, coordination and reorganization. The commission shall examine the projected federal funding, projected state funding, projected local funding, projected fee-based funding, debt financing and any other sources of projected funding to finance water infrastructure needs identified by the commission.

(e) The commission shall develop recommendations as to what funding or finance measures the commonwealth or municipalities may pursue to satisfy any unmet funding needs identified by the commission. The recommendations shall also include any recommendation for interagency agreements, intermunicipal agreements, consolidations or mergers to enable the commonwealth and municipalities to make the most effective use of water funding resources. The recommendations shall identify fair and equitable means of financing water infrastructure investments through taxes, fees, user charges or other sources.

(f) The commission may hold public hearings to assist in the collection and evaluation of data and testimony.

(g) The commission shall prepare a written report detailing its financials relative to identified funding sources and its recommendations, if any, together with drafts of legislation necessary to carry those recommendations into effect. The commission shall submit its initial report to the governor, the secretary of the executive office of energy and environmental affairs, the clerks of the senate and house of representatives, the chairs of the house and senate committees on ways and means and the joint

14946 committee on environment, natural resources and agriculture not later than 2 years after the effective date
14947 of this act.

14948 (h) Any research, analysis or other staff support that the commission
14949 reasonably requires shall be provided by the executive office of energy and
14950 environmental affairs and its agencies, with assistance from the
14951 Massachusetts Water Resources Authority.

14952 SECTION 146. Notwithstanding any general or special law to the contrary,
14953 there shall be a 17 member Massachusetts regionalization advisory commission
14954 consisting of the following members: the secretary of the executive office
14955 for administration and finance, or his designee, who shall serve as chair of
14956 the commission; the secretary of the executive office of health and human
14957 services or his designee; the secretary of the executive office of energy and
14958 environmental affairs or his designee; the secretary of the executive office
14959 of public safety or his designee; the secretary of the executive office of
14960 transportation and public works or his designee; the secretary of the
14961 executive office of elder affairs or his designee; the secretary of the
14962 executive office of veterans' affairs or his designee; the secretary of the
14963 executive office of labor and workforce development or his designee; the
14964 secretary of the executive office of education or his designee; the secretary
14965 of the executive office of housing and economic development or his designee;
14966 the president of the senate or his designee; the speaker of the house of
14967 representatives or his designee; a representative from the metropolitan area
14968 planning council; a representative from the Massachusetts Municipal
14969 Association; and 3 members to be appointed by the governor all of whom shall
14970 have knowledge and experience in 1 or more of the following areas: municipal
14971 government and services, municipal agreements, shared services or
14972 regionalization. Each member shall serve without compensation.

The commission shall review all aspects of regionalization including possible opportunities, benefits and challenges to regionalizing services within the commonwealth. The commission shall consider the costs and effects of regionalizing all services including, but not limited to: education, public safety, public health, public works, housing, veterans' services, workforce development, municipal finance and structure, elder services and transportation.

The commission shall submit its finding and recommendations for regionalizing services, together with drafts of legislation necessary to carry those recommendations into effect by filing the same with the clerks of the house of representatives and senate, the house and senate committees on ways and means and the joint committee on municipalities and regional government not later than April 30, 2010.

SECTION 147. In the case of retail sales of gas, steam, electricity or telecommunications services, billed on a recurring basis, the rate stated in section 2 of chapter 64H of the General Laws and section 2 of chapter 64I of the General Laws shall apply as of the first billing period starting on or after the effective date.

SECTION 148. The commissioner of revenue may adopt reasonable transition rules, by regulation or otherwise, including but not limited to the application of the sales and use tax rate increase authorized by this act to: (1) building materials and supplies to be used in construction, reconstruction, alteration, remodeling or repair of any building or structure pursuant to a contract entered into before the effective date of the rate increase or entered into within 60 days after said effective date pursuant to a bid required to be submitted before said date; (2) unconditional written contracts for the sale of tangible personal property subject to sales or use tax entered into before the effective date of the sales and use tax rate

increase where such property is delivered not later than 90 days from said effective date; or (3) periodic bills for taxable services including periods before and after the effective date of the rate increase. For purposes of subsection (1), the sale or use must take place before January 1, 2011. For purposes of subsections (1) and (2), sale or use excludes the rental or lease of tangible personal property.

SECTION 149. Section 25 shall take effect as of January 1, 2009 and shall apply to property taxes assessed for fiscal years beginning on or after July 1, 2009. Notwithstanding any general or special law to the contrary, for fiscal year 2010, the assessors of any city or town may assess taxes for any personal property taxable under section 25 not included in the fiscal year 2010 annual tax assessment to its owner in the manner and within the time provided by section 75 or 76 of chapter 59 of the General Laws.

SECTION 150. Chapter 64M of the General Laws, inserted by section61, shall take effect on August 1, 2009 and shall apply to gross revenues derived by a direct broadcast satellite service provider that are billed to subscribers or customers on or after that date.

SECTION 151. Section 26 shall be effective for taxable years ending on or after January 1, 2009.

SECTION 152. Sections 27, 42, 44 and 49 shall apply to obligations issued after August 31, 2008 in taxable years ending after that date.

SECTION 153. Sections 41, 43 and 48 shall be effective for discharges in taxable years ending after December 31, 2008.

SECTION 154. Sections 50, 51 and 52 shall take effect on August 1, 2009.

SECTION 155. Sections 53, 54, 56, 57, 58 and 59 shall take effect on August 1, 2009.

SECTION 156. Sections 32, 36 and 60 shall take effect on October 1, 2009.

SECTION 157. Section 55 shall take effect on August 1, 2009.

SECTION 158. Sections 28 and 46 shall take effect for motion picture production companies filing film credit applications received by the commissioner on or after January 1, 2009, provided that it shall not apply to motion picture production companies filing sales tax exemption applications, as provided under paragraph (ww) of section 6 of chapter 64H, that are received by the commissioner before June 1, 2009.

SECTION 159. Nothing in section 101 shall affect the validity of any action taken pursuant to chapter 524 of the acts of 2008 between April 15, 2009 and effective date of this act.

SECTION 160. Section 102 shall take effect on July 1, 2010.

SECTION 161. Except as otherwise specified, this act shall take effect on July 1, 2009.