

**HOUSE . . . . . No. 4626**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Ten**  
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An Act MAKING APPROPRIATIONS FOR THE FISCAL YEAR 2010 TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS AND FOR CERTAIN OTHER ACTIVITIES AND PROJECTS..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Whereas, The deferred operation of this act would tend to defeat its purposes, which are  
2   forthwith to make supplemental appropriations for fiscal year 2010 and to make certain changes  
3   in law, each of which is immediately necessary to carry out those appropriations or to  
4   accomplish other important public purposes, therefore it is hereby declared to be an emergency  
5   law, necessary for the immediate preservation of the public convenience.

6           To provide for supplementing certain items in the general appropriation act and other  
7   appropriation acts for fiscal year 2010, the sums set forth in section 2 are hereby appropriated  
8   from the General Fund unless specifically designated otherwise in this act or in those  
9   appropriation acts, for the several purposes and subject to the conditions specified in this act or  
10   in those appropriation acts, and subject to the laws regulating the disbursement of public funds  
11   for the fiscal year ending June 30, 2010. These sums shall be in addition to any amounts  
12   previously appropriated and made available for the purposes of those items.

13 SECTION 2.

14 EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES

15 Division of Medical Assistance

16 4000-0600 \$107,107,510

17 4000-0700 \$92,829,490

18 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENTOffice of  
19 the Secretary

20 7004-0101 \$18,226,110

21 SECTION 3. Chapter 167 of the acts of 2009 is hereby amended by striking out sections  
22 16 to 23, inclusive, and inserting in place thereof the following 8 sections:-

23 Section 16. Notwithstanding section 2 of chapter 128C of the General Laws or any other  
24 general or special law or rule or regulation to the contrary, the greyhound meeting licensee  
25 located in Bristol county and the greyhound meeting licensee located in Suffolk county shall pay  
26 all premiums received pursuant to said section 2 of said chapter 128C to the Racing Stabilization  
27 Fund established in section 20.

28 Section 17. Notwithstanding chapter 128C of the General Laws or any other general or  
29 special law or rule or regulation to the contrary, simulcast revenues generated by the greyhound  
30 meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk  
31 county and otherwise dedicated to purse accounts at the licensees or to be distributed to breeders'

32 associations at guest dog tracks shall be dedicated to the Racing Stabilization Fund established in  
33 section 20.

34 Section 18. Notwithstanding chapters 128A and 128C of the General Laws or any other  
35 general or special law or rule or regulation to the contrary, amounts from unclaimed winnings  
36 and breaks generated by the greyhound meeting licensee located in Bristol county and the  
37 greyhound meeting licensee located in Suffolk county shall be dedicated to the Racing  
38 Stabilization Fund established in section 20.

39 Section 19. Notwithstanding any general or special law or rule or regulation to the  
40 contrary, the greyhound meeting licensee located in Bristol county and the greyhound meeting  
41 licensee located in Suffolk county shall, unless otherwise provided in this act, be subject to  
42 chapter 128A of the General Laws, chapter 128C of the General Laws and chapter 139 of the  
43 acts of 2001.

44 Section 20. Notwithstanding any general or special law or rule or regulation to the  
45 contrary, there shall be a Racing Stabilization Fund that shall be administered by the  
46 undersecretary for consumer affairs and business regulation within the executive office of  
47 housing and economic development. The fund shall consist of all revenues dedicated pursuant to  
48 this act. In fiscal year 2010, the undersecretary shall transfer from the fund an amount not less  
49 than \$300,000 to the department of public health for a compulsive gamblers' treatment program.  
50 Not more than \$300,000 may be expended to assist efforts to secure alternative employment and  
51 retraining opportunities for displaced workers impacted by the passage of chapter 388 of the acts  
52 of 2008. The state racing commission, or a successor agency, shall report to the undersecretary,  
53 the executive office for administration and finance and the house and senate committees on ways

54 and means not later than the last day of each month, of the projected program revenue, program  
55 expenses and operating costs associated with overseeing simulcasting through July 31, 2010. In  
56 the event of a deficit, the undersecretary may transfer from the fund an amount not to exceed  
57 \$100,000 for the operating costs of the commission. Any balance in the fund at the end of the  
58 fiscal year shall not revert to the General Fund; provided, however, that the undersecretary shall  
59 distribute to owners and lessees of greyhound dogs who have raced in calendar year 2009 for the  
60 humane care, maintenance and adoption of those greyhound dogs, a sum equal to 1 per cent of  
61 the total amount wagered at each racing meeting licensee within the commonwealth acting as a  
62 guest track and simulcasting a live greyhound race from a host track from outside the  
63 commonwealth; provided, however, that before any such amount is distributed, the  
64 undersecretary shall develop a method and criteria by which to distribute such funds in an  
65 equitable manner among dog owners. The undersecretary shall distribute to kennel owners who  
66 housed greyhound dogs who have raced in calendar year 2009 for the humane care, maintenance  
67 and adoption of those greyhound dogs, a sum equal to 1.5 per cent of the total amount wagered at  
68 each racing meeting licensee within the commonwealth acting as a guest track and simulcasting a  
69 live greyhound race from a host track from outside commonwealth; provided, however, that  
70 before any amount is distributed, the undersecretary shall develop a method and criteria by  
71 which to distribute such funds in an equitable manner among kennel owners; and provided  
72 further, the undersecretary shall begin payments to kennel owners in January 2010. Such  
73 payments shall be paid on a biweekly basis beginning on January 4, 2010.

74 Section 21. Notwithstanding section 12A of chapter 494 of the acts of 1978 or any other  
75 general or special law or rule or regulation to the contrary, on January 1, 2010, the comptroller  
76 shall transfer all monies deposited in the Greyhound Capital Improvements Trust Fund and the

77 Greyhound Promotional Trust Fund, each established under said section 12A of said chapter 494,  
78 to the Racing Stabilization Fund established in section 20. After January 1, 2010, the comptroller  
79 shall transfer any revenues deposited into the Greyhound Capital Improvements Trust Fund and  
80 the Greyhound Promotional Trust Fund into the Racing Stabilization Fund within 10 days after  
81 receipt of those revenues.

82 Section 22. Notwithstanding any general or special law to the contrary, the greyhound  
83 meeting licensee located in Bristol county and the greyhound meeting licensee located in Suffolk  
84 county shall report monthly to the state racing commission, or a successor agency, on their net  
85 and gross revenue, including an itemization of premiums received, fees received and any  
86 amounts dedicated to purse accounts, the Greyhound Capital Improvements Trust Fund and the  
87 Greyhound Promotional Trust Fund. The report shall include the number of part-time and full-  
88 time staff employed by the licensees at the close of the previous month. The report shall also  
89 include the total amount of premiums paid to the harness horse meeting licensees located in  
90 Norfolk county and the running horse meeting licensee located in Suffolk county. Failure to file  
91 the report on the tenth day of each month shall be cause for suspension of the greyhound meeting  
92 license. The state racing commission, or a successor agency, shall forward all such reports to the  
93 house and senate committees on ways and means, the joint committee on economic development  
94 and emerging technologies and the joint committee on labor and workforce development. The  
95 greyhound meeting licensee located in Bristol county and the greyhound meeting licensee  
96 located in Suffolk county shall also prepare a report of all funds received and disbursed for  
97 calendar years 2008 and 2009. The report shall also be filed with the state racing commission, or  
98 a successor agency, not later than June 30, 2010, and the state racing commission shall forward  
99 the reports to the house and senate committees on ways and means, the joint committee on

100 economic development and emerging technologies and the joint committee on labor and  
101 workforce development.

102           Section 23. Notwithstanding any general or special law, rule or regulation to the  
103 contrary, monies in the Racing Stabilization Fund established in section 20 may be used to assist  
104 efforts to secure alternative employment and retraining opportunities for displaced workers  
105 impacted by the enactment of chapter 388 of the acts of 2008 including, but not limited to,  
106 coordinating the delivery of available state and federal resources and services; provided,  
107 however, that such funds from the fund shall only be expended after all federal funds from the  
108 Workforce Investment Act and the American Reinvestment and Recovery Act have been  
109 exhausted; provided further, that state funds shall be distributed in accordance with section 20  
110 provided further, that the secretary of labor and workforce development shall develop a plan to  
111 implement this section and submit a copy of the plan to the house and senate committees on  
112 ways and means, the joint committee on economic development and emerging technologies and  
113 the joint committee on labor and workforce development not later than July 31, 2010.