

HOUSE No. 5028

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act making appropriations for the Fiscal Years 2010 and 2011 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 To provide for supplementing certain items in the general appropriation act and other
2 appropriation acts for fiscal year 2010, the sums set forth in sections 2, 2A, 3, 3A and 3E are
3 hereby appropriated from the General Fund unless specifically designated otherwise in this act or
4 in those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2010. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items. Notwithstanding
8 any general or special law to the contrary, appropriations made in section 2 and section 2A shall
9 not revert and shall be available for expenditure until June 30, 2010.

10 SECTION 2.

11 OFFICE OF THE STATE COMPTROLLER

12 Office of the State Comptroller

13 1599-3384 \$4,000,000

14 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

15 Department of Revenue

16 1232-0100 \$10,900,000

17 1232-0200 \$230,905

18 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
19 provide for an alteration of purpose for current appropriations, and to meet certain requirements
20 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
21 specifically designated otherwise in this section, for the several purposes and subject to the
22 conditions specified in this section, and subject to the laws regulating the disbursement of public
23 funds for the fiscal year ending June 30, 2010. These sums shall be in addition to any amounts
24 previously appropriated and made available for the purposes of those items.

25 TREASURER AND RECEIVER-GENERAL

26 Office of the Treasurer and Receiver-General

27 0699-0005 For the payment of interest, discount and principal on certain bonded debt
28 and the sale of bonds of the commonwealth, the state treasurer may retain and expend in fiscal
29 years 2010 and 2011 payments received by the commonwealth from the United States Treasury
30 for subsidies related to tax credit bonds issued by the commonwealth not to exceed \$50,000,000
31 for the purpose of paying interest on commonwealth long-term debt; and provided further, that
32 the state treasurer may retain up to \$25,000,000 in premiums paid on the sales of revenue
33 anticipation notes and expend said premium payments for the purposes of paying principal and

34 interest on account of the revenue anticipation notes provide that this appropriation shall not
35 expire until June 30, 2011 \$75,000,000

36 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

37 Office of the Secretary of Administration and Finance

38 1599-4302 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
39 other economic benefits authorized by the collective bargaining agreement between the
40 Barnstable county sheriff's department and the National Association of Government Employees,
41 Local 220, and to meet the fiscal year 2011 costs of salary adjustments and other economic
42 benefits necessary to provide equal adjustments and benefits to employees employed in
43 confidential positions which otherwise would be covered by this agreement; provided, that the
44 personnel administrator, with the approval of the secretary of administration and finance, shall
45 determine these adjustments and benefits for the confidential employees in accordance with the
46 collective bargaining agreement then in effect which otherwise would cover these positions; and
47 provided further, that the secretary may transfer from the sum appropriated in this item to other
48 items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to
49 meet these costs where the amounts otherwise available are insufficient for the purpose, in
50 accordance with a transfer plan which shall be filed in advance with the house and senate
51 committees on ways and means \$6,095

52 1599-4303 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
53 other economic benefits authorized by the collective bargaining agreement between the
54 Barnstable county sheriff's department and the American Federation of State, County and
55 Municipal Employees/AFL-CIO, Council 93, Local 1462C, and to meet the fiscal year 2011

56 costs of salary adjustments and other economic benefits necessary to provide equal adjustments
57 and benefits to employees employed in confidential positions which otherwise would be covered
58 by this agreement; provided, that the personnel administrator, with the approval of the secretary
59 of administration and finance, shall determine these adjustments and benefits for the confidential
60 employees in accordance with the collective bargaining agreement then in effect which otherwise
61 would cover these positions; and provided further, that the secretary may transfer from the sum
62 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
63 2011 amounts that are necessary to meet these costs where the amounts otherwise available are
64 insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance
65 with the house and senate committees on ways and means \$11,551

66 1599-4305 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
67 salary adjustments and other economic benefits authorized by the collective bargaining
68 agreement between the Barnstable county sheriff's department and the International Brotherhood
69 of Correctional Officers, Local 217 (Radio Technicians), and to meet the fiscal year 2010 and
70 fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide
71 equal adjustments and benefits to employees employed in confidential positions which otherwise
72 would be covered by this agreement; provided, that the personnel administrator, with the
73 approval of the secretary of administration and finance, shall determine these adjustments and
74 benefits for the confidential employees in accordance with the collective bargaining agreement
75 then in effect which otherwise would cover these positions; provided further, that the secretary
76 may transfer from the sum appropriated in this item to other items of appropriation and
77 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
78 these costs where the amounts otherwise available are insufficient for the purpose, in accordance

79 with a transfer plan which shall be filed in advance with the house and senate committees on
80 ways and means; and provided further, that any unexpended funds from this item shall not revert
81 and shall be made available for expenditure until June 30, 2011 \$18,482

82 1599-4307 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
83 other economic benefits authorized by the collective bargaining agreement between the
84 Barnstable county sheriff's department and the National Association of Government Employees,
85 Local 58, and to meet the fiscal year 2011 costs of salary adjustments and other economic
86 benefits necessary to provide equal adjustments and benefits to employees employed in
87 confidential positions which otherwise would be covered by this agreement; provided, that the
88 personnel administrator, with the approval of the secretary of administration and finance, shall
89 determine these adjustments and benefits for the confidential employees in accordance with the
90 collective bargaining agreement then in effect which otherwise would cover these positions; and
91 provided further, that the secretary may transfer from the sum appropriated in this item to other
92 items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to
93 meet these costs where the amounts otherwise available are insufficient for the purpose, in
94 accordance with a transfer plan which shall be filed in advance with the house and senate
95 committees on ways and means \$4,681

96 1599-4308 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
97 other economic benefits authorized by the collective bargaining agreement between the
98 Berkshire county sheriff's department and the International Brotherhood of Correctional
99 Officers/AFL-CIO, Local RI-297, and to meet the fiscal year 2011 costs of salary adjustments
100 and other economic benefits necessary to provide equal adjustments and benefits to employees
101 employed in confidential positions which otherwise would be covered by this agreement;

102 provided, that the personnel administrator, with the approval of the secretary of administration
103 and finance, shall determine these adjustments and benefits for the confidential employees in
104 accordance with the collective bargaining agreement then in effect which otherwise would cover
105 these positions; and provided further, that the secretary may transfer from the sum appropriated
106 in this item to other items of appropriation and allocations thereof for fiscal year 2011 amounts
107 that are necessary to meet these costs where the amounts otherwise available are insufficient for
108 the purpose, in accordance with a transfer plan which shall be filed in advance with the house
109 and senate committees on ways and means \$64,443

110 1599-4309 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
111 other economic benefits authorized by the collective bargaining agreement between the
112 Berkshire county sheriff's department and the Berkshire County Sheriff's Office Employees
113 Association, and to meet the fiscal year 2011 costs of salary adjustments and other economic
114 benefits necessary to provide equal adjustments and benefits to employees employed in
115 confidential positions which otherwise would be covered by this agreement; provided, that the
116 personnel administrator, with the approval of the secretary of administration and finance, shall
117 determine these adjustments and benefits for the confidential employees in accordance with the
118 collective bargaining agreement then in effect which otherwise would cover these positions; and
119 provided further, that the secretary may transfer from the sum appropriated in this item to other
120 items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to
121 meet these costs where the amounts otherwise available are insufficient for the purpose, in
122 accordance with a transfer plan which shall be filed in advance with the house and senate
123 committees on ways and means \$36,163

124 1599-4310 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
125 salary adjustments and other economic benefits authorized by the collective bargaining
126 agreement between the Bristol county sheriff’s department and the National Association of
127 Government Employees, Local RI 163, Units A and C, and to meet the fiscal year 2010 and
128 fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide
129 equal adjustments and benefits to employees employed in confidential positions which otherwise
130 would be covered by this agreement; provided, that the personnel administrator, with the
131 approval of the secretary of administration and finance, shall determine these adjustments and
132 benefits for the confidential employees in accordance with the collective bargaining agreement
133 then in effect which otherwise would cover these positions; provided further, that the secretary
134 may transfer from the sum appropriated in this item to other items of appropriation and
135 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
136 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
137 with a transfer plan which shall be filed in advance with the house and senate committees on
138 ways and means; and provided further, that any unexpended funds from this item shall not revert
139 and shall be made available for expenditure until June 30, 2011 \$39,446

140 1599-4313 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
141 salary adjustments and other economic benefits authorized by the collective bargaining
142 agreement between the Bristol county sheriff’s department and the National Correctional
143 Employees Union, Unit B, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary
144 adjustments and other economic benefits necessary to provide equal adjustments and benefits to
145 employees employed in confidential positions which otherwise would be covered by this
146 agreement; provided, that the personnel administrator, with the approval of the secretary of

147 administration and finance, shall determine these adjustments and benefits for the confidential
148 employees in accordance with the collective bargaining agreement then in effect which otherwise
149 would cover these positions; provided further, that the secretary may transfer from the sum
150 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
151 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
152 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
153 shall be filed in advance with the house and senate committees on ways and means; and provided
154 further, that any unexpended funds from this item shall not revert and shall be made available for
155 expenditure until June 30, 2011 \$12,458

156 1599-4314 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
157 salary adjustments and other economic benefits authorized by the collective bargaining
158 agreement between the Franklin county sheriff's department and the Non-Unit Employees'
159 Association/NCEU, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary
160 adjustments and other economic benefits necessary to provide equal adjustments and benefits to
161 employees employed in confidential positions which otherwise would be covered by this
162 agreement; provided, that the personnel administrator, with the approval of the secretary of
163 administration and finance, shall determine these adjustments and benefits for the confidential
164 employees in accordance with the collective bargaining agreement then in effect which otherwise
165 would cover these positions; provided further, that the secretary may transfer from the sum
166 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
167 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
168 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
169 shall be filed in advance with the house and senate committees on ways and means; and provided

170 further, that any unexpended funds from this item shall not revert and shall be made available for
171 expenditure until June 30, 2011 \$64,741

172 1599-4315 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
173 salary adjustments and other economic benefits authorized by the collective bargaining
174 agreement between the Franklin county sheriff's department and the National Correctional
175 Employees Union, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary
176 adjustments and other economic benefits necessary to provide equal adjustments and benefits to
177 employees employed in confidential positions which otherwise would be covered by this
178 agreement; provided, that the personnel administrator, with the approval of the secretary of
179 administration and finance, shall determine these adjustments and benefits for the confidential
180 employees in accordance with the collective bargaining agreement then in effect which otherwise
181 would cover these positions; provided further, that the secretary may transfer from the sum
182 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
183 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
184 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
185 shall be filed in advance with the house and senate committees on ways and means; and provided
186 further, that any unexpended funds from this item shall not revert and shall be made available for
187 expenditure until June 30, 2011 \$71,739

188 1599-4316 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
189 other economic benefits authorized by the collective bargaining agreement between the
190 Hampden county sheriff's department and the Hampden County National Correctional
191 Employees Union, and to meet the fiscal year 2011 costs of salary adjustments and other
192 economic benefits necessary to provide equal adjustments and benefits to employees employed

193 in confidential positions which otherwise would be covered by this agreement; provided, that the
194 personnel administrator, with the approval of the secretary of administration and finance, shall
195 determine these adjustments and benefits for the confidential employees in accordance with the
196 collective bargaining agreement then in effect which otherwise would cover these positions; and
197 provided further, that the secretary may transfer from the sum appropriated in this item to other
198 items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to
199 meet these costs where the amounts otherwise available are insufficient for the purpose, in
200 accordance with a transfer plan which shall be filed in advance with the house and senate
201 committees on ways and means \$209,358

202 1599-4317 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
203 other economic benefits authorized by the collective bargaining agreement between the
204 Hampden county sheriff's department and the Non-Uniformed Correctional Officers
205 Association, and to meet the fiscal year 2011 costs of salary adjustments and other economic
206 benefits necessary to provide equal adjustments and benefits to employees employed in
207 confidential positions which otherwise would be covered by this agreement; provided, that the
208 personnel administrator, with the approval of the secretary of administration and finance, shall
209 determine these adjustments and benefits for the confidential employees in accordance with the
210 collective bargaining agreement then in effect which otherwise would cover these positions; and
211 provided further, that the secretary may transfer from the sum appropriated in this item to other
212 items of appropriation and allocations thereof for fiscal year 2011 amounts that are necessary to
213 meet these costs where the amounts otherwise available are insufficient for the purpose, in
214 accordance with a transfer plan which shall be filed in advance with the house and senate
215 committees on ways and means \$240,909

216 1599-4318 For a reserve to meet the fiscal year 2011 costs of salary adjustments and
217 other economic benefits authorized by the collective bargaining agreement between the
218 Hampden county sheriff's department and the Superior Correction Officer Association, and to
219 meet the fiscal year 2011 costs of salary adjustments and other economic benefits necessary to
220 provide equal adjustments and benefits to employees employed in confidential positions which
221 otherwise would be covered by this agreement; provided, that the personnel administrator, with
222 the approval of the secretary of administration and finance, shall determine these adjustments
223 and benefits for the confidential employees in accordance with the collective bargaining
224 agreement then in effect which otherwise would cover these positions; and provided further, that
225 the secretary may transfer from the sum appropriated in this item to other items of appropriation
226 and allocations thereof for fiscal year 2011 amounts that are necessary to meet these costs where
227 the amounts otherwise available are insufficient for the purpose, in accordance with a transfer
228 plan which shall be filed in advance with the house and senate committees on ways and means
229 \$46,698

230 1599-4319 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
231 salary adjustments and other economic benefits authorized by the collective bargaining
232 agreement between the Hampshire county sheriff's department and the Non-Uniformed
233 Correctional Officers Association, and to meet the fiscal year 2010 and fiscal year 2011 costs of
234 salary adjustments and other economic benefits necessary to provide equal adjustments and
235 benefits to employees employed in confidential positions which otherwise would be covered by
236 this agreement; provided, that the personnel administrator, with the approval of the secretary of
237 administration and finance, shall determine these adjustments and benefits for the confidential
238 employees in accordance with the collective bargaining agreement then in effect which otherwise

239 would cover these positions; provided further, that the secretary may transfer from the sum
240 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
241 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
242 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
243 shall be filed in advance with the house and senate committees on ways and means; and provided
244 further, that any unexpended funds from this item shall not revert and shall be made available for
245 expenditure until June 30, 2011 \$36,329

246 1599-4320 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
247 salary adjustments and other economic benefits authorized by the collective bargaining
248 agreement between the Hampshire county sheriff's department and the Superior Officers
249 Association, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments
250 and other economic benefits necessary to provide equal adjustments and benefits to employees
251 employed in confidential positions which otherwise would be covered by this agreement;
252 provided, that the personnel administrator, with the approval of the secretary of administration
253 and finance, shall determine these adjustments and benefits for the confidential employees in
254 accordance with the collective bargaining agreement then in effect which otherwise would cover
255 these positions; provided further, that the secretary may transfer from the sum appropriated in
256 this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal
257 year 2011 amounts that are necessary to meet these costs where the amounts otherwise available
258 are insufficient for the purpose, in accordance with a transfer plan which shall be filed in
259 advance with the house and senate committees on ways and means; and provided further, that
260 any unexpended funds from this item shall not revert and shall be made available for expenditure
261 until June 30, 2011 \$13,494

262 1599-4321 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
263 salary adjustments and other economic benefits authorized by the collective bargaining
264 agreement between the Hampshire county sheriff's department and the Sheriff's Office
265 Treatment Association, Local 1459, and to meet the fiscal year 2010 and fiscal year 2011 costs
266 of salary adjustments and other economic benefits necessary to provide equal adjustments and
267 benefits to employees employed in confidential positions which otherwise would be covered by
268 this agreement; provided, that the personnel administrator, with the approval of the secretary of
269 administration and finance, shall determine these adjustments and benefits for the confidential
270 employees in accordance with the collective bargaining agreement then in effect which otherwise
271 would cover these positions; provided further, that the secretary may transfer from the sum
272 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
273 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
274 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
275 shall be filed in advance with the house and senate committees on ways and means; and provided
276 further, that any unexpended funds from this item shall not revert and shall be made available for
277 expenditure until June 30, 2011 \$9,713

278 1599-4322 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
279 salary adjustments and other economic benefits authorized by the collective bargaining
280 agreement between the Middlesex county sheriff's department and the New England Police
281 Benevolent Association/AFL-CIO, Local 500, and to meet the fiscal year 2010 and fiscal year
282 2011 costs of salary adjustments and other economic benefits necessary to provide equal
283 adjustments and benefits to employees employed in confidential positions which otherwise
284 would be covered by this agreement; provided, that the personnel administrator, with the

285 approval of the secretary of administration and finance, shall determine these adjustments and
286 benefits for the confidential employees in accordance with the collective bargaining agreement
287 then in effect which otherwise would cover these positions; provided further, that the secretary
288 may transfer from the sum appropriated in this item to other items of appropriation and
289 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
290 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
291 with a transfer plan which shall be filed in advance with the house and senate committees on
292 ways and means; and provided further, that any unexpended funds from this item shall not revert
293 and shall be made available for expenditure until June 30, 2011 \$235,177

294 1599-4323 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
295 salary adjustments and other economic benefits authorized by the collective bargaining
296 agreement between the Middlesex county sheriff's department and the Superior Officers
297 Association, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments
298 and other economic benefits necessary to provide equal adjustments and benefits to employees
299 employed in confidential positions which otherwise would be covered by this agreement;
300 provided, that the personnel administrator, with the approval of the secretary of administration
301 and finance, shall determine these adjustments and benefits for the confidential employees in
302 accordance with the collective bargaining agreement then in effect which otherwise would cover
303 these positions; provided further, that the secretary may transfer from the sum appropriated in
304 this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal
305 year 2011 amounts that are necessary to meet these costs where the amounts otherwise available
306 are insufficient for the purpose, in accordance with a transfer plan which shall be filed in
307 advance with the house and senate committees on ways and means; and provided further, that

308 any unexpended funds from this item shall not revert and shall be made available for expenditure
309 until June 30, 2011 \$51,679

310 1599-4324 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
311 salary adjustments and other economic benefits authorized by the collective bargaining
312 agreement between the Middlesex county sheriff's department and the Teamsters Local 122, and
313 to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic
314 benefits necessary to provide equal adjustments and benefits to employees employed in
315 confidential positions which otherwise would be covered by this agreement; provided, that the
316 personnel administrator, with the approval of the secretary of administration and finance, shall
317 determine these adjustments and benefits for the confidential employees in accordance with the
318 collective bargaining agreement then in effect which otherwise would cover these positions;
319 provided further, that the secretary may transfer from the sum appropriated in this item to other
320 items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts
321 that are necessary to meet these costs where the amounts otherwise available are insufficient for
322 the purpose, in accordance with a transfer plan which shall be filed in advance with the house
323 and senate committees on ways and means; and provided further, that any unexpended funds
324 from this item shall not revert and shall be made available for expenditure until June 30, 2011
325 \$5,032

326 1599-4325 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
327 salary adjustments and other economic benefits authorized by the collective bargaining
328 agreement between the Norfolk county sheriff's department and the National Association of
329 Government Employees, RI-202, and to meet the fiscal year 2010 and fiscal year 2011 costs of
330 salary adjustments and other economic benefits necessary to provide equal adjustments and

331 benefits to employees employed in confidential positions which otherwise would be covered by
332 this agreement; provided, that the personnel administrator, with the approval of the secretary of
333 administration and finance, shall determine these adjustments and benefits for the confidential
334 employees in accordance with the collective bargaining agreement then in effect which otherwise
335 would cover these positions; provided further, that the secretary may transfer from the sum
336 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
337 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
338 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
339 shall be filed in advance with the house and senate committees on ways and means; and provided
340 further, that any unexpended funds from this item shall not revert and shall be made available for
341 expenditure until June 30, 2011 \$25,026

342 1599-4327 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
343 salary adjustments and other economic benefits authorized by the collective bargaining
344 agreement between the Norfolk county sheriff's department and the National Association of
345 Government Employees, Local 296, and to meet the fiscal year 2010 and fiscal year 2011 costs
346 of salary adjustments and other economic benefits necessary to provide equal adjustments and
347 benefits to employees employed in confidential positions which otherwise would be covered by
348 this agreement; provided, that the personnel administrator, with the approval of the secretary of
349 administration and finance, shall determine these adjustments and benefits for the confidential
350 employees in accordance with the collective bargaining agreement then in effect which otherwise
351 would cover these positions; provided further, that the secretary may transfer from the sum
352 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
353 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts

354 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
355 shall be filed in advance with the house and senate committees on ways and means; and provided
356 further, that any unexpended funds from this item shall not revert and shall be made available for
357 expenditure until June 30, 2011 \$28,888

358 1599-4333 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
359 salary adjustments and other economic benefits authorized by the collective bargaining
360 agreement between the Suffolk county sheriff's department and the National Association of
361 Government Employees, Local 298, and to meet the fiscal year 2010 and fiscal year 2011 costs
362 of salary adjustments and other economic benefits necessary to provide equal adjustments and
363 benefits to employees employed in confidential positions which otherwise would be covered by
364 this agreement; provided, that the personnel administrator, with the approval of the secretary of
365 administration and finance, shall determine these adjustments and benefits for the confidential
366 employees in accordance with the collective bargaining agreement then in effect which otherwise
367 would cover these positions; provided further, that the secretary may transfer from the sum
368 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
369 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
370 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
371 shall be filed in advance with the house and senate committees on ways and means; and provided
372 further, that any unexpended funds from this item shall not revert and shall be made available for
373 expenditure until June 30, 2011 \$57,708

374 1599-4340 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
375 salary adjustments and other economic benefits authorized by the collective bargaining
376 agreement between the Berkshire county sheriff's department and the International Union of

377 Electronic, Electrical, Salaried, Machine and Furniture Workers - Communications Workers of
378 America, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and
379 other economic benefits necessary to provide equal adjustments and benefits to employees
380 employed in confidential positions which otherwise would be covered by this agreement;
381 provided, that the personnel administrator, with the approval of the secretary of administration
382 and finance, shall determine these adjustments and benefits for the confidential employees in
383 accordance with the collective bargaining agreement then in effect which otherwise would cover
384 these positions; provided further, that the secretary may transfer from the sum appropriated in
385 this item to other items of appropriation and allocations thereof for fiscal years 2010 and 2011
386 amounts that are necessary to meet these costs where the amounts otherwise available are
387 insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance
388 with the house and senate committees on ways and means; and provided further, that any
389 unexpended funds from this item shall not revert and shall be made available for expenditure
390 until June 30, 2011 \$2,809

391 1599-4360 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
392 salary adjustments and other economic benefits authorized by the collective bargaining
393 agreement between the Franklin county sheriff's department and the Franklin Captains NCEU,
394 and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other
395 economic benefits necessary to provide equal adjustments and benefits to employees employed
396 in confidential positions which otherwise would be covered by this agreement; provided, that the
397 personnel administrator, with the approval of the secretary of administration and finance, shall
398 determine these adjustments and benefits for the confidential employees in accordance with the
399 collective bargaining agreement then in effect which otherwise would cover these positions;

400 provided further, that the secretary may transfer from the sum appropriated in this item to other
401 items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts
402 that are necessary to meet these costs where the amounts otherwise available are insufficient for
403 the purpose, in accordance with a transfer plan which shall be filed in advance with the house
404 and senate committees on ways and means; and provided further, that any unexpended funds
405 from this item shall not revert and shall be made available for expenditure until June 30, 2011

406 \$10,775

407 1599-4361 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
408 salary adjustments and other economic benefits authorized by the collective bargaining
409 agreement between the Hampshire county sheriff's department and the Hampshire Correction
410 Officers NCEU, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments
411 and other economic benefits necessary to provide equal adjustments and benefits to employees
412 employed in confidential positions which otherwise would be covered by this agreement;
413 provided, that the personnel administrator, with the approval of the secretary of administration
414 and finance, shall determine these adjustments and benefits for the confidential employees in
415 accordance with the collective bargaining agreement then in effect which otherwise would cover
416 these positions; provided further, that the secretary may transfer from the sum appropriated in
417 this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal
418 year 2011 amounts that are necessary to meet these costs where the amounts otherwise available
419 are insufficient for the purpose, in accordance with a transfer plan which shall be filed in
420 advance with the house and senate committees on ways and means; and provided further, that
421 any unexpended funds from this item shall not revert and shall be made available for expenditure
422 until June 30, 2011 \$42,876

423 1599-4362 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
424 salary adjustments and other economic benefits authorized by the collective bargaining
425 agreement between the Bristol county sheriff’s department and the Bristol K-9 Unit/NCEU, and
426 to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic
427 benefits necessary to provide equal adjustments and benefits to employees employed in
428 confidential positions which otherwise would be covered by this agreement; provided, that the
429 personnel administrator, with the approval of the secretary of administration and finance, shall
430 determine these adjustments and benefits for the confidential employees in accordance with the
431 collective bargaining agreement then in effect which otherwise would cover these positions;
432 provided further, that the secretary may transfer from the sum appropriated in this item to other
433 items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts
434 that are necessary to meet these costs where the amounts otherwise available are insufficient for
435 the purpose, in accordance with a transfer plan which shall be filed in advance with the house
436 and senate committees on ways and means; and provided further, that any unexpended funds
437 from this item shall not revert and shall be made available for expenditure until June 30, 2011
438 \$3,469

439 1599-4400 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
440 salary adjustments and other economic benefits authorized by the collective bargaining
441 agreement between the University of Massachusetts and the International Brotherhood of Police
442 Officers, Local 432 (A&B Units) (Unit A06), for the Amherst campus, and to meet the fiscal
443 year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary
444 to provide equal adjustments and benefits to employees employed in confidential positions which
445 otherwise would be covered by this agreement; provided, that the personnel administrator, with

446 the approval of the secretary of administration and finance, shall determine these adjustments
447 and benefits for the confidential employees in accordance with the collective bargaining
448 agreement then in effect which otherwise would cover these positions; provided further, that the
449 secretary may transfer from the sum appropriated in this item to other items of appropriation and
450 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
451 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
452 with a transfer plan which shall be filed in advance with the house and senate committees on
453 ways and means; and provided further, that any unexpended funds from this item shall not revert
454 and shall be made available for expenditure until June 30, 2011 \$34,560

455 1599-4401 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
456 salary adjustments and other economic benefits authorized by the collective bargaining
457 agreement between the University of Massachusetts and the University Staff
458 Association/MTA/NEA (Unit A08), for the Amherst campus, and to meet the fiscal year 2010
459 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to
460 provide equal adjustments and benefits to employees employed in confidential positions which
461 otherwise would be covered by this agreement; provided, that the personnel administrator, with
462 the approval of the secretary of administration and finance, shall determine these adjustments
463 and benefits for the confidential employees in accordance with the collective bargaining
464 agreement then in effect which otherwise would cover these positions; provided further, that the
465 secretary may transfer from the sum appropriated in this item to other items of appropriation and
466 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
467 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
468 with a transfer plan which shall be filed in advance with the house and senate committees on

469 ways and means; and provided further, that any unexpended funds from this item shall not revert
470 and shall be made available for expenditure until June 30, 2011 \$284,512

471 1599-4402 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
472 salary adjustments and other economic benefits authorized by the collective bargaining
473 agreement between the University of Massachusetts and the Non-Exempt Supervisors Unit, Unit
474 B/MTA/NEA (Unit A15) , for the Amherst campus, and to meet the fiscal year 2010 and fiscal
475 year 2011 costs of salary adjustments and other economic benefits necessary to provide equal
476 adjustments and benefits to employees employed in confidential positions which otherwise
477 would be covered by this agreement; provided, that the personnel administrator, with the
478 approval of the secretary of administration and finance, shall determine these adjustments and
479 benefits for the confidential employees in accordance with the collective bargaining agreement
480 then in effect which otherwise would cover these positions; provided further, that the secretary
481 may transfer from the sum appropriated in this item to other items of appropriation and
482 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
483 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
484 with a transfer plan which shall be filed in advance with the house and senate committees on
485 ways and means; and provided further, that any unexpended funds from this item shall not revert
486 and shall be made available for expenditure until June 30, 2011 \$19,667

487 1599-4403 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
488 salary adjustments and other economic benefits authorized by the collective bargaining
489 agreement between the University of Massachusetts and the Massachusetts Society of
490 Professors/Faculty Staff Union/MTA/NEA (Units A50 and B40), for the Amherst and Boston
491 campuses, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and

492 other economic benefits necessary to provide equal adjustments and benefits to employees
493 employed in confidential positions which otherwise would be covered by this agreement;
494 provided, that the personnel administrator, with the approval of the secretary of administration
495 and finance, shall determine these adjustments and benefits for the confidential employees in
496 accordance with the collective bargaining agreement then in effect which otherwise would cover
497 these positions; provided further, that the secretary may transfer from the sum appropriated in
498 this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal
499 year 2011 amounts that are necessary to meet these costs where the amounts otherwise available
500 are insufficient for the purpose, in accordance with a transfer plan which shall be filed in
501 advance with the house and senate committees on ways and means; and provided further, that
502 any unexpended funds from this item shall not revert and shall be made available for expenditure
503 until June 30, 2011 \$1,368,521

504 1599-4404 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
505 salary adjustments and other economic benefits authorized by the collective bargaining
506 agreement between the University of Massachusetts and the Professional Staff Union/MTA/NEA
507 (Units A52 and B42), for the Amherst and Boston campuses, and to meet the fiscal year 2010
508 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to
509 provide equal adjustments and benefits to employees employed in confidential positions which
510 otherwise would be covered by this agreement; provided, that the personnel administrator, with
511 the approval of the secretary of administration and finance, shall determine these adjustments
512 and benefits for the confidential employees in accordance with the collective bargaining
513 agreement then in effect which otherwise would cover these positions; provided further, that the
514 secretary may transfer from the sum appropriated in this item to other items of appropriation and

515 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
516 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
517 with a transfer plan which shall be filed in advance with the house and senate committees on
518 ways and means; and provided further, that any unexpended funds from this item shall not revert
519 and shall be made available for expenditure until June 30, 2011 \$1,397,337

520 1599-4405 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
521 salary adjustments and other economic benefits authorized by the collective bargaining
522 agreement between the University of Massachusetts and the Classified Staff Union/MTA/NEA
523 (Units B31 and B32), for the Boston campus, and to meet the fiscal year 2010 and fiscal year
524 2011 costs of salary adjustments and other economic benefits necessary to provide equal
525 adjustments and benefits to employees employed in confidential positions which otherwise
526 would be covered by this agreement; provided, that the personnel administrator, with the
527 approval of the secretary of administration and finance, shall determine these adjustments and
528 benefits for the confidential employees in accordance with the collective bargaining agreement
529 then in effect which otherwise would cover these positions; provided further, that the secretary
530 may transfer from the sum appropriated in this item to other items of appropriation and
531 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
532 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
533 with a transfer plan which shall be filed in advance with the house and senate committees on
534 ways and means; and provided further, that any unexpended funds from this item shall not revert
535 and shall be made available for expenditure until June 30, 2011 \$179,382

536 1599-4407 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
537 salary adjustments and other economic benefits authorized by the collective bargaining

538 agreement between the University of Massachusetts and the International Brotherhood of
539 Teamsters, Local 25 (Unit B33), for the Boston campus, and to meet the fiscal year 2010 and
540 fiscal year 2011 costs of salary adjustments and other economic benefits necessary to provide
541 equal adjustments and benefits to employees employed in confidential positions which otherwise
542 would be covered by this agreement; provided, that the personnel administrator, with the
543 approval of the secretary of administration and finance, shall determine these adjustments and
544 benefits for the confidential employees in accordance with the collective bargaining agreement
545 then in effect which otherwise would cover these positions; provided further, that the secretary
546 may transfer from the sum appropriated in this item to other items of appropriation and
547 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
548 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
549 with a transfer plan which shall be filed in advance with the house and senate committees on
550 ways and means; and provided further, that any unexpended funds from this item shall not revert
551 and shall be made available for expenditure until June 30, 2011 \$8,574

552 1599-4409 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
553 salary adjustments and other economic benefits authorized by the collective bargaining
554 agreement between the University of Massachusetts and the American Federation of State,
555 County and Municipal Employees, Local 507, AFL-CIO (Unit D82), for the Dartmouth campus,
556 and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other
557 economic benefits necessary to provide equal adjustments and benefits to employees employed
558 in confidential positions which otherwise would be covered by this agreement; provided, that the
559 personnel administrator, with the approval of the secretary of administration and finance, shall
560 determine these adjustments and benefits for the confidential employees in accordance with the

561 collective bargaining agreement then in effect which otherwise would cover these positions;
562 provided further, that the secretary may transfer from the sum appropriated in this item to other
563 items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts
564 that are necessary to meet these costs where the amounts otherwise available are insufficient for
565 the purpose, in accordance with a transfer plan which shall be filed in advance with the house
566 and senate committees on ways and means; and provided further, that any unexpended funds
567 from this item shall not revert and shall be made available for expenditure until June 30, 2011
568 \$66,590

569 1599-4410 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
570 salary adjustments and other economic benefits authorized by the collective bargaining
571 agreement between the University of Massachusetts and the International Brotherhood of Police
572 Officers, for the Dartmouth campus, and to meet the fiscal year 2010 and fiscal year 2011 costs
573 of salary adjustments and other economic benefits necessary to provide equal adjustments and
574 benefits to employees employed in confidential positions which otherwise would be covered by
575 this agreement; provided, that the personnel administrator, with the approval of the secretary of
576 administration and finance, shall determine these adjustments and benefits for the confidential
577 employees in accordance with the collective bargaining agreement then in effect which otherwise
578 would cover these positions; provided further, that the secretary may transfer from the sum
579 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
580 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
581 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
582 shall be filed in advance with the house and senate committees on ways and means; and provided

583 further, that any unexpended funds from this item shall not revert and shall be made available for
584 expenditure until June 30, 2011 \$14,234

585 1599-4411 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
586 salary adjustments and other economic benefits authorized by the collective bargaining
587 agreement between the University of Massachusetts and the American Federation of Teachers,
588 Local 1895, AFL-CIO, Educational Services Unit (Unit D85), for the Dartmouth campus, and to
589 meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic
590 benefits necessary to provide equal adjustments and benefits to employees employed in
591 confidential positions which otherwise would be covered by this agreement; provided, that the
592 personnel administrator, with the approval of the secretary of administration and finance, shall
593 determine these adjustments and benefits for the confidential employees in accordance with the
594 collective bargaining agreement then in effect which otherwise would cover these positions;
595 provided further, that the secretary may transfer from the sum appropriated in this item to other
596 items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts
597 that are necessary to meet these costs where the amounts otherwise available are insufficient for
598 the purpose, in accordance with a transfer plan which shall be filed in advance with the house
599 and senate committees on ways and means; and provided further, that any unexpended funds
600 from this item shall not revert and shall be made available for expenditure until June 30, 2011
601 \$145,171

602 1599-4412 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
603 salary adjustments and other economic benefits authorized by the collective bargaining
604 agreement between the University of Massachusetts and the Massachusetts Society of
605 Professors/Lowell/MTA/NEA (Unit L90), for the Lowell campus, and to meet the fiscal year

606 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to
607 provide equal adjustments and benefits to employees employed in confidential positions which
608 otherwise would be covered by this agreement; provided, that the personnel administrator, with
609 the approval of the secretary of administration and finance, shall determine these adjustments
610 and benefits for the confidential employees in accordance with the collective bargaining
611 agreement then in effect which otherwise would cover these positions; provided further, that the
612 secretary may transfer from the sum appropriated in this item to other items of appropriation and
613 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
614 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
615 with a transfer plan which shall be filed in advance with the house and senate committees on
616 ways and means; and provided further, that any unexpended funds from this item shall not revert
617 and shall be made available for expenditure until June 30, 2011 \$623,317

618 1599-4413 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
619 salary adjustments and other economic benefits authorized by the collective bargaining
620 agreement between the University of Massachusetts and the MTA/NEA Clerical/Technical Unit
621 (Unit L92), for the Lowell campus, and to meet the fiscal year 2010 and fiscal year 2011 costs of
622 salary adjustments and other economic benefits necessary to provide equal adjustments and
623 benefits to employees employed in confidential positions which otherwise would be covered by
624 this agreement; provided, that the personnel administrator, with the approval of the secretary of
625 administration and finance, shall determine these adjustments and benefits for the confidential
626 employees in accordance with the collective bargaining agreement then in effect which otherwise
627 would cover these positions; provided further, that the secretary may transfer from the sum
628 appropriated in this item to other items of appropriation and allocations thereof for fiscal year

629 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
630 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
631 shall be filed in advance with the house and senate committees on ways and means; and provided
632 further, that any unexpended funds from this item shall not revert and shall be made available for
633 expenditure until June 30, 2011 \$18,571

634 1599-4414 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
635 salary adjustments and other economic benefits authorized by the collective bargaining
636 agreement between the University of Massachusetts and the MTA/NEA Maintenance/Trades
637 Unit (Unit L93) , for the Lowell campus, and to meet the fiscal year 2010 and fiscal year 2011
638 costs of salary adjustments and other economic benefits necessary to provide equal adjustments
639 and benefits to employees employed in confidential positions which otherwise would be covered
640 by this agreement; provided, that the personnel administrator, with the approval of the secretary
641 of administration and finance, shall determine these adjustments and benefits for the confidential
642 employees in accordance with the collective bargaining agreement then in effect which otherwise
643 would cover these positions; provided further, that the secretary may transfer from the sum
644 appropriated in this item to other items of appropriation and allocations thereof for fiscal year
645 2010 and fiscal year 2011 amounts that are necessary to meet these costs where the amounts
646 otherwise available are insufficient for the purpose, in accordance with a transfer plan which
647 shall be filed in advance with the house and senate committees on ways and means; and provided
648 further, that any unexpended funds from this item shall not revert and shall be made available for
649 expenditure until June 30, 2011 \$36,333

650 1599-4415 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
651 salary adjustments and other economic benefits authorized by the collective bargaining

652 agreement between the University of Massachusetts and the International Association of
653 University Police Officers for the Lowell campus, and to meet the fiscal year 2010 and fiscal
654 year 2011 costs of salary adjustments and other economic benefits necessary to provide equal
655 adjustments and benefits to employees employed in confidential positions which otherwise
656 would be covered by this agreement; provided, that the personnel administrator, with the
657 approval of the secretary of administration and finance, shall determine these adjustments and
658 benefits for the confidential employees in accordance with the collective bargaining agreement
659 then in effect which otherwise would cover these positions; provided further, that the secretary
660 may transfer from the sum appropriated in this item to other items of appropriation and
661 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
662 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
663 with a transfer plan which shall be filed in advance with the house and senate committees on
664 ways and means; and provided further, that any unexpended funds from this item shall not revert
665 and shall be made available for expenditure until June 30, 2011 \$263,733

666 1599-4416 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
667 salary adjustments and other economic benefits authorized by the collective bargaining
668 agreement between the University of Massachusetts and the Service Employees International
669 Union, Local 888 (Unit L95), for the Lowell campus, and to meet the fiscal year 2010 and fiscal
670 year 2011 costs of salary adjustments and other economic benefits necessary to provide equal
671 adjustments and benefits to employees employed in confidential positions which otherwise
672 would be covered by this agreement; provided, that the personnel administrator, with the
673 approval of the secretary of administration and finance, shall determine these adjustments and
674 benefits for the confidential employees in accordance with the collective bargaining agreement

675 then in effect which otherwise would cover these positions; provided further, that the secretary
676 may transfer from the sum appropriated in this item to other items of appropriation and
677 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
678 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
679 with a transfer plan which shall be filed in advance with the house and senate committees on
680 ways and means; and provided further, that any unexpended funds from this item shall not revert
681 and shall be made available for expenditure until June 30, 2011 \$369,034

682 1599-4419 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of salary
683 adjustments and other economic benefits authorized by the collective bargaining agreement
684 between the Board of Higher Education and the Association of Federal, State, County and
685 Municipal Employees, Council 93, Local 1067, and to meet the fiscal year 2010 and fiscal year
686 2011 costs of salary adjustments and other economic benefits necessary to provide equal
687 adjustments and benefits to employees employed in confidential positions which otherwise
688 would be covered by this agreement; provided, that the personnel administrator, with the
689 approval of the secretary of administration and finance, shall determine these adjustments and
690 benefits for the confidential employees in accordance with the collective bargaining agreement
691 then in effect which otherwise would cover these positions; provided further, that the secretary
692 may transfer from the sum appropriated in this item to other items of appropriation and
693 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet
694 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
695 with a transfer plan which shall be filed in advance with the house and senate committees on
696 ways and means; and provided further, that any unexpended funds from this item shall not revert
697 and shall be made available for expenditure until June 30, 2011 \$1,174,149

698 1599-4420 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
699 salary adjustments and other economic benefits authorized by the collective bargaining
700 agreement between the Board of Higher Education and the Massachusetts Teachers
701 Association/National Education Association Associated Professional Administrators, and to meet
702 the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits
703 necessary to provide equal adjustments and benefits to employees employed in confidential
704 positions which otherwise would be covered by this agreement; provided, that the personnel
705 administrator, with the approval of the secretary of administration and finance, shall determine
706 these adjustments and benefits for the confidential employees in accordance with the collective
707 bargaining agreement then in effect which otherwise would cover these positions; provided
708 further, that the secretary may transfer from the sum appropriated in this item to other items of
709 appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are
710 necessary to meet these costs where the amounts otherwise available are insufficient for the
711 purpose, in accordance with a transfer plan which shall be filed in advance with the house and
712 senate committees on ways and means; and provided further, that any unexpended funds from
713 this item shall not revert and shall be made available for expenditure until June 30, 2011
714 \$1,967,273

715 1599-4421 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
716 salary adjustments and other economic benefits authorized by the collective bargaining
717 agreement between the Board of Higher Education and the Massachusetts Teachers
718 Association/National Education Association Associated Massachusetts Community Colleges
719 Council, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and
720 other economic benefits necessary to provide equal adjustments and benefits to employees

721 employed in confidential positions which otherwise would be covered by this agreement;
722 provided, that the personnel administrator, with the approval of the secretary of administration
723 and finance, shall determine these adjustments and benefits for the confidential employees in
724 accordance with the collective bargaining agreement then in effect which otherwise would cover
725 these positions; provided further, that the secretary may transfer from the sum appropriated in
726 this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal
727 year 2011 amounts that are necessary to meet these costs where the amounts otherwise available
728 are insufficient for the purpose, in accordance with a transfer plan which shall be filed in
729 advance with the house and senate committees on ways and means; and provided further, that
730 any unexpended funds from this item shall not revert and shall be made available for expenditure
731 until June 30, 2011 \$28,841

732 1599-4422 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
733 salary adjustments and other economic benefits authorized by the collective bargaining
734 agreement between the Board of Higher Education and the Massachusetts Teachers
735 Association/National Education Association State College Faculty, and to meet the fiscal year
736 2010 and fiscal year 2011 costs of salary adjustments and other economic benefits necessary to
737 provide equal adjustments and benefits to employees employed in confidential positions which
738 otherwise would be covered by this agreement; provided, that the personnel administrator, with
739 the approval of the secretary of administration and finance, shall determine these adjustments
740 and benefits for the confidential employees in accordance with the collective bargaining
741 agreement then in effect which otherwise would cover these positions; provided further, that the
742 secretary may transfer from the sum appropriated in this item to other items of appropriation and
743 allocations thereof for fiscal year 2010 and fiscal year 2011 amounts that are necessary to meet

744 these costs where the amounts otherwise available are insufficient for the purpose, in accordance
745 with a transfer plan which shall be filed in advance with the house and senate committees on
746 ways and means; and provided further, that any unexpended funds from this item shall not revert
747 and shall be made available for expenditure until June 30, 2011 \$1,582,420

748 1599-4424 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
749 salary adjustments and other economic benefits authorized by the collective bargaining
750 agreement between the University of Massachusetts and the Dartmouth AFT/MFT Faculty &
751 Librarians, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and
752 other economic benefits necessary to provide equal adjustments and benefits to employees
753 employed in confidential positions which otherwise would be covered by this agreement;
754 provided, that the personnel administrator, with the approval of the secretary of administration
755 and finance, shall determine these adjustments and benefits for the confidential employees in
756 accordance with the collective bargaining agreement then in effect which otherwise would cover
757 these positions; provided further, that the secretary may transfer from the sum appropriated in
758 this item to other items of appropriation and allocations thereof for fiscal year 2010 and fiscal
759 year 2011 amounts that are necessary to meet these costs where the amounts otherwise available
760 are insufficient for the purpose, in accordance with a transfer plan which shall be filed in
761 advance with the house and senate committees on ways and means; and provided further, that
762 any unexpended funds from this item shall not revert and shall be made available for expenditure
763 until June 30, 2011 \$622,418

764 1599-4425 For a reserve to meet the fiscal year 2010 and fiscal year 2011 costs of
765 salary adjustments and other economic benefits authorized by the collective bargaining
766 agreement between the University of Massachusetts and the Dartmouth Maintenance & Trades

767 MFT, and to meet the fiscal year 2010 and fiscal year 2011 costs of salary adjustments and other
768 economic benefits necessary to provide equal adjustments and benefits to employees employed
769 in confidential positions which otherwise would be covered by this agreement; provided, that the
770 personnel administrator, with the approval of the secretary of administration and finance, shall
771 determine these adjustments and benefits for the confidential employees in accordance with the
772 collective bargaining agreement then in effect which otherwise would cover these positions;
773 provided further, that the secretary may transfer from the sum appropriated in this item to other
774 items of appropriation and allocations thereof for fiscal year 2010 and fiscal year 2011 amounts
775 that are necessary to meet these costs where the amounts otherwise available are insufficient for
776 the purpose, in accordance with a transfer plan which shall be filed in advance with the house
777 and senate committees on ways and means; and provided further, that any unexpended funds
778 from this item shall not revert and shall be made available for expenditure until June 30, 2011

779 \$33,232

780 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

781 Department of Fish and Game

782 2300-1011 For the department which may expend revenues in an amount not to
783 exceed \$200,000 from the administrative handling charge revenues received from electronic
784 transactions processed through its online licensing and registration systems under chapter 61 of
785 the acts of 2007; provided, that notwithstanding any general or special law to the contrary, for
786 the purpose of accommodating timing discrepancies between the receipt of revenues and related
787 expenditures, the commissioner may incur expenses and the comptroller may certify for payment

788 the amounts not to exceed the lower of this authorization or the most recent revenue estimate, as
789 reported in the state accounting system \$200,000

790 SECTION 2C.I. For the purpose of making available in fiscal year 2011 balances of
791 appropriations which otherwise would revert on June 30, 2010, the unexpended balances of the
792 maintenance appropriations listed below, not to exceed the amount specified below for each
793 item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the
794 corresponding item in section 2 of the general appropriation act for fiscal year 2011; provided,
795 that items which do not appear in section 2 of the general appropriation act, the amounts in this
796 section are re-appropriated for the purposes of and subject to the conditions stated for the
797 corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this
798 section are re-appropriated from the fund or funds designated for the corresponding item in
799 section 2 of the general appropriation act; provided, however, that for items which do not appear
800 in section 2 of the general appropriation act, the amounts in this section are re-appropriated from
801 the fund or funds designated for the corresponding item in said section 2 or 2A of this act or in
802 prior appropriation acts. The sums re-appropriated in this section shall be in addition to any
803 amounts available for said purposes.

804 APPEALS COURT

805 0322-0100 \$135,000

806 TRIAL COURT

807 0330-0300 \$9,000,000

808 OFFICE OF THE SECRETARY OF STATE

809	0521-0000	. \$257,041
810	OFFICE OF THE STATE COMPTROLLER	
811	Office of the State Comptroller	
812	1599-3384	\$4,000,000
813	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
814	Office of the Secretary of Administration and Finance	
815	1100-1560	\$579,905
816	Reserves	
817	1599-4281	\$10,000
818	1599-4282	\$10,000
819	1599-4283	\$10,000
820	1599-4284	\$10,000
821	Department of Revenue	
822	1232-0100	\$10,900,000
823	1232-0200	\$230,905
824	EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS	
825	Office of the Secretary of Energy and Environmental Affairs	

826	2000-1700	\$100,000
827	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
828	Office of the Secretary of Health and Human Services	
829	4000-1700	\$1,350,000
830	Division of Medical Assistance	
831	4000-0600	\$1,788,197
832	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT	
833	Office of the Secretary of Housing and Economic Development	
834	7002-0017	\$300,000
835	EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT	
836	Department of Workforce Development	
837	7003-0701	\$5,000,000
838	EXECUTIVE OFFICE OF EDUCATION	
839	Department of Early Education and Care.	
840	3000-4060	\$5,000,000
841	Office of the Secretary of Education	
842	7009-1700	\$250,000

843 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

844 Office of the Secretary of Public Safety and Security

845 8000-1700 \$160,000

846 State Police

847 8100-0000 \$5,223,089

848 Department of Corrections

849 8900-0001 \$7,086,698

850 SECTION 2C.II. For the purpose of making available in fiscal year 2011 balances of
851 retained revenue and intragovernmental chargeback authorizations which otherwise would revert
852 on June 30, 2010, the unexpended balances of the authorizations listed below, not to exceed the
853 amount specified below for each item, are hereby re-authorized for the purposes of and subject to
854 the conditions stated for the corresponding item in section 2 or 2B of the general appropriation
855 act for fiscal year 2011; provided, that for items which do not appear in section 2 or 2B of the
856 general appropriation act, the amounts in this section are re-authorized for the purposes of and
857 subject to the conditions stated for the corresponding item in section 2, 2A, or 2B of this act or in
858 prior appropriation acts. Amounts in this section are re-authorized from the fund or funds
859 designated for the corresponding item in said section 2 or 2B of the general appropriation act;
860 however, for items which do not appear in said section 2 or 2B of the general appropriation act,
861 the amounts in this section are re-authorized from the fund or funds designated for the
862 corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. The sums re-
863 authorized in this section shall be in addition to any amounts available for those purposes.

864 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

865 Department of Fish and Game

866 2300-1011 \$200,000

867 To provide for supplementing certain items in the general appropriation act and other
868 appropriation acts for fiscal year 2011, the sums set forth in section 3 are hereby appropriated
869 from the General Fund unless specifically designated otherwise in this act or in those
870 appropriation acts, for the several purposes and subject to the conditions specified in this act or
871 in those appropriation acts, and subject to the laws regulating the disbursement of public funds
872 for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts
873 previously appropriated and made available for the purposes of those items.

874 SECTION 3.

875

876 JUDICIARY

877 Suffolk District Attorney

878 0340-0100 \$151,884

879 Middlesex District Attorney

880 0340-0200 \$130,386

881 Eastern District Attorney.

882 0340-0300 \$80,110

883	Worcester District Attorney.	
884	0340-0400	\$84,664
885	Hampden District Attorney.	
886	0340-0500	\$76,230
887	Hampshire/Franklin District Attorney.	
888	0340-0600	\$47,464
889	Norfolk District Attorney.	
890	0340-0700	\$78,100
891	Plymouth District Attorney.	
892	0340-0800	\$67,746
893	Bristol District Attorney.	
894	0340-0900	\$70,486
895	Cape and Islands District Attorney.	
896	0340-1000	\$34,454
897	Berkshire District Attorney.	
898	0340-1100	\$33,550
899	DISTRICT ATTORNEYS' ASSOCIATION.	

900	0340-2100	\$490,470
901	0340-8908	\$38,534
902	EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
903	Department of Revenue.	
904	1201-0100	\$1,000,000
905	EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.	
906	Executive Office of Health and Human Services.	
907	4000-0500	\$27,624,511
908	4000-0700	\$192,848,914
909	4000-0950	\$79,190,264
910	4000--0990	\$500,000
911	4000-1405	\$27,501,735
912	Department of Public Health	
913	4513-1020	\$2,000,000
914	OFFICE OF DISABILITIES AND COMMUNITY SERVICES.	
915	OFFICE OF HEALTH SERVICES.	
916	Department of Mental Health.	

917	5095-0015	\$6,426,590
918	Department of Developmental Services.	
919	5911-1003	\$2,500,000
920	5920-2000	\$11,285,254
921	5920-2010	\$4,469,447
922	5920-2025	\$8,000,000
923	5920-3000	\$1,516,886
924	EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.	
925	Department of Housing and Community Development.	
926	7004-0101	\$22,000,000
927	EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY.	
928	Department of Correction.	
929	8900-0001	\$18,000,000
930	EXECUTIVE OFFICE OF ELDER AFFAIRS.	
931	Office of the Secretary.	
932	9110-1630	\$3,970,268
933	9110-1633	\$1,426,550

934 SECTION 3A. To provide for certain unanticipated obligations of the commonwealth, to
935 provide for an alteration of purpose for current appropriations, and to meet certain requirements
936 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
937 specifically designated otherwise in this section, for the several purposes and subject to the
938 conditions specified in this section, and subject to the laws regulating the disbursement of public
939 funds for the fiscal year ending June 30, 2011. These sums shall be in addition to any amounts
940 previously appropriated and made available for the purposes of those items.

941 Department of Revenue

942 1201-0130 For the department of revenue which may expend for the operation of the
943 department not more than \$22,730,000 from revenues collected by the additional auditors for an
944 enhanced audit program; provided, that the auditors shall: (1) discover and identify persons who
945 are delinquent either in the filing of a tax return or the payment of a tax due and payable to the
946 commonwealth; (2) obtain such delinquent returns; and (3) collect such delinquent taxes for a
947 prior fiscal year; provided further, that notwithstanding any general or special law to the
948 contrary, for the purpose of accommodating timing discrepancies between the receipt of retained
949 revenues and related expenditures, the department may incur expenses and the comptroller may
950 certify for payment amounts not to exceed the lower of this authorization or the most recent
951 revenue estimate as reported in the state accounting system; and provided further, that the
952 department shall submit quarterly reports to the house and senate committees on ways and means
953 that shall include, but not be limited to, the following: (1) the amount of revenue produced from
954 these additional auditors; and (2) the amount of revenue produced by this item in fiscal years
955 2007, 2008, 2009 and 2010..... \$22,730,000

956 1750-0102 For the human resources division which may expend not more than
957 \$2,031,977 from revenues collected from fees charged to applicants for civil service and non-
958 civil service examinations and fees charged for the costs of goods and services rendered in
959 administering training programs; provided, that the division shall collect from participating non-
960 state agencies, political subdivisions and the general public, fees sufficient to cover all costs of
961 the programs, including, but not limited to, a fee to be collected from each applicant for a civil
962 service examination or non-civil service examination, notwithstanding clause (n) of section 5 of
963 chapter 31 of the General Laws or any other general or special law to the contrary; provided
964 further, that the human resources division may also expend revenues collected for
965 implementation of the health and physical fitness standards program established pursuant to
966 sections 61A and the wellness program established pursuant to section 61B of chapter 31 of the
967 General Laws and those programs in chapter 32 of the General Laws; provided further, that the
968 personnel administrator shall charge a fee of not less than \$50 to be collected from each
969 applicant who participates in the physical ability test; provided further, that the human resources
970 division shall submit a semi-annual report to the house and senate committees on ways and
971 means detailing all expenditures on the program including, but not limited to, the costs of
972 personnel, consultants, administration of the wellness program, establishment of standards and
973 any other related costs of the program; provided further, that notwithstanding any general or
974 special law to the contrary, for the purpose of accommodating timing discrepancies between the
975 receipt of retained revenues and related expenditures, the division may incur expenses and the
976 comptroller may certify for payment amounts not to exceed the lower of this authorization or the
977 most recent revenue estimate as reported in the state accounting system; and provided further,

978 that the division shall report to the house and senate committees on ways and means by February
979 1, 2011, on the projected costs of the program for fiscal year 2011 \$2,031,977

980 Reserves

981 1599-1759 For a reserve account for the costs of providing safe and clean water to
982 residents in the town of Stow who are serviced by Assabet Water Company 100,000

983 EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

984 Department of Workforce Development

985 7003-0703 For the purposes of re-training of employees displaced due to the closure
986 of dog and horse racetrack operations \$2,000,000

987 Workforce Training Fund..... 100.000%

988 SECTION 4. The first sentence of clause (8) of subsection (a) of section 172 of chapter 6
989 of the General Laws, as appearing in section 21 of chapter 256 of the acts of 2010, is hereby
990 amended by striking out the words “department of telecommunications and energy” and inserting
991 in place thereof the following words:- department of telecommunications and cable and the
992 department of public utilities.

993 SECTION 5. The second sentence of said clause (8) of said subsection (a) of said section
994 172 of said chapter 6, as so appearing, is hereby amended by striking out the words “department
995 of utilities” and inserting in place thereof the following words:- department of
996 telecommunications and cable and the department of public utilities.

997 SECTION 6. Clause (25) of said subsection (a) of said section 172 of said chapter 6, as
998 so appearing, is hereby amended by striking out the words “social services” and inserting in
999 place thereof the following words:- children and families.

1000 SECTION 7. Clause (5) of subsection (b) of section 14C of chapter 7 of the General
1001 Laws, as appearing in section 8 of chapter 131 of the acts of 2010, is hereby amended by striking
1002 out the figure “88” and inserting in place thereof the following figure:- 89.

1003 SECTION 8. Section 61 of chapter 10 of the General Laws is hereby amended by
1004 striking out the figure “2010”, inserted by section 10 of chapter 120 of the acts of 2009, and
1005 inserting in place thereof the following figure:- 2011.

1006 SECTION 9. Section 6A of chapter 18B of the General Laws, as appearing in the 2008
1007 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
1008 thereof the following paragraph:-

1009 The commissioner shall appoint a foster care review director who shall establish an
1010 independent foster care review unit within the department. The director shall appoint, subject to
1011 the approval of the commissioner, the members of the unit who shall be employees of the
1012 department, shall devote their full time exclusively to case reviews and shall convene and
1013 conduct administrative case reviews of the status of each child in the care of the department and
1014 young adults who remain under the responsibility of the department pursuant to subsection (f) of
1015 section 23 of chapter 119, at least once every 6 months. The reviews shall be performed by
1016 panels consisting of 1 member of the unit and 2 other persons, at least 1 of whom shall not be an
1017 employee of the department and represent to the maximum extent feasible the various
1018 socioeconomic, racial and ethnic groups served by the panel. No panel member shall be the

1019 social worker with direct case responsibility for the child or young adult whose case is being
1020 reviewed or the immediate supervisor of the social worker. Such reviews shall be held at
1021 convenient locations throughout the commonwealth and shall be chaired by the member of the
1022 panel from the unit. Panel members shall have sufficient experience or training to enable them
1023 to make recommendations.

1024 SECTION 10. Said section 6A of said chapter 18B, as so appearing, is hereby further
1025 amended by inserting after the word “agent”, in line 29, the following words:- , or live
1026 permanently with kin or another permanent planned living arrangement.

1027 SECTION 11. Section 4 of chapter 21L of the General Laws, is hereby amended by
1028 striking out subsection (f), as amended by section 3 of chapter 101 of the acts of 2009, and
1029 inserting in place thereof the following subsection:-

1030 (f) Whoever owns or operates a tank vessel carrying 6,000 or more barrels of oil from
1031 which oil is spilled into Buzzards Bay and who: (i) fails to provide notice in accordance with
1032 subsection (a) of section 9 of chapter 21M; or (ii) if such vessel was unaccompanied by a tugboat
1033 escort, provides notice in accordance with said subsection (a) of said section 9 of said chapter
1034 21M, but fails to request a state pilot in accordance with subsection (b) of said section 9 of said
1035 chapter 21M; and (iii) violates this chapter shall be assessed triple the penalties provided in this
1036 section.

1037 SECTION 12. The first sentence of section 1 of chapter 23A of the General Laws, as
1038 appearing in section 13 of chapter 240 of the acts of 2010, is hereby amended by inserting after
1039 the words “director of” the following words:- Massachusetts office of.

1040 SECTION 13. The first sentence of subsection (d) of section 13A of said chapter 23A of
1041 the General Laws, as appearing in section 32 of chapter 240 of the acts of 2010, is hereby
1042 amended by striking out the word “bi-annually” and inserting in place thereof the following:-
1043 biennially.

1044 SECTION 14. Subparagraph (b) of paragraph 5 of section 30 of chapter 63 of the
1045 General Laws, as amended by section 120 of chapter 240 of the acts of 2010, is hereby further
1046 amended by striking out the last paragraph and inserting in place thereof the following
1047 paragraph:-

1048 Losses sustained in any taxable year prior to January 1, 2010, may be carried forward for
1049 not more than 5 years and may not be carried back. Losses sustained in any taxable year
1050 beginning on or after January 1, 2010, may be carried forward for not more than 20 years and
1051 may not be carried back.

1052 SECTION 15. The definition of “Police chief” in section 1 of chapter 90C of the General
1053 Laws, as amended by section 74 of chapter 189 of the acts of 2010, is hereby further amended by
1054 inserting after the words “the chairman of the Massachusetts Department of Transportation” the
1055 following words:- , or the director of environmental law enforcement within the executive office
1056 of energy and environmental affairs.

1057 SECTION 16. The first paragraph of paragraph (4) of subsection (A) of section 3 of said
1058 chapter 90C, as amended by section 57 of chapter 131 of the acts of 2010, is hereby further
1059 amended by adding the following words:- ; provided, however, that the registrar may retain from
1060 the court filing fees an amount not greater than \$200,000 for fiscal year 2011 for information
1061 technology associated with the implementation of this section; and provided, further that the

1062 registrar may retain an amount not greater than \$100,000 annually for personnel costs associated
1063 with the processing of those filing fees.

1064 SECTION 17. Chapter 111 of the General Laws is hereby amended by inserting after
1065 section 5A the following section:–

1066 Section 5A½. (a) There is hereby established and set up on the books of the
1067 commonwealth a separate trust fund to be known as the Emergency Stockpile Trust Fund for the
1068 purpose of effectively facilitating emergency management and pandemic preparedness in
1069 accordance with section 5A. The fund shall consist of monies collected pursuant to this section
1070 and any income derived from the investing of amounts credited to the fund. The department shall
1071 accept monies from municipalities, counties, healthcare facilities and other entities for the
1072 purpose of participating in federal contracts under 42 U.S.C. section 247d-6b and made available
1073 to states under 42 USC section 247d-3a. The commissioner shall be the trustee of the fund.

1074 (b) Participating municipalities, counties, and healthcare facilities shall cooperate with
1075 the department to ensure that the lowest cost prices are obtained for necessary medicines and
1076 associated supplies. The commissioner, or a designee, shall decide whether medicine and
1077 associated supplies are acceptable for the purposes of this section. The department shall
1078 designate an employee within the department to administer the development and execution of the
1079 fund.

1080 (c) The department shall oversee the distribution of the funds and shall ensure that the
1081 distribution complies with the commonwealth's emergency management plan. All monies
1082 deposited in the fund shall be expended on behalf of the contributing municipalities, counties or
1083 healthcare facilities for the purchase of health care products and supplies needed for the purposes

1084 set forth in the commonwealth's comprehensive emergency management plan and made
1085 available under contracts accessible to the commonwealth under 42 USC section 247d-3a and to
1086 support any reasonable and necessary administrative costs incurred by the department in
1087 managing the purchase of such products and supplies or otherwise overseeing the distribution of
1088 monies deposited into the fund. All monies deposited into the fund shall be expended exclusively
1089 for the purposes set forth in this section.

1090 SECTION 18. Section 21 of chapter 119 of the General Laws, as appearing in the 2008
1091 Official Edition, is hereby amended by adding the following definition:- “Young adult”, a person
1092 between the ages of 18 and 22.

1093 SECTION 19. Section 23 of chapter 119 of the General Laws is hereby amended by
1094 striking out subsection (f), as so appearing, and inserting in place thereof the following
1095 subsection:-

1096 (f) The department shall offer to continue its responsibility to any young adult who is
1097 under the custody, care, or responsibility of the department including, but not limited to, those
1098 persons who meet any of the criteria set forth in 42 USC § 675(8)(B)(iv): (i) for the purposes of
1099 specific educational or rehabilitative programs, or (ii) to promote and support that person in fully
1100 developing and fulfilling that person's potential to be a participating citizen of the
1101 commonwealth under conditions agreed upon by both the department and that person. The
1102 department’s continued responsibility for such persons is contingent upon the express written
1103 consent of the person or their guardian unless: (i) before reaching the age of 18, the person had
1104 an intellectual disability and was declared mentally incompetent under clause (3) of subsection
1105 (a) while under the responsibility of the department; or (ii) the person is under the responsibility

1106 of the department pursuant to section 5-305 of chapter 190B. The purposes and conditions of
1107 such responsibility may be reviewed and revised or terminated by either the person or the
1108 department; provided, however, that within 90 days before the termination of such responsibility,
1109 the department shall provide the person with assistance and support in developing a transition
1110 plan which fulfills the requirements of 42 USC § 675(5)(H). If after termination the person
1111 requests that the department renew its responsibility therefor, the department shall make every
1112 reasonable attempt to provide a program of support which is acceptable to the person and which
1113 permits the department to renew its responsibility; provided, however, that the department may
1114 require the person to meet 1 of the criteria set forth in 42 USC § 675(8)(B)(iv). If the department
1115 renews its responsibility, all other provisions of this subsection shall apply. The department shall
1116 report annually to the child advocate, the senate and house chairs of the joint committee on
1117 children, families and persons with disabilities and the chairs of the senate and house committees
1118 on ways and means on the number of persons it serves and declines to serve under this
1119 subsection.

1120 SECTION 20. Section 29 of said chapter 119, as so appearing, is hereby amended by
1121 striking out the first two full paragraphs and inserting in place thereof the following two
1122 paragraphs-

1123 The following persons shall have and shall be informed of the right to counsel, and the
1124 court shall appoint counsel for all such persons if the person is not able to retain counsel: (i) an
1125 adult who is under the responsibility of the department under clause (1) of subsection (a) of
1126 section 23; (ii) a child who is before the court under clauses (1) and (3) of said subsection (a) of
1127 said section 23, sections 24 to 27, inclusive, or section 29B; (iii) a child in a custody proceeding

1128 where the department or a licensed placement agency is a party; and (iv) any young adult to
1129 whom subsection (f) of section 23 applies.

1130 Whenever the department or a licensed child placement agency is a party to child custody
1131 proceedings, the parent, guardian or custodian of the child, or a parent or guardian of an adult
1132 who is the responsibility of the department under clause (3) of subsection (a) of section 23: (i)
1133 shall have and be informed of the right to counsel at all such hearings, including proceedings
1134 under sections 5-201, 5-204 or 5-206 of chapter 190B, and that the court shall appoint counsel if
1135 the parent, guardian or custodian is financially unable to retain counsel; and (ii) shall have and be
1136 informed of the right to a service plan or case plan for the child and the child's family, or an
1137 adult who is the responsibility of the department under clause (3) of subsection (a) of section 23,
1138 which complies with applicable state and federal laws and regulations for these plans. Any
1139 young adult to whom subsection (f) of section 23 applies is also entitled to such service plan or
1140 case plan. The probate and family court and the juvenile court departments of the trial court shall
1141 establish procedures for: (i) notifying the parent, guardian or custodian of these rights; and (ii)
1142 appointing counsel for an indigent parent, guardian or custodian within 14 days of a licensed
1143 child placement agency filing or appearing as a party in any such action. The department or
1144 agency shall provide a copy of the service or case plan to the parent, guardian or custodian of the
1145 child or of an adult who is the responsibility of the department under clause (3) of subsection (a)
1146 of section 23, or to an adult who is the responsibility of the department under clause (3) of
1147 subsection (a) of section 23 or section 5-305 of chapter 190B, or any young adult to whom
1148 subsection (f) of section 23 applies and to the attorneys for all parties appearing in the
1149 proceeding within 45 days of the department or agency filing an appearance in such proceeding.
1150 Thereafter, any party may have the original or changed plan introduced as evidence, and with the

1151 consent of all parties the plan shall be filed with the court. Notwithstanding this section, the court
1152 may make such temporary orders as may be necessary to protect the adult who is under the
1153 responsibility of the department under clause (3) of subsection (a) of section 23 or the child and
1154 society.

1155 SECTION 21. Said chapter 119 is hereby further amended by striking out section 29B
1156 and inserting in place thereof the following section:-

1157 Section 29B. (a) Except as provided in subsection (d), within 12 months of the original
1158 commitment, grant of custody, or transfer of responsibility of a child to the department by a court
1159 of competent jurisdiction, and not less than every 12 months thereafter while the child remains in
1160 the care of the department, the committing court shall conduct a permanency hearing, in
1161 accordance with rules established by the chief justice for administration and management, to
1162 determine and periodically review thereafter the permanency plan for the child. The plan shall
1163 address whether and, if applicable, when: (i) the child will be returned to the parent; (ii) the child
1164 will be placed for adoption and the steps the department will take to free the child for adoption;
1165 (iii) the child will be referred for legal guardianship; (iv) the child will be placed in permanent
1166 care with relatives; or (v) the child will be placed in another permanent planned living
1167 arrangement. The department shall file a permanency plan prior to a permanency hearing that
1168 shall address the above placement alternatives. The court shall consult with the child in an age-
1169 appropriate manner about the permanency plan developed for the child.

1170 (b) The committing court shall continue to hold annual permanency hearings as described
1171 in subsection (a) for young adults to whom subsection (f) of section 23 applies. The young adult
1172 shall be entitled to counsel as set forth in section 29.

1173 (c) If a child or a young adult is not to be returned to the child or young adult's parents,
1174 the permanency plan shall consider in-state and out-of-state placement options. In the case of a
1175 child placed in foster care outside the state in which the home of the parents of the child is
1176 located or a young adult in an out-of-state placement, the permanency plan shall also address
1177 whether the out-of-state placement continues to be appropriate and in the best interests of the
1178 child or young adult. In the case of a child who has attained age 16 or any young adult, the
1179 permanency plan shall also address the services needed to assist the child or young adult in
1180 making the transition from foster care to independent living; and provided further, that the court
1181 shall consult with the child or young adult in an age-appropriate manner about the permanency
1182 plan. If a person in the custody of or under the responsibility of the department has attained the
1183 age of 17 years and 9 months, the permanency plan shall also address the status of and the topics
1184 of the transition plan required under 42 USC § 675(5)(H); and provided further, the court shall
1185 retain jurisdiction until it finds, after a hearing at which the person is present unless the person
1186 chooses otherwise, that a satisfactory transition plan has been provided for the person.

1187 (d) In conducting a permanency hearing, the court may make any appropriate order as
1188 may be in the child or the young adult's best interests including, but not limited to, orders with
1189 respect to care or custody. At the same time, the court shall consider the provisions of section
1190 29C, and shall make the written certification and determinations required by said section 29C.
1191 The health and safety of the child or young adult shall be of paramount, but not exclusive,
1192 concern.

1193 The permanency hearing for a child or young adult shall be held within 30 days of a
1194 hearing at which a court determines that reasonable efforts to preserve and reunify families are

1195 not required pursuant to section 29C. The court may, however, make such determination at the
1196 time of the permanency hearing.

1197 If continuation of reasonable efforts to return a child or young adult safely to the child's
1198 parent or guardian are found to be inconsistent with the permanency plan for the child or young
1199 adult or if reasonable efforts are not required pursuant to section 29C, or in the case of any young
1200 adult to whom subsection (f) of section 23 applies, the department shall make reasonable efforts
1201 to place the child or young adult in a timely manner in accordance with the permanency plan
1202 including, if appropriate, through an interstate placement, and to complete whatever steps are
1203 necessary to finalize the permanent placement of the child or young adult. In subsequent
1204 permanency hearings held on behalf of the child or young adult, the court shall determine
1205 whether the department has made such efforts in accordance with section 29C.

1206 (e) A child, parent of a child, guardian, young adult, or the department may appeal to the
1207 appeals court from the determination or order of the trial court. The claim of appeal shall be
1208 filed in the office of the clerk or register of the trial court within 30 days following the court's
1209 determination or order. Thereafter, the appeal shall be governed by the Massachusetts Rules of
1210 Appellate Procedure. The scope of appellate review shall be limited to abuse of judicial
1211 discretion.

1212 SECTION 22. Section 29C of said chapter 119, as so appearing, is hereby amended by
1213 inserting after the first paragraph the following paragraph:-

1214 If a young adult continues under the responsibility of the department pursuant to
1215 subsection (f) of section 23, the committing court shall continue to annually determine whether

1216 the department or its agent has made reasonable efforts to achieve the permanent plan approved
1217 by the court under section 29B.

1218 SECTION 23. The final paragraph of section 20B of chapter 148 of the General Laws, as
1219 appearing in section 2 of chapter 160 of the acts of 2010, is hereby amended by adding the
1220 following paragraph:-

1221 The marshal shall not issue or renew a certificate of competency and shall suspend a
1222 certificate of competency of any person who is the subject of a restraining order issued pursuant
1223 to chapter 209A while that order is in effect.

1224 SECTION 24. Section 7 of chapter 150E of the General Laws, as so appearing, is
1225 hereby amended by inserting after the word “Massachusetts”, in lines 8 and 22, the following
1226 words:- , the chief justice for administration and management.

1227 SECTION 25. Section 138 of chapter 164 of the General Laws, as so appearing, is hereby
1228 amended by striking out, in lines 39 and 40 and in lines 57 and 58, the words “owned or operated
1229 by a customer which is” and inserting in place thereof, in each instance, the following word:- of.

1230 SECTION 26. Said section 138 of said chapter 164, as so appearing, is hereby further
1231 amended by striking out, in line 48, the words “if a customer is” and inserting in place thereof
1232 the following words:- for a Class III net metering facility of.

1233 SECTION 27. Said section 138 of said chapter 164, as so appearing, is hereby further
1234 amended by inserting after the definition of “Net metering” the following definition:-

1235 “Net metering facility of a municipality or other governmental entity”, a Class II or III
1236 net metering facility: (1) that is owned or operated by a municipality or other governmental

1237 entity; or (2) of which the municipality or other governmental entity is assigned 100 per cent of
1238 the output.

1239 SECTION 28. Section 139 of said chapter 164, as so appearing, is hereby amended by
1240 striking out in lines 9, 11 and in lines 13 and 14, the words “wind or solar”.

1241 SECTION 29. Subsection (f) of said section 139 of said chapter 164, as so appearing, is
1242 hereby amended by striking out the first sentence and inserting in place thereof the following 3
1243 sentences:- The aggregate net metering capacity of facilities that are not net metering facilities of
1244 a municipality or other governmental entity shall not exceed 1 per cent of the distribution
1245 company’s peak load. The aggregate net metering capacity of net metering facilities of a
1246 municipality or other governmental entity shall not exceed 2 per cent of the distribution
1247 company’s peak load. The maximum amount of generating capacity eligible for net metering by
1248 a municipality or other governmental entity shall be 10 megawatts.

1249 SECTION 30. Said section 139 of said chapter 164, as so appearing, is hereby further
1250 amended by inserting after the word “section”, in line 74, the following words:- , including
1251 adoption of a system that provides proposed net metering facilities of a municipality or other
1252 governmental entity an assurance of net metering eligibility at the time the facilities meet criteria
1253 established by the department. Nothing in this subsection shall limit the department’s authority
1254 to adopt rules and regulations relating to other proposed net metering facilities.

1255 SECTION 31. Chapter 176D of the General Laws is hereby amended by inserting after
1256 section 3B the following section:-

1257 Section 3C. (a) As used in this section, the following words shall, unless the context
1258 clearly requires otherwise, have the following meanings:-

1259 “Ambulance service provider”, a person or entity licensed by the department of public
1260 health under section 6 of chapter 111C to establish or maintain an ambulance service.

1261 “Ambulance services”, 1 or more of the services that an ambulance service provider is
1262 authorized to render under its ambulance service license.

1263 “Insurance policy” and “insurance contract”, a contract of insurance, motor vehicle
1264 insurance, indemnity, medical or hospital service, dental or optometric, suretyship or annuity
1265 issued, proposed for issuance or intended for issuance by any insurer.

1266 “Insured”, an individual entitled to ambulance services benefits under an insurance policy
1267 or insurance contract.

1268 “Insurer”, a person as defined in section 1 of chapter 176D; any health maintenance
1269 organization as defined in section 1 of chapter 176G; a non-profit hospital service corporation
1270 organized under chapter 176A; any organization as defined in section 1 of chapter 176I that
1271 participates in a preferred provider arrangement also as defined in said section 1 of said chapter
1272 176I; any carrier offering a small group health insurance plan under chapter 176J; any company
1273 as defined in section 1 chapter 175; any employee benefit trust; any self-insurance plan, and any
1274 company certified under section 34A of chapter 90 and authorized to issue a policy of motor
1275 vehicle liability insurance under section 113A of chapter 175 that provides insurance for the
1276 expense of medical coverage.

1277 (b) Notwithstanding any general or special provision of law to the contrary, in any
1278 instance in which an ambulance service provider provides an ambulance service to an insured but
1279 is not an ambulance service provider under contract to the insurer maintaining or providing the
1280 insured’s insurance policy or insurance contract, the insurer maintaining or providing such

1281 insurance policy or insurance contract shall pay the ambulance service provider directly and
1282 promptly for the ambulance service rendered to the insured. Such payment shall be made to the
1283 ambulance service provider notwithstanding that the insured's insurance policy or insurance
1284 contract contains a prohibition against the insured assigning benefits thereunder so long as the
1285 insured executes an assignment of benefits to the ambulance service provider and such payment
1286 shall be made to the ambulance service provider in the event an insured is either incapable or
1287 unable as a practical matter to execute an assignment of benefits under an insurance policy or
1288 insurance contract pursuant to which an assignment of benefits is not prohibited, or in connection
1289 with an insurance policy or insurance contract that contains a prohibition against any such
1290 assignment of benefits. An ambulance service provider shall not be considered to have been paid
1291 for an ambulance service rendered to an insured if the insurer makes payment for the ambulance
1292 service to the insured. An ambulance service provider shall have a right of action against an
1293 insurer that fails to make a payment to it pursuant to this subsection.

1294 SECTION 32. Chapter 176J of the General Laws is hereby amended by striking out
1295 section 11, as added by section 33 of chapter 288 of the acts of 2010, and inserting in place
1296 thereof the following section:-

1297 Section 11. (a) A carrier that offers a health benefit plan that: (i) provides or arranges for
1298 the delivery of health care services through a closed network of health care providers; and (ii) as
1299 of the close of any preceding calendar year, has a combined total of 5,000 or more eligible
1300 individuals, eligible employees and eligible dependents, who are enrolled in health benefit plans
1301 sold, issued, delivered, made effective or renewed to qualified small businesses or eligible
1302 individuals, shall offer to all eligible individuals and small businesses in at least 1 geographic

1303 area at least 1 plan with either a reduced or selective network of providers or a plan in which
1304 providers are tiered and member cost sharing is based on the tier placement of the provider.

1305 The base premium for the reduced or selective or tiered network plan shall be at least 12
1306 per cent lower than the base premium of the carrier's most actuarially similar plan with the
1307 carrier's non-selective or non-tiered network of providers. The savings may be achieved by
1308 means including, but not limited to: (i) the exclusion of providers with similar or lower quality
1309 based on the standard quality measure set with higher health status adjusted total medical
1310 expenses or relative prices, as determined under section 6 of chapter 118G; or (ii) increased
1311 member cost-sharing for members who utilize providers for non-emergency services with similar
1312 or lower quality based on the standard quality measure set and with higher health status adjusted
1313 total medical expenses or relative prices, as determined under section 6 of chapter 118G.

1314 (b) A tiered network plan shall only include variations in member cost-sharing between
1315 provider tiers which are reasonable in relation to the premium charged and ensure adequate
1316 access to covered services. Carriers shall tier providers based on quality performance as
1317 measured by the standard quality measure set and by cost performance as measured by health
1318 status adjusted total medical expenses and relative prices. Where applicable quality measures are
1319 not available, tiering may be based solely on health status adjusted total medical expenses or
1320 relative prices or both.

1321 The commissioner shall promulgate regulations requiring the uniform reporting of tiering
1322 information, including, but not limited to requiring, at least 90 days before the proposed effective
1323 date of any tiered network plan or any modification in the tiering methodology for any existing
1324 tiered network plan, the reporting of a detailed description of the methodology used for tiering

1325 providers, including: the statistical basis for tiering; a list of providers to be tiered at each
1326 member cost-sharing level; a description of how the methodology and resulting tiers will be
1327 communicated to each network provider, eligible individuals and small groups; and a description
1328 of the appeals process a provider may pursue to challenge the assigned tier level.

1329 (c) The commissioner shall determine network adequacy for a tiered network plan based
1330 on the availability of sufficient network providers in the carrier's overall network of providers.

1331 (d) The commissioner shall determine network adequacy for a selective network plan
1332 based on the availability of sufficient network providers in the carrier's selective network.

1333 (e) In determining network adequacy under this section the commissioner of insurance
1334 may take into consideration factors such as the location of providers participating in the plan and
1335 employers or members that enroll in the plan, the range of services provided by providers in the
1336 plan and plan benefits that recognize and provide for extraordinary medical needs of members
1337 that may not be adequately dealt with by the providers within the plan network.

1338 (f) Carriers may: (i) reclassify provider tiers; and (ii) determine provider participation in
1339 selective and tiered plans no more than once per calendar year except that carriers may reclassify
1340 providers from a higher cost tier to a lower cost tier or add providers to a selective network at
1341 any time. If the carrier reclassifies provider tiers or providers participating in a selective plan
1342 during the course of an account year, the carrier shall provide affected members of the account
1343 with information regarding the plan changes at least 30 days before the changes take effect.

1344 Carriers shall provide information on their websites about any tiered or selective plan, including
1345 but not limited to, the providers participating in the plan, the selection criteria for those providers
1346 and where applicable, the tier in which each provider is classified.

1347 (g) The division of insurance shall report annually on utilization trends of eligible
1348 employers and eligible individuals enrolled in plans offered under this section. The report shall
1349 include the number of members enrolled by plan type, aggregate demographic, geographic
1350 information on all members and the average direct premium claims incurred, as defined in
1351 section 6, for selective and tiered network products compared to non-selective and non-tiered
1352 products.

1353 SECTION 33. Section 102C of chapter 266 of the General Laws, as appearing in section
1354 6 of chapter 160 of the acts of 2010, is hereby further amended by striking out the words “or
1355 secrets” and inserting in place thereof the following words:- , secretes or.

1356 SECTION 34. The fourth paragraph of section 15 of chapter 701 of the acts of 1960, as
1357 amended by section 159 of chapter 240 of the acts of 2010, is hereby further amended by striking
1358 out the first sentence and inserting in place thereof the following sentence:- No contract shall be
1359 awarded by the authority for construction work or for the purchase of equipment supplies or
1360 materials whether for repairs or original construction, the estimated cost of which amounts to
1361 \$25,000 or more, except in cases of special emergency involving the health, convenience or
1362 safety of the people using the facilities of the authority unless proposals for the same have been
1363 invited by advertisements in at least 1 newspaper circulating in each of the towns of Falmouth,
1364 Nantucket and Barnstable, the city of New Bedford and the county of Dukes county, once a week
1365 for at least 2 consecutive weeks, the last publication to be at least 1 week before the time
1366 specified for the opening of said proposals.

1367 SECTION 35. Subsection (a) of section 4 of chapter 614 of the acts of 1968, as most
1368 recently amended by section 161 of said chapter 240, is hereby further amended by striking out

1369 the third and fourth sentences and inserting in place thereof the following sentence:- The
1370 authority shall be governed by the board of the Massachusetts Development Finance Agency
1371 established in section 2 of chapter 23G of the General Laws and the board members of the
1372 agency shall serve as trustees for any existing authority trust.

1373 SECTION 36. Chapter 324 of the acts of 1987, as most recently amended by chapter 131
1374 of the acts of 2010, is hereby further amended by striking out section 8 and inserting in place
1375 thereof the following section:-

1376 Section 8. Section 6 of this act shall take effect on September 30, 2010.

1377 SECTION 37. Item 6001-0884 of section 2C of chapter 303 of the acts of 2008, as
1378 amended by section 37 of chapter 26 of the acts of 2009, is hereby further amended by adding
1379 the following words:- ; and provided further, that the amounts specified in this item for a
1380 particular project may be adjusted to facilitate other projects relating to rail improvement under
1381 said chapter 161C.

1382 SECTION 38. The first sentence of subsection (c) of section 119 of chapter 27 of the
1383 acts of 2009 is hereby amended striking out the figure “\$399,000,000” and inserting in place
1384 thereof the following figure:- \$534,000,000;

1385 SECTION 39. Said subsection (c) of said section 119 of said chapter 27 is hereby
1386 further amended by adding the following paragraph:-

1387 The secretary of health and human services shall make payments from the Medical
1388 Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws, totaling
1389 an amount not to exceed \$135,000,000 to privately owned acute hospitals in the commonwealth

1390 for purposes of transitional relief. Such transitional relief payments shall be in addition to
1391 payments from the Medical Assistance Trust Fund made pursuant to supplemental payment
1392 agreements entered into between the executive office of health and human services and hospitals
1393 designated by the commonwealth as Essential MassHealth Hospitals and Public Service
1394 Hospitals. Transitional relief payments shall be subject to approval by the Centers for Medicare
1395 and Medicaid Services of such payments in the amendment to the MassHealth Section 1115
1396 Demonstration as submitted by the commonwealth on March 1, 2010, and in accordance with the
1397 methodology approved therein. Such payments may be made only pursuant to written
1398 certification to the comptroller and the house and senate committees on ways and means by the
1399 secretary of administration and finance that sufficient state revenue is available to fund the non-
1400 federal share for such payments, consistent with the requirement for a balanced budget.

1401 SECTION 40. Section 1 of chapter 59 of the acts of 2009 is hereby amended by striking
1402 out the definition of “TDC committee” and inserting in place thereof the following definition:-

1403 “TDC committee”, the Templeton Developmental Center Visioning Committee, which
1404 shall include 3 representatives of the town of Templeton, 1 of whom shall be a member of the
1405 Templeton board of selectmen or his designee who shall serve as chairperson, 1 of whom shall
1406 be a member of the Templeton planning board or his designee, and 1 of whom shall be chosen by
1407 the Templeton board of selectmen; 1 representative of the community preservation committee; 1
1408 representative of the division of capital asset management and maintenance; 1 representative of
1409 the department of developmental services; 1 representative of the employees of the Templeton
1410 Development Center; and 1 representative of the legal guardians of the clients currently housed
1411 at Templeton Developmental Center; provided, however, that the members, other than the
1412 members who are representatives of the state agencies, shall be appointed annually by the local

1413 governing authority. The senator and representative who represent the town shall serve as ex-
1414 officio members.

1415 SECTION 41. Said chapter 59 is hereby further amended by inserting after section 2 the
1416 following section:-

1417 Section 2A. The TDC committee shall evaluate and make recommendations to the
1418 commissioner on the use of the TDC site including, but not limited to, the continued use of the
1419 site as a state facility or other alternative uses for the TDC site. The TDC committee shall
1420 inform the town's governing authority and the local community periodically of its proposals and
1421 decisions relevant to the use of the TDC site.

1422 SECTION 42. Item 1599-4336 of section 2A of chapter 120 of the acts of 2010 is hereby
1423 amended by striking out the words "Correction Officers New England Police Benevolent
1424 Association/AFL-CIO, Local 275" and inserting in place thereof the following words:- NAGE
1425 06, Local RI-255.

1426 SECTION 43. Item 0321-1520 of section 2 of chapter 131 of the acts of 2010 is hereby
1427 amended by striking the figure "\$1,000,000" and inserting in place thereof the following figure:-
1428 \$2,000,000.

1429 SECTION 44. Item 0699-0015 of said section 2 of said chapter 131 is hereby amended
1430 by adding the following words:-

1431 General Fund 52.00%

1432 Commonwealth Transportation Fund 48.00%

1433 SECTION 45. Item 1100-1100 of said section 2 of said chapter 131 is hereby amended
1434 by striking out the words “and the administration of the fiscal affairs division”.

1435 SECTION 46. Item 1201-0100 of said section 2 of said chapter 131 is hereby amended
1436 by striking out the word “funds” and inserting in place thereof the following figure:- \$1,000,000.

1437 SECTION 47. Said section 2 of said chapter 131 is hereby further amended by striking
1438 out item 1599-1977 and inserting in place thereof the following item:-

1439 1599-1977 For contract assistance and other payments to the Massachusetts
1440 Development Finance Agency for payment of debt service and related obligations in connection
1441 with bonds issued by the agency under chapter 293 of the acts of 2006 and chapter 303 of the
1442 acts of 2008 \$ 1,393,338

1443 SECTION 48. No Section 48.

1444 SECTION 49. Item 2000-0100 of said section 2 of said chapter 131 is hereby amended
1445 by striking out the words “may engage in a program of collaborative research with academic
1446 institutions that apply satellite and other technologies in an innovative manner to an existing
1447 methodological model previously used in other fisheries to assess the biomass of groundfish in
1448 the region managed by the New England Fishery Management Council; provided further, that the
1449 executive office may” and inserting in place thereof the following words:- shall engage in a
1450 program of collaborative research with academic institutions that apply satellite and other
1451 technologies in an innovative manner to an existing methodological model previously used in
1452 other fisheries to assess the biomass of groundfish in the region managed by the New England
1453 Fishery Management Council; provided further, that the executive office shall.

1454 SECTION 50. Item 2310-0200 of said section 2 of said chapter 131 is hereby amended
1455 by adding the following words:-

1456 Inland Fisheries and Game Fund 100%

1457 SECTION 51. Item 4000-0600 of said section 2 of said chapter 131 is hereby amended
1458 by inserting after the word “consortia” the following words:- ; provided further, that the
1459 secretary of health and human services shall issue a report to the house and senate committees on
1460 ways and means not later than December 1, 2010, relative to the implementation of the
1461 preadmission counseling and assessment program including, but not limited to, expenditures for
1462 the program.

1463 SECTION 52. Item 4000-0640 of said section 2 of said chapter 131 is hereby amended
1464 by adding the following words:- ; and provided further, that effective July 1, 2010 for the fiscal
1465 year ending June 30, 2011, the division shall establish nursing facility supplemental Medicaid
1466 rates from funding made available under section 159.

1467 SECTION 53. Item 4403-2000 of said section 2 of said chapter 131 is hereby amended
1468 by adding the following words:- ; provided further, that notwithstanding any general or special
1469 law to the contrary, 90 days before promulgating any eligibility or benefit changes, the
1470 commissioner shall file with the house and senate committees on ways and means and the clerks
1471 of the senate and house of representatives a detailed and comprehensive report setting forth the
1472 text of, basis and reasons for the proposed changes; provided further, that the report shall state
1473 exactly which components of the current benefit package shall be altered and the department’s
1474 assessment of the effects of such benefit or eligibility changes upon recipient families and the
1475 number of families affected by the benefit changes; provided further, that the report shall outline

1476 all steps that the department has taken to avoid or mitigate any such benefit changes; provided
1477 further, the report shall detail the savings realized by any such changes to benefits or eligibility;
1478 and provided further, that no benefit changes shall go into effect before January 17, 2011.

1479 SECTION 54. Item 4408-1000 of said section 2 of said chapter 131 is hereby amended
1480 by adding the following words:- ; provided further, that notwithstanding any general or special
1481 law to the contrary, 90 days before promulgating any eligibility or benefit changes, the
1482 commissioner shall file with the house and senate committees on ways and means and the clerks
1483 of the senate and house of representatives a detailed and comprehensive report setting forth the
1484 text of, basis and reasons for the proposed changes; provided further, that the report shall state
1485 exactly which components of the current benefit package shall be altered and the department's
1486 assessment of the effects of such benefit or eligibility changes upon recipient families and the
1487 number of families affected by the benefit changes; provided further, that the report shall outline
1488 all steps that the department has taken to avoid or mitigate any such benefit changes; provided
1489 further, that the report shall detail the savings realized by any such changes to benefits or
1490 eligibility; and provided further that no benefit changes shall go into effect before January 17,
1491 2011.

1492 SECTION 55. Item 4512-0200 of said section 2 of said chapter 131 is hereby amended
1493 by adding the following words:-

1494 Substance Abuse Prevention and Treatment Fund 100%

1495 SECTION 56. Item 4512-0202 of said section 2 of said chapter 131 is hereby amended
1496 by adding the following words:-

1497 Substance Abuse Prevention and Treatment Fund 100%

1498 SECTION 57. Item 4513-1020 of said section 2 of said chapter 131 is hereby amended
1499 by inserting before the last proviso the following 3 provisos:- ; provided further, that the
1500 department of public health, in consultation with the division of medical assistance and the
1501 division of health care finance and policy, shall develop and implement a contracting and
1502 payment methodology for early intervention services including intensive specialty services for
1503 Medicaid-eligible children with intensive service needs; provided further, that early intervention
1504 services shall be provided in compliance with applicable early intervention operational
1505 standards; and provided further, that the department shall implement the methodology by
1506 December 1, 2010 and shall provide written notification to the house and senate committees on
1507 ways and means 30 days prior to such implementation.

1508 SECTION 58. Item 4590-0250 of said section 2 of said chapter 131 is hereby amended
1509 by adding the following words:-

1510 Substance Abuse Prevention and Treatment Fund 100%

1511 SECTION 59. Item 7004-0101 of said section 2 of said chapter 131 is hereby amended
1512 by adding the following words:- ; provided further, that in promulgating, amending or
1513 rescinding regulations with respect to eligibility or benefits under this program, the department
1514 shall take into account the amounts available to it for expenditure in this item so as not to exceed
1515 the amount appropriated in this item; provided further, that notwithstanding any general or
1516 special law to the contrary, 90 days before promulgating any such eligibility or benefit changes,
1517 the undersecretary shall file with the house and senate committees on ways and means and the
1518 clerks of the senate and house of representatives a determination by the secretary of housing and
1519 economic development that available appropriations for the program will be insufficient to meet

1520 projected expenses and a report setting forth such proposed changes; provided further, that in
1521 fiscal year 2011, no such determination and report shall be filed prior to December 5, 2010;
1522 provided further, that all expenditures from this item shall be subject to appropriation and, in the
1523 event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to
1524 any enforceable right or entitlement to services in excess of the amounts appropriated in this
1525 item.

1526 SECTION 60. Item 7007-0900 of said section 2 of said chapter 131 is hereby amended
1527 by adding the following words:-

1528 Massachusetts Tourism Fund 100%

1529 SECTION 61. Item 7007-0901 of said section 2 of said chapter 131 is hereby amended
1530 by adding the following words:-

1531 Massachusetts Tourism Fund 100%

1532 SECTION 62. Item 7007-1000 of said section 2 of said chapter 131 is hereby amended
1533 by adding the following words:-

1534 Massachusetts Tourism Fund 100%

1535 SECTION 63. Item 7077-0023 of said section 2 of said chapter 131 is hereby amended
1536 by striking out the words “ the resident veterinary tuition remission plan submitted January 9,
1537 1988” and inserting in place thereof the following words:- a resident veterinary tuition remission
1538 plan as approved by the commissioner of higher education.

1539 SECTION 64. Item 7100-0200 of said section 2 of said chapter 131 is hereby amended
1540 by striking out the figure “\$10,689,530” and inserting in place thereof the following figure:-
1541 \$38,946,312.

1542 SECTION 65. Item 7109-0100 of said section 2 of said chapter 131 is hereby amended
1543 by striking out the figure “\$856,633” and inserting in place thereof the following figure:-
1544 \$3,121,063.

1545 SECTION 66. Item 7110-0100 of said section 2 of said chapter 131 is hereby amended
1546 by striking out the figure “\$602,567” and inserting in place thereof the following figure:-
1547 \$2,195,397.

1548 SECTION 67. Item 7112-0100 of said section 2 of said chapter 131 is hereby amended
1549 by striking out the figure “\$538,485” and inserting in place thereof the following figure:-
1550 \$1,961,920.

1551 SECTION 68. Item 7113-0100 of said section 2 of said chapter 131 is hereby amended
1552 by striking out the figure “\$311,422” and inserting in place thereof the following figure:-
1553 \$1,134,637.

1554 SECTION 69. Item 7114-0100 of said section 2 of said chapter 131 is hereby amended
1555 by striking out the figure “\$862,906” and inserting in place thereof the following figure:-
1556 \$3,143,918.

1557 SECTION 70. Item 7115-0100 of said section 2 of said chapter 131 is hereby amended
1558 by striking out the figure “\$503,180” and inserting in place thereof the following figure:-
1559 \$1,833,290.

1560 SECTION 71. Item 7116-0100 of said section 2 of said chapter 131 is hereby amended
1561 by striking out the figure “\$512,833” and inserting in place thereof the following figure:-
1562 \$1,868,460.

1563 SECTION 72. Item 7117-0100 of said section 2 of said chapter 131 is hereby amended
1564 by striking out the figure “\$329,394” and inserting in place thereof the following figure:-
1565 \$1,200,117.

1566 SECTION 73. Item 7118-0100 of said section 2 of said chapter 131 is hereby amended
1567 by striking out the figure “\$305,027” and inserting in place thereof the following figure:-
1568 \$1,111,338.

1569 SECTION 74. Item 7502-0100 of said section 2 of said chapter 131 is hereby amended
1570 by striking out the figure “\$203,308” and inserting in place thereof the following figure:-
1571 \$740,734.

1572 SECTION 75. Item 7503-0100 of said section 2 of said chapter 131 is hereby amended
1573 by striking out the figure “\$350,498” and inserting in place thereof the following figure:-
1574 \$1,277,007.

1575 SECTION 76. Item 7504-0100 of said section 2 of said chapter 131 is hereby amended
1576 by striking out the figure “\$250,703” and inserting in place thereof the following figure:-
1577 \$913,413.

1578 SECTION 77. Item 7505-0100 of said section 2 of said chapter 131 is hereby amended
1579 by striking out the figure “\$199,807” and inserting in place thereof the following figure:-
1580 \$727,978.

1581 SECTION 78. Item 7506-0100 of said section 2 of said chapter 131 is hereby amended
1582 by striking out the figure “\$406,289” and inserting in place thereof the following figure:-
1583 \$1,480,276.

1584 SECTION 79. Item 7507-0100 of said section 2 of said chapter 131 is hereby amended
1585 by striking out the figure “\$304,284” and inserting in place thereof the following figure:-
1586 \$1,108,631.

1587 SECTION 80. Item 7508-0100 of said section 2 of said chapter 131 is hereby amended
1588 by striking out the figure “\$440,840” and inserting in place thereof the following figure:-
1589 \$1,606,160.

1590 SECTION 81. Item 7509-0100 of said section 2 of said chapter 131 is hereby amended
1591 by striking out the figure “\$278,098” and inserting in place thereof the following figure:-
1592 \$1,013,224.

1593 SECTION 82. Item 7510-0100 of said section 2 of said chapter 131 is hereby amended
1594 by striking out the figure “\$415,241” and inserting in place thereof the following figure:-
1595 \$1,512,892.

1596 SECTION 83. Item 7511-0100 of said section 2 of said chapter 131 is hereby amended
1597 by striking out the figure “\$446,409” and inserting in place thereof the following figure:-
1598 \$1,626,450.

1599 SECTION 84. Item 7512-0100 of said section 2 of said chapter 131 is hereby amended
1600 by striking out the figure “\$330,099” and inserting in place thereof the following figure:-
1601 \$1,202,685.

1602 SECTION 85. Item 7514-0100 of said section 2 of said chapter 131 is hereby amended
1603 by striking out the figure “\$535,107” and inserting in place thereof the following figure:-
1604 \$1,949,613.

1605 SECTION 86. Item 7515-0100 of said section 2 of said chapter 131 is hereby amended
1606 by striking out the figure “\$246,384” and inserting in place thereof the following figure:-
1607 \$897,677.

1608 SECTION 87. Item 7516-0100 of said section 2 of said chapter 131 is hereby amended
1609 by striking out the figure “\$435,379” and inserting in place thereof the following figure:-
1610 \$1,585,086.

1611 SECTION 88. Item 7518-0100 of said section 2 of said chapter 131 is hereby amended
1612 by striking out the figure “\$452,379” and inserting in place thereof the following figure:-
1613 \$1,648,201.

1614 SECTION 89. Item 1000-0005 of section 2B of said chapter 131 is hereby amended by
1615 striking out the figure “\$750,000” and inserting in place thereof the following figure:- \$850,000.

1616 SECTION 90. Section 2D of said chapter 131 is hereby amended by inserting after item
1617 0840-4620 the following item:-

1618 Massachusetts Developmental Disabilities Council.

1619 1100-1703 For the purposes of a federally funded grant entitled, Implementation of
1620 the Federal Developmental Disabilities Act; provided, that in order to qualify for the grant, this
1621 account shall be exempt from the first \$290,000 of fringe benefit and indirect cost charges
1622 pursuant to section 6B of chapter 29 of the General Laws \$3,280,078

1623 SECTION 91. Said section 2D of said chapter 131 is hereby further amended by
1624 inserting after item 1201-0412 the following item:-

1625 Disabled Persons Protection Commission.

1626 1107-2509 For the purposes of a federally funded grant entitled, Disabled Persons
1627 Protection Commission, Multi-Disciplinary Responses to Crime \$200,000.

1628 SECTION 92. Section 2E of said chapter 131 is hereby amended by striking out item
1629 1595-1068 and inserting in place thereof the following item:-

1630 1595-1068 For an operating transfer to the MassHealth provider payment account in
1631 the Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General
1632 Laws, notwithstanding the requirement that transfers be completed no later than June 30, 2011 in
1633 the introductory paragraph of this section; provided, that these funds shall be expended only for
1634 services provided during state or federal fiscal year 2011, and no amounts previously or
1635 subsequently transferred into the Medical Assistance Trust Fund shall be expended on payments
1636 described in the section 1115 demonstration waiver for services provided during state fiscal year
1637 2011, or payments described in the state plan for services provided during federal fiscal year
1638 2011; provided further, that all payments from the Medical Assistance Trust Fund shall be
1639 subject to the availability of federal financial participation, shall be made only in accordance
1640 with federally-approved payment methods, shall be consistent with federal funding requirements
1641 and all federal payment limits as determined by the secretary of health and human services and
1642 shall be subject to the terms and conditions of an agreement with the executive office of health
1643 and human services; provided further, that any increase in payment made from the trust fund
1644 totaling an amount greater than \$251,000,000 in fiscal year 2011 shall be made only after the

1645 secretary of health and human services certifies that any increase in payments from the trust fund
1646 shall not exceed the negotiated limit for section 1115 waiver spending; provided further, that the
1647 secretary of health and human services shall notify, in writing, the house and senate committees
1648 on ways and means and the joint committee on health care financing of any increases in
1649 payments within 15 days; provided further, that the secretary of health and human services shall
1650 make a payment of up to \$247,605,130 from the Medical Assistance Trust Fund to the
1651 Cambridge Public Health Commission for dates of service in state and federal fiscal year 2011,
1652 only after the Cambridge Public Health Commission transfers up to \$95,105,130 of its funds to
1653 the Medical Assistance Trust Fund using a federally-permissible source of funds which shall
1654 fully satisfy the nonfederal share of such payment; and provided further, that the secretary of
1655 health and human services shall make payments from the Medical Assistance Trust Fund totaling
1656 an amount not to exceed \$135,000,000 to privately owned acute hospitals in the commonwealth
1657 for purposes of transitional relief. Such transitional relief payments shall be in addition to
1658 payments from the Medical Assistance Trust Fund made pursuant to supplemental payment
1659 agreements entered into between the executive office of health and human services and hospitals
1660 designated by the commonwealth as Essential MassHealth Hospitals and Public Service
1661 Hospitals. Transitional relief payments shall be subject to approval by the Centers for Medicare
1662 and Medicaid Services of such payments in the amendment to the MassHealth Section 1115
1663 Demonstration as submitted by the commonwealth on March 1, 2010, and in accordance with the
1664 methodology approved therein. Such payments may be made only pursuant to written
1665 certification to the comptroller and the house and senate committees on ways and means by the
1666 secretary of administration and finance that sufficient state revenue is available to fund the non-

1667 federal share for such payments, consistent with the requirement for a balanced budget
1668 \$527,500,000.

1669 SECTION 93. Item 1595-5819 of said section 2E of said chapter 131 is hereby amended
1670 by inserting after the words “proposed transfer” the following words:- ; and provided further,
1671 that notwithstanding any general or special law to the contrary, if the secretary of administration
1672 and finance determines that amounts transferred from the General Fund to the Commonwealth
1673 Care Trust Fund are not needed to support the costs of the commonwealth care and
1674 Commonwealth Care Bridge subsidized health insurance programs in fiscal year 2011, the
1675 secretary of administration and finance shall notify the comptroller and the house and senate
1676 committees on ways and means of this determination and the comptroller shall transfer such
1677 amounts from the Commonwealth Care Trust Fund back to the General Fund.

1678 SECTION 94. Section 133 of said chapter 131 is hereby amended by adding the
1679 following paragraph:-

1680 Not later than January 1, 2011 and quarterly thereafter, the executive office shall submit a
1681 report detailing progress implementing this program to the secretary of administration and
1682 finance, the joint committee on health care financing, the joint committee on public health and
1683 the house and senate committees on ways and means.

1684 SECTION 95. Said chapter 131 is hereby further amended by striking out section 136
1685 and inserting in place thereof the following section:-

1686 Section 136. (a) Notwithstanding any general or special law to the contrary and except as
1687 provided in subsection (b), an eligible individual pursuant to section 3 of chapter 118H of the
1688 General Laws shall not include a person who is not eligible to receive federally-funded benefits

1689 under sections 401, 402 or 403 of the Personal Responsibility and Work Opportunity
1690 Reconciliation Act of 1996, Pub. L. No. 104-193, as amended, for fiscal year 2011.

1691 (b) Notwithstanding any general or special law to the contrary, the secretary of
1692 administration and finance, the secretary of health and human services and the executive director
1693 of the health insurance connector authority may, in their discretion and subject only to the terms
1694 and conditions in this subsection, establish or designate a health insurance plan in which a person
1695 who is not eligible to receive federally-funded benefits under said sections 401, 402 or 403 of the
1696 Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193,
1697 as amended, but who is an eligible individual pursuant to said section 3 of said chapter 118H
1698 may enroll for the period including July 1, 2010 to June 30, 2011, inclusive. The plan may be
1699 contracted for selectively from the health plans that contracted in fiscal year 2010 to provide
1700 insurance coverage to commonwealth care or MassHealth enrollees. Notwithstanding any
1701 general or special law to the contrary, the secretary of administration and finance, the secretary
1702 of health and human services and the executive director of the commonwealth health insurance
1703 connector authority may, in their discretion and subject only to the terms and conditions in this
1704 subsection, make payments from the Commonwealth Care Trust Fund established in section
1705 2000 of chapter 29 of the General Laws to operate the health insurance plan established
1706 pursuant to subsection (b) of section 31 of chapter 65 of the acts of 2009; provided, further , that
1707 expenditure of such funds shall not result in a loss or reduction of services provided to
1708 commonwealth care enrollees. If the secretary of administration and finance, the secretary of
1709 health and human services and the executive director of the health insurance connector authority
1710 determine that the projected costs of enrolling eligible individuals in such coverage in fiscal year

1711 2011 will exceed existing funds in the trust fund that are available for this program, they may
1712 limit enrollment in such coverage.

1713 SECTION 96. Said chapter 131 is hereby further amended by striking out section 149
1714 and inserting in place thereof the following section:-

1715 Section 149. Notwithstanding any general or special law to the contrary, when the
1716 comptroller disposes of the consolidated net surplus for fiscal year 2011 under subsection (a) of
1717 section 5C of chapter 29 of the General Laws, the comptroller shall not carry forward 0.5 per
1718 cent of the total revenue from taxes in fiscal year 2011 unless the secretary of administration of
1719 finance provides written notice that there are sufficient funds available to make all or a portion of
1720 the 0.5 per cent carry forward.

1721 SECTION 97. Section 158 of said chapter 131 is hereby repealed.

1722 SECTION 98. Section 187 of said chapter 131 is hereby repealed.

1723 SECTION 99. Section 165 of chapter 240 of the acts of 2010 is hereby repealed.

1724 SECTION 100. Section 196 of said chapter 240 is hereby amended by striking out the
1725 words “and 186” and inserting in place thereof the following words:- , 186 and 187.

1726 SECTION 101. Section 197 of said chapter 240 is hereby amended by striking out the
1727 words “and 126” and inserting in place thereof the following words:- , 126 and 129.

1728 SECTION 102. Chapter 256 of the acts of 2010 is hereby amended by striking out
1729 section 145 and inserting in place thereof the following section:-

1730 Section 145. Sections 2 to 7, inclusive, 12, 16 to 19, inclusive, 21 to 26, inclusive, 28, 30
1731 to 37, inclusive, 56, 62, 65, 66, 105, 106, 119, 122 and 128 to 133, inclusive shall take effect on
1732 May 4, 2012.

1733 SECTION 103. Section 29 of chapter 288 of the acts of 2010 is hereby amended by
1734 striking out the words “Rate filing materials submitted for review by the division shall be
1735 deemed confidential and exempt from the definition of public records in clause Twenty-sixth of
1736 section 7 of chapter 4” and inserting in place thereof the following words:- Information related to
1737 rate adjustment factors and rates of reimbursement for review by the division shall be deemed
1738 confidential and exempt from the definition of public records in clause Twenty-sixth of section 7
1739 of chapter 4, unless the commissioner disapproves a rate filing based upon a proposed rate
1740 adjustment factor and the affected carrier requests a hearing, in which case the rate adjustment
1741 factor material shall no longer be exempt.

1742 SECTION 104. Section 31 of said chapter 288 is hereby further amended by striking out
1743 the word “presumptively”.

1744 SECTION 105. Section 34 of said chapter 288 is hereby amended by striking out the
1745 words “, for each approved group purchasing cooperative, in the aggregate, shall not exceed
1746 85,0000” and inserting in place thereof the following words:- for all approved group purchasing
1747 cooperatives, in the aggregate, shall not exceed 85,000.

1748 SECTION 106. Section 50 of said chapter 288 is hereby amended by striking out the
1749 words “October 1, 2010” and inserting in place thereof the following words:- January 1, 2011.

1750 SECTION 107. Section 51 of said chapter 288 is hereby amended by striking out the
1751 words “October 1, 2010” and inserting in place thereof the following words:- January 1, 2011.

1752 SECTION 108. Section 52 of said chapter 288 is hereby amended by striking out the
1753 words “October 1, 2010” and inserting in place thereof the following words:- January 1, 2011.

1754 SECTION 109. Section 53 of said chapter 288 is hereby amended by striking out the
1755 words “October 1, 2010” and inserting in place thereof the following words:- January 1, 2011.

1756 SECTION 110. The first paragraph of section 54 of said chapter 288 is hereby amended
1757 by striking out the words “December 31, 2010” and inserting in place thereof the following
1758 words:- April 1, 2011.

1759 SECTION 111. The second paragraph of said section 54 of said chapter 288 is hereby
1760 amended by striking out the words “November 1, 2010” and inserting in place thereof the
1761 following words:- January 1, 2011.

1762 SECTION 112. Said second paragraph of said section 54 of said chapter 288 is hereby
1763 further amended by striking out the words “, who shall serve as the chair” and inserting in place
1764 thereof the following words:- and the commissioner of the department of public health or the
1765 commissioner’s designee, who shall serve as co-chairs.

1766 SECTION 113. Said second paragraph of said section 54 of said chapter 288 is hereby
1767 further amended by adding the following 2 sentences:- Members of the committee shall be
1768 appointed for terms of 2 years and shall serve until the term is completed or until a successor is
1769 appointed. Members shall be eligible to be reappointed and shall serve without compensation.

1770 SECTION 114. Section 58 of said chapter 288 is hereby amended by striking out the
1771 word “Medicaid” and inserting in place thereof the following word:- Medical.

1772 SECTION 115. Section 60 of said chapter 288 is hereby amended by inserting after the
1773 words “public health” the following words:- , the commissioner of the division of health care
1774 finance and policy.

1775 SECTION 116. Section 61 of said chapter 288 is hereby amended by striking out the
1776 words “December 31, 2010” and inserting in place thereof the following words:- April 1, 2011.

1777 SECTION 117. Section 64 of said chapter 288 is hereby amended by striking out the
1778 words “January 1, 2011” and inserting in place thereof the following words:- April 1, 2011.

1779 SECTION 118. Subsection (e) of section 67 of said chapter 288 is hereby amended by
1780 striking out the words “February 1, 2011” and inserting in place thereof the following words:-
1781 April 1, 2011.

1782 SECTION 119. Section 68 of said chapter 288 of the acts of 2010 is hereby amended by
1783 striking out the figures “, 26, 27” and “66”.

1784 SECTION 120. Said section 68 of said chapter 288 is hereby further amended by
1785 inserting after the figure “39” the following figure:- , 41.

1786 SECTION 121. Section 71 of said chapter 288 is hereby amended by striking out the
1787 figure “, 41”.

1788 SECTION 122. Section 73 of said chapter 288 is hereby amended by inserting after the
1789 figure “40” the following:- and 66.

1790 SECTION 123. Said chapter 288 is hereby further amended by adding the following 3
1791 sections:-

1792 Section 74. Section 26 shall take effect on December 1, 2010.

1793 Section 75. Section 7 shall take effect on April 1, 2011.

1794 Section 76. Section 27 shall take effect on January 1, 2012.

1795 SECTION 124. Notwithstanding any general or special law to the contrary, the provision
1796 in the last sentence of subsection (k) of section 14G of chapter 151A of the General Laws
1797 requiring the Medical Security Trust Fund to be in balance by the close of each fiscal year shall
1798 not apply for the fiscal year ending June 30, 2010; provided, however, that the division of
1799 unemployment assistance shall notify the house and senate committees on ways and means at
1800 least 45 days prior to any changes to unemployment health insurance contributions or benefits.

1801 SECTION 125. Notwithstanding chapter 151A of the General Laws or any other general
1802 or special law to the contrary, the division of unemployment assistance may determine whether
1803 an individual who meets the requirements of section 4002(g)(1) of the Supplemental
1804 Appropriations Act of 2008, as amended, shall be paid emergency unemployment compensation
1805 or regular compensation under said chapter 151A for a week of unemployment by applying the
1806 provisions of Section 4002(g)(2)(A) of said act.

1807 SECTION 126. Notwithstanding any general or special law to the contrary and within 30
1808 days after the effective date of this section, the comptroller shall transfer \$953,742 from the
1809 General Fund to the Head Injury Treatment Services Trust Fund established in section 59 of
1810 chapter 10 of the General Laws. Transferred funds shall only be expended from the Head Injury
1811 Treatment Services Trust Fund and shall not be transferred to other funds.

1812 SECTION 127. The special commission established by chapter 7 of the resolves of 2008
1813 is hereby revived and continued. The commission shall report to the general court the results of
1814 its investigation and study and its recommendations, if any, by filing the same with the clerks of
1815 the senate and house of representatives on or before June 27, 2012.

1816 SECTION 128. Notwithstanding chapter 29C of the General Laws, section 16 of chapter
1817 275 of the acts of 1989, or any other general or special law to the contrary, to assist homeowners
1818 in the town of Stow who are customers of the Assabet Water Company and to provide an
1819 adequate supply of safe drinking water, the water pollution abatement trust created under said
1820 chapter 29C may make loans associated with betterments to eligible borrowers pursuant to
1821 section 18 of said chapter 29C for costs of water wells and treatment and storage facilities and
1822 distribution pipes associated therewith, and may apply to such purposes amounts appropriated to
1823 the trust under paragraph (a) of said section 16 of said chapter 275 and any investment earnings
1824 thereon and any receipts on loans made with such amounts. Any water wells, treatment and
1825 storage facilities, and distribution pipes shall constitute drinking water projects for the purposes
1826 of said chapter 29C; provided that funds for the water wells, treatment and storage facilities, and
1827 distribution pipes shall be available only to residents of the town of Stow who are customers of
1828 the Assabet Water Company; provided further no application for funding under this section shall
1829 be granted after June 30, 2011; and provided further that all applications for funds for the drilling
1830 of a water well and acquisition or installation of associated treatment and storage facilities and
1831 distribution pipes shall be subject to section 127B½ of chapter 111 of the General Laws.

1832 SECTION 129. Notwithstanding any general or special law to the contrary, contingent
1833 upon receipt of not less than \$27,200,000 in TANF contingency funds authorized by Title IV,
1834 section 403(b) of the Social Security Act, a sum of \$27,200,000 shall be distributed as

1835 supplemental nursing facility Medicaid rates for fiscal year 2011 in item 4000-0640 of section 2
1836 of chapter 131 of the acts of 2010.

1837 SECTION 130. Notwithstanding any general or special law to the contrary, the executive
1838 office of health and human services shall submit a report not later than January 1, 2011 to the
1839 secretary of administration and finance, the joint committee on health care financing, the joint
1840 committee on public health and the house and senate committees on ways and means detailing
1841 any observed and projected impact of the prescription monitoring program administered by the
1842 department of public health on MassHealth service utilization and expenditures in fiscal years
1843 2011, 2012 and 2013.

1844 SECTION 131. Notwithstanding any general or special law to the contrary, any
1845 unexpended funds appropriated in item 1000-0001 of section 2 of chapter 27 of the acts of 2009
1846 shall not revert and shall be made available for expenditure until June 30, 2011 to pay for any
1847 additional costs associated with the single statewide audit for fiscal year 2010 or to implement
1848 section 14C of chapter 7 of the General Laws.

1849 SECTION 132. (a) Notwithstanding any general or special law to the contrary, the
1850 University of Massachusetts system and the president of the university shall retain all tuition for
1851 out-of-state students at the Lowell campus and the board of trustees for the University of
1852 Massachusetts shall promulgate regulations to allow the administration of the Lowell campus to
1853 retain all tuition paid by students who are not residents of the commonwealth. The regulations
1854 shall ensure that no resident of the commonwealth shall be denied admission to any campus as a
1855 result of the tuition retention program.

1856 (b) Notwithstanding any general or special law to the contrary, the University of
1857 Massachusetts system and the president of the university shall retain all tuition for out-of-state
1858 students at the Dartmouth campus and the board of trustees for the University of Massachusetts
1859 shall promulgate regulations to allow the administration of the Dartmouth campus to retain all
1860 tuition paid by students who are not residents of the commonwealth. The regulations shall ensure
1861 that no resident of the commonwealth shall be denied admission to any campus as a result of the
1862 tuition retention program.

1863 (c) Notwithstanding any general or special law to the contrary, the University of
1864 Massachusetts system and the president of the university shall retain all tuition for out-of-state
1865 students at the Boston campus and the board of trustees for the University of Massachusetts shall
1866 promulgate regulations to allow the administration of the Boston campus to retain all tuition paid
1867 by students who are not residents of the commonwealth. The regulations shall ensure that no
1868 resident of the commonwealth shall be denied admission to any campus as a result of the tuition
1869 retention program.

1870 (d) Notwithstanding any general or special law to the contrary, the University of
1871 Massachusetts system and the president of the university shall retain all tuition for out-of-state
1872 students at the Worcester campus and the board of trustees for the University of Massachusetts
1873 shall promulgate regulations to allow the administration of the Worcester campus to retain all
1874 tuition paid by students who are not residents of the commonwealth. The regulations shall ensure
1875 that no resident of the commonwealth shall be denied admission to any campus as a result of the
1876 tuition retention program.

1877 (e) All out-of-state tuition and fees received by the board of trustees at Bridgewater State
1878 University shall be retained by the board of trustees of that institution in a revolving trust fund
1879 and shall be expended as the board may direct. The board shall ensure that no resident of the
1880 commonwealth shall be denied admission to the college as a result of the tuition retention
1881 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1882 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1883 (f) All out-of-state tuition and fees received by the board of trustees at Fitchburg State
1884 University shall be retained by the board of trustees of that institution in a revolving trust fund
1885 and shall be expended as the board may direct. The board shall ensure that no resident of the
1886 commonwealth shall be denied admission to the college as a result of the tuition retention
1887 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1888 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1889 (g) All out-of-state tuition and fees received by the board of trustees at Framingham State
1890 University shall be retained by the board of trustees of that institution in a revolving trust fund
1891 and shall be expended as the board may direct. The board shall ensure that no resident of the
1892 commonwealth shall be denied admission to the college as a result of the tuition retention
1893 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1894 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1895 (h) All out-of-state tuition and fees received by the board of trustees at Salem State
1896 University shall be retained by the board of trustees of that institution in a revolving trust fund
1897 and shall be expended as the board may direct. The board shall ensure that no resident of the
1898 commonwealth shall be denied admission to the college as a result of the tuition retention

1899 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1900 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1901 (i) All out-of-state tuition and fees received by the board of trustees at Westfield State
1902 University shall be retained by the board of trustees of that institution in a revolving trust fund
1903 and shall be expended as the board may direct. The board shall ensure that no resident of the
1904 commonwealth shall be denied admission to the college as a result of the tuition retention
1905 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1906 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1907 (j) All out-of-state tuition and fees received by the board of trustees at Worcester State
1908 University shall be retained by the board of trustees of that institution in a revolving trust fund
1909 and shall be expended as the board may direct. The board shall ensure that no resident of the
1910 commonwealth shall be denied admission to the college as a result of the tuition retention
1911 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1912 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1913 (k) All out-of-state tuition and fees received by the board of trustees at Berkshire
1914 Community College shall be retained by the board of trustees of that institution in a revolving
1915 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1916 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1917 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1918 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1919 (l) All out-of-state tuition and fees received by the board of trustees at Bristol Community
1920 College shall be retained by the board of trustees of that institution in a revolving trust fund and

1921 shall be expended as the board may direct. The board shall ensure that no resident of the
1922 commonwealth shall be denied admission to the college as a result of the tuition retention
1923 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1924 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1925 (m) All out-of-state tuition and fees received by the board of trustees at Bunker Hill
1926 Community College shall be retained by the board of trustees of that institution in a revolving
1927 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1928 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1929 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1930 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1931 (n) All out-of-state tuition and fees received by the board of trustees at Cape Cod
1932 Community College shall be retained by the board of trustees of that institution in a revolving
1933 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1934 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1935 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1936 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1937 (o) All out-of-state tuition and fees received by the board of trustees at Greenfield
1938 Community College shall be retained by the board of trustees of that institution in a revolving
1939 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1940 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1941 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1942 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1943 (p) All out-of-state tuition and fees received by the board of trustees at Holyoke
1944 Community College shall be retained by the board of trustees of that institution in a revolving
1945 trust fund or funds and shall be expended as the board may direct. The board shall ensure that no
1946 resident of the commonwealth shall be denied admission to the college as a result of the tuition
1947 retention program. Any balance in the trust fund or funds at the close of a fiscal year shall be
1948 available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

1949 (q) All out-of-state tuition and fees received by the board of trustees at Massachusetts
1950 Bay Community College shall be retained by the board of trustees of that institution in a
1951 revolving trust fund and shall be expended as the board may direct. The board shall ensure that
1952 no resident of the commonwealth shall be denied admission to the college as a result of the
1953 tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be
1954 available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

1955 (r) All out-of-state tuition and fees received by the board of trustees at Massasoit
1956 Community College shall be retained by the board of trustees of that institution in a revolving
1957 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1958 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1959 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1960 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1961 (s) All out-of-state tuition and fees received by the board of trustees at Middlesex
1962 Community College shall be retained by the board of trustees of that institution in a revolving
1963 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1964 of the commonwealth shall be denied admission to the college as a result of the tuition retention

1965 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1966 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1967 (t) All out-of-state tuition and fees received by the board of trustees at Mount Wachusett
1968 Community College shall be retained by the board of trustees of that institution in a revolving
1969 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1970 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1971 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1972 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1973 (u) All out-of-state tuition and fees received by the board of trustees at North Shore
1974 Community College shall be retained by the board of trustees of that institution in a revolving
1975 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1976 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1977 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1978 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1979 (v) All out-of-state tuition and fees received by the board of trustees at Northern Essex
1980 Community College shall be retained by the board of trustees of that institution in a revolving
1981 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1982 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1983 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1984 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1985 (w) All out-of-state tuition and fees received by the board of trustees at Quinsigamond
1986 Community College shall be retained by the board of trustees of that institution in a revolving

1987 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1988 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1989 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1990 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1991 (x) All out-of-state tuition and fees received by the board of trustees at Roxbury
1992 Community College shall be retained by the board of trustees of that institution in a revolving
1993 trust fund and shall be expended as the board may direct. The board shall ensure that no resident
1994 of the commonwealth shall be denied admission to the college as a result of the tuition retention
1995 program. Any balance in the trust fund at the close of a fiscal year shall be available for
1996 expenditure in subsequent fiscal years and shall not revert to the General Fund.

1997 (y) All out-of-state tuition and fees received by the board of trustees at Springfield
1998 Technical Community College shall be retained by the board of trustees of that institution in a
1999 revolving trust fund and shall be expended as the board may direct. The board shall ensure that
2000 no resident of the commonwealth shall be denied admission to the college as a result of the
2001 tuition retention program. Any balance in the trust fund at the close of a fiscal year shall be
2002 available for expenditure in subsequent fiscal years and shall not revert to the General Fund.

2003 (z) Notwithstanding any general or special law to the contrary, for employees of public
2004 higher education institutions who are paid from tuition retained pursuant to this section, fringe
2005 benefits shall be funded as if those employees' salaries were supported by state appropriations.
2006 This section shall apply only to fringe benefits associated with salaries paid from tuition retained
2007 by the respective boards of trustees for the University of Massachusetts at Lowell, University of
2008 Massachusetts at Dartmouth, University of Massachusetts at Boston, University of

2009 Massachusetts at Worcester, Bridgewater State University, Fitchburg State University,
2010 Framingham State University, Salem State University, Westfield State University, Worcester
2011 State University, Berkshire Community College, Bristol Community College, Bunker Hill
2012 Community College, Cape Cod Community College, Greenfield Community College, Holyoke
2013 Community College, Massachusetts Bay Community College, Massasoit Community College,
2014 Middlesex Community College, Mount Wachusett Community College, North Shore
2015 Community College, Northern Essex Community College, Quinsigamond Community College,
2016 Roxbury Community College and Springfield Technical Community College, as a direct result
2017 of the implementation of this section.

2018 (aa) The respective boards of trustees for the University of Massachusetts at Lowell,
2019 University of Massachusetts at Dartmouth, University of Massachusetts at Boston, University of
2020 Massachusetts at Worcester, Bridgewater State University, Fitchburg State University,
2021 Framingham State University, Salem State University, Westfield State University, Worcester
2022 State University, Berkshire Community College, Bristol Community College, Bunker Hill
2023 Community College, Cape Cod Community College, Greenfield Community College, Holyoke
2024 Community College, Massachusetts Bay Community College, Massasoit Community College,
2025 Middlesex Community College, Mount Wachusett Community College, North Shore
2026 Community College, Northern Essex Community College, Quinsigamond Community College,
2027 Roxbury Community College and Springfield Technical Community College shall each issue a
2028 report on the progress of this initiative no later than February 1 of each year to the house and
2029 senate chairs of the joint committee on higher education, the chairs of the house and senate
2030 committees on ways and means and the executive office of administration and finance. The
2031 report shall include the number of out-of-state students attending the school, the amount of

2032 tuition revenue retained under the program and any programs or initiatives funded with the
2033 retained revenue.

2034 SECTION 133. Sections 9, 10 and 18 to 22, inclusive shall also apply to persons who, as
2035 of January 3, 2011, have attained the age of 18 and have not yet reached the age of 22, are, on
2036 January 3, 2011, under the responsibility of the department, and are eligible, or were eligible, on
2037 their eighteenth birthday, under section 472 of Title IV(E) of the Social Security Act, 42 U.S.C.
2038 § 672 for foster care maintenance payments. The court which last exercised jurisdiction as of the
2039 person's eighteenth birthday, shall schedule a permanency hearing within the first 90 days, and
2040 conduct such hearing within 180 days, after January 3, 2011 for persons who meet the
2041 aforementioned criteria.

2042 SECTION 134. Sections 14, 34 and 35 shall be effective on August 5, 2010.

2043 SECTION 135. Sections 9, 10, 18 to 22, inclusive, and 133 shall be effective on January
2044 3, 2011.

2045 SECTION 136. Section 32 shall take effect on January 1, 2012.

2046 SECTION 137. Section 132 shall be effective on July 1, 2011.